

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III

G A Z E T T E

KHYBER PAKHTUNKHWA

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LOCAL GOVERNMENT, ELECTIONS AND
RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Peshawar, dated the 20th June, 2022

No.SOG/LG/7/5/ROBs/2022/TLG.--- In exercise of the powers conferred by Section 112 of the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013), the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

The Khyber Pakhtunkhwa City/ Tehsil Local Government Rules of Business, 2022.

Part-I **General**

1. Short title, application and commencement.---(1) These rules may be called the Khyber Pakhtunkhwa City/Tehsil Local Government Rules of Business, 2022.

(2) These rules shall apply to each Tehsil Local Government, City Local Government and Capital Metropolitan Government Peshawar and save as otherwise provided in the Act and these rules or any reference in these rules to-

- (a) Tehsil Local Government shall be read as City Local Government and Capital Metropolitan Government Peshawar;

- (b) Chairman, Tehsil Local Government and Tehsil Council shall be read as Mayor, City Local Government and City Local Council, and Mayor, Capital Metropolitan Government Peshawar; and
- (c) Tehsil Local Administration shall be read as City Local Administration.

(3) These rules shall come into force at once.

2. **Definitions.**--- (1) In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say,-

- (a) "Act" means the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013);
- (b) "Appendix" means Appendix appended to these rules;
- (c) "Assistant Commissioner" means an officer, appointed as such and includes the Additional Assistant Commissioners who shall be the coordinating head of the Tehsil Local Government;
- (d) "business" means all the official business conducted by the City Local Government or Tehsil Local Government, in pursuance of the provisions of the Act;
- (e) "bye-laws" mean bye-laws, made by the Tehsil Council under section 113 of the Act, read with section 25 thereof;
- (f) "case" means a particular matter under consideration and includes all papers, correspondence, notes or any previous papers on the subject or connected therewith to enable the Tehsil Local Government to dispose of the matter;
- (g) "Chairman" means the Chairman of the Tehsil Local Government;
- (h) "devolved offices" mean the devolved offices responsible for the provision of social services, as specified in second column of Tenth Schedule of the Act and elaborated in Appendix-B;

- (i) “head of devolved office” means the head of devolved office, responsible for the provision of social services, as specified in Tenth Schedule of the Act and enumerated in the **Appendix-B**;
- (j) “own source revenue” means the revenue generated by the concerned Tehsil Local Government under sub-section (2) of section 30 of the Act;
- (k) “Presiding Officer” means one of the members, elected by the Tehsil Council, who presides over the meetings of the Tehsil Council;
- (l) “property” means property as specified under sub-section (1) of section 38 of the Act;
- (m) “Standing Committee” means a Standing Committee elected under clause (e) of section 25 of the Act; and
- (n) “Tehsil Council” means Tehsil Council constituted under the Act;
- (o) “tehsil fund” means the tehsil fund, established for crediting various monies in pursuance of section 30 of the Act;
- (p) “Tehsil Municipal Officer” means the head of the Tehsil Municipal Administration, responsible for the municipal services as provided in first column of Tenth Schedule of the Act and elaborated in the **Appendix-A**; and
- (q) “tehsil offices” mean the tehsil offices and their sub-offices which provide –
 - (i) municipal services under first column of Tenth Schedule and elaborated in the **Appendix-A**; and
 - (ii) social services under second column of Tenth Schedule of the Act and elaborated in the **Appendix-B**.

(2) Words or expressions, used but not defined in these rules, shall have the same meanings as are assigned to them in the Act or rules made thereunder.

3. Allocation of business.---The business shall be distributed amongst the tehsil offices in the manner as provided in the **Appendix-A and B:**

Provided that the water and sanitation services of the Tehsil Council, at Divisional headquarter, to the extent of defined jurisdiction, shall vest with the concerned Water and Sanitation Services Company, as established under section 115A of the Act, till the validity of Staff and Assets Management Agreement.

4. Organization and working of tehsil offices.---(1) Each tehsil office shall consist of such officers and officials as may be determined, from time to time, by the Government.

(2) The Department shall cause to prepare and circulate the job descriptions containing roles, responsibilities, key performance indicators for all the officials in Tehsil Local Government. A copy of the same shall be submitted to the Chairman and other concerned officers.

(3) If in the opinion of the head of devolved office, new posts are required in tehsil office under his jurisdiction, he shall submit a detailed justification for creation of such new posts along with the financial implications to the Scrutiny Committee, to be constituted by the Chairman at the level of each Tehsil Council, which shall, after consideration, forward the case to the Tehsil Council for approval.

(4) Upon approval by the Tehsil Council, such a case shall be submitted to the respective administrative department of Government, which further shall submit its recommendations to the Finance Department of Government of the Khyber Pakhtunkhwa for approval and sanctioning of such posts.

(5) In case of the Tehsil Municipal Officer, such a case shall be routed through the Regional Municipal Officer to the Local Council Board for approval.

(6) The Tehsil Local Government may, from time to time, on need basis, hire the services of workers, on daily wages basis, from its own source revenue:

Provided that such cost shall remain less than ten percent of the revenue of own source of the Tehsil Council in a financial year:

Provided further that the daily wagers, appointed under this sub-rule shall not be eligible for regularization of their services and such conditions shall be reflected in their work agreements.

(7) In case the post of a head of devolved office falls vacant due to any reason, the Chairman may take up the matter with the concerned administrative department for filling such vacant post.

5. Functions and powers of the Chairman.--- (1) The functions and powers of the Chairman, Tehsil Local Government shall be to-

- (a) provide vision for tehsil-wide development, leadership and direction for efficient functioning of Tehsil Local Government;
- (b) formulate strategies and time frame for accomplishment of goals regarding infrastructure development and improvement in delivery of services, approved by tehsil council;
- (c) coordinate, where required with District Administration for district wide development and delivery of services;
- (d) ensure implementation of devolved functions and maintain administrative and financial discipline;
- (e) oversee formulation and execution of tehsil annual development programme including improvement of municipal services and infrastructure;
- (f) present budget proposals to tehsil council for approval;
- (g) present to tehsil council bi-annual reports on the performance of offices of Tehsil Local Government;
- (h) call for quarterly reports from devolved departments in the tehsil and to present them to tehsil council and forward them to District Administration and the relevant provincial departments along with recommendations of tehsil council;

- (i) regulate markets and services including cattle fairs and cattle markets, issue licenses, permits, grant permissions and impose penalties for violation thereof through the Tehsil Local Administration;
- (j) authorize officers to issue notice, prosecute, sue and follow up criminal, civil cases and recovery proceedings against violators of municipal laws;
- (k) co-ordinate and support municipal functions amongst village and neighbourhood councils in the tehsil and initiate their inspections;
- (l) issue orders to officers in-charge of devolved departments for discharge of their functions;
- (m) recommend disciplinary action against functionaries in the Tehsil Local Administration under efficiency and discipline rules applicable to the employees in tehsil local administration;
- (n) represent Tehsil Local Government on civic and ceremonial occasions; and
- (o) perform any other function assigned by the Government or any other departments.

(2) The Chairman shall be personally responsible for loss causing from decisions made by him or under his directions in violation of any provisions of the Act or any other law for the time being in force and for any expenditure incurred without lawful authority.

6. Functions and powers of the Mayor.--- (1) In addition to the functions and powers specified in rule 5 above, the Mayor, City Local Government shall perform the following functions:

- (a) review implementation of rules and by-laws governing Municipal roads, traffic, tax, infrastructure and public utilities (not contravening, the Provincial Government development policy);
- (b) approve proposals related to municipal services as defined in section 2 (r) of the Act.;

- (c) approval of macro municipal plans and projects as may be notified by City Local Government;
- (d) approval of tertiary and secondary sewerage network and treatment plants;
- (e) management of storm water drainage network and its disposal;
- (f) devise control measures for flood protection and prepare rapid response contingency plans;
- (g) propose and approve measures for industrial and hospital hazardous and toxic waste treatment and disposal;
- (h) enforce environmental control, including control of air, water, and soil pollution in accordance with federal and provincial laws and standards;
- (i) establish parks, play grounds, sporting and other recreational facilities;
- (j) setup art galleries, libraries and community centers;
- (k) approve plans for landscape, monuments, and municipal ornamentation;
- (l) take steps for urban improvement, upgrading, renewal and redevelopment, with due care to preserve historical and cultural monuments; and
- (m) establish regional markets and city-wide commercial centers in accordance with relevant laws, rules and by-laws for the time being in force.

(2) The Mayor shall be personally responsible for loss causing from decisions made by him or under his directions in violation of any provisions of the Act or any other law for the time being in force and for any expenditure incurred without lawful authority.

7. Powers and functions of Presiding Officer.---The Presiding Officer shall have the following powers and functions with regard to the meetings of Tehsil Council:

- (a) preside over the meeting of Tehsil Council as and when convened by the Chairman;
- (b) call the sitting to order;
- (c) preserve order and decorum;
- (d) in case of disturbance or disorder in the galleries, have the power to cause them to be cleared;
- (e) decide all points of order;
- (f) deputize for Chairman or Mayor, as the case may be, during his temporary absence;

Provided that in such eventuality, Secretary Tehsil Council shall notify such orders; and

- (g) supervise the elections of the Standing Committee and other committees of the Tehsil Council concerned.

8. Posting and transfer of officers in Tehsil Local Government.--- (1)

The posting and transfers of officers and officials in Tehsil Local Government shall be regulated under posting and transfer policy of the respective department for the time being in force.

(2) For the purpose of sub-rule (1), all Policies, notifications, circulars, instructions and other guidelines, issued by the respective departments and Government from time to time with regards to posting and transfer of officers and officials shall be binding on the Tehsil Local Government.

9. Powers and functions of Assistant Commissioner.---(1) The Assistant Commissioner shall, be the coordinating head of the Tehsil Local Government to facilitate day to day working of the Tehsil Local Government, with regard to devolved offices to-

- (a) ensure expeditious disposal of the business for convenience of the people;
- (b) issue standing orders specifying the cases or class of cases which may be disposed of by head of devolved office, within time period specified by him, subject to policies of respective department and Government

- (c) ensure that the business of the Tehsil Local Government is carried out in accordance with the Act, these rules and any other law relating to Tehsil Local Government for the time being in force;
- (d) redress public complaints relating to devolved offices;
- (e) coordinate and supervise activities of devolved offices with regard to social services for evidence and need based robust planning, equitable and systematic development, effective and efficient functioning;
- (f) ensure that the business of all the group of offices in the Tehsil Local Government is carried out in accordance with law, rules and regulations and the human and material resources of devolved offices are optimally utilized to improve governance;
- (g) exercise general supervision and monitoring over programs, projects, services, and activities of the Tehsil Local Government;
- (h) coordinate flow of information required by the Tehsil Council;
- (i) act as Principal Accounting Officer for the devolved office and be responsible to the Accounts Committee of the Tehsil Council and Public Accounts Committee of the Provincial Assembly of Khyber Pakhtunkhwa;
- (j) call for information and reports from local governments in the tehsil as required by the District Administration or any agency or department of the Federal Government or Government;
- (k) assist the Chairman in performance of his functions and formulation of policy of the Tehsil Council;
- (l) oversee implementation of various programs carried out in the Tehsil Local Government and prepare periodical reports for presentation in the Tehsil Council;

- (m) prepare periodical reports including reports on implementation of developmental plans, segregated by gender, for submission to Government and presentation in the Tehsil Council;
- (n) implement approved policies of the Tehsil Council; and
- (o) keep Government informed, through Deputy Commissioner, on important issues and matters having significant social, economic or administrative implications.

(2) In case of two Tehsil Councils in a Revenue Tehsil, coordinating function may be assigned by the Department to an Additional Assistant Commissioner in a Tehsil or any other officer as it may deem appropriate.

10. Functions of the heads of devolved offices.--- (1) The head of devolved office shall-

- (a) be responsible for observance of laws, rules, regulations and bye-laws for efficient conduct of business, ensuring administrative and financial discipline in the office;
- (b) ensure that the human and material resources placed at his disposal are optimally utilized to improve governance;
- (c) coordinate and supervise the activities of the office in his charge and ensure efficient service delivery by the functionaries under his administrative control;
- (d) coordinate the activities of office under his charge with other offices within the Tehsil Local Government for coherent planning and development of infrastructure and for effective and efficient functioning of the Tehsil Local Government;
- (e) provide information to the standing committee of the Tehsil Council for the devolved offices and take corrective action as per findings of the standing committee in line with laws, rules, regulations and bye-laws framed from time to time by Government;

- (f) enforce relevant laws, rules, regulations and bye-laws governing the relevant function in the Tehsil Local Government, assigned to him;
- (g) prepare and propose budgetary allocations for the office in his charge, prepare development plans for the devolved functions and implement approved plans;
- (h) oversee utilization of resources necessary for the proper execution of programs, projects, services and other activities;
- (i) act as Drawing and Disbursing Officer of the devolved office;
- (j) propose bye-laws and amendment in the existing bye-laws to the Tehsil Council for the purpose of improvement of service delivery in the functions falling under his charge;
- (k) prepare periodical and annual reports on the working and performance of the office in his charge; and
- (l) exercise financial powers for execution of developmental projects and release of payment within stipulated time for respective devolved offices.

(2) For the purpose of only devolved functions under the Act and these rules, the head of devolved office shall report to the Tehsil Local Government and for the rest to the respective District Head of office, simultaneously.

11. Functions of Tehsil Municipal Officer.---(1) Tehsil Municipal Officer shall be responsible to-

- (a) ensure that the business of the tehsil office with regard to municipal services is carried out in accordance with the Act, rules, policies, municipal regulations and instructions, circulated by the Department and Government, from time to time;
- (b) act as Secretary of the Tehsil Council to coordinate matters relating to secretarial business of the Tehsil Council;
- (c) ensure that the human, material and financial resources of the tehsil offices with regard to municipal services are optimally utilized to improve local governance;

- (d) obtain approval of the Chairman in policy matters and important decisions pertaining to municipal functions, prior to communicating such matters and decisions to the Department;

Provided that such matters are routed through the respective Regional Municipal Officer and Local Council Board;

- (e) exercise powers on matters related to revenue generation, auctions of contracts of own sources in the Tehsil Municipal Administration as specified in Part-I of Third Schedule of the Act;
- (f) act as Drawing and Disbursing Officer of their respective tehsil offices with regard to municipal services;
- (g) accord sanction of all kind of expenditures pertaining to tehsil offices with regard to municipal services;
- (h) act as head of Tehsil Development Committee for the funds generated by the tehsil offices with regard to municipal services, from own sources and Provincial Finance Commission;
- (i) appoint Non-PUGF staff (BPS-1 to BPS-16), subject to policy of the Local Council Board, for the time being in force;
- (j) refer the case to the Local Council Board through Regional Municipal Officer for decision, where the order of Chairman, pertaining to municipal services and property, appears to involve a departure from rules, regulations or Government policy;
- (k) act as head of the executing agency of all development schemes pertaining to municipal services; and
- (l) perform any other function or responsibility assigned by Government, Department or Local Council Board.

12. General procedure for disposal of business.---(1) The Assistant Commissioner shall circulate instructions about the manner of disposal of the business of the devolved offices; provided that such instructions are not contrary to the Act and the rules.

(2) If any doubt or dispute arises with regard to a devolved office, to which a case pertains, the matter shall be referred to Assistant Commissioner, who shall obtain order of Chairman, if necessary, and the order thus passed, shall be final.

(3) All orders shall be made in writing, however, in case of a verbal order, the officer receiving such order, shall reduce it into writing and as soon as possible, submit it to the authority, making the order, for confirmation.

(4) If any order contravenes any law, rules, regulation or policy of Government or Tehsil Council, the authority, next below the authority making such order, shall point it out to the authority making such order and if the later does not agree, it shall refer the case to the next higher authority or Government, as the case may be, for appropriate decision.

(5) No case shall be kept pending for more than three working days by any officer. If processing of a case requires more time, the immediate superior shall be informed without fail.

13. Inspection by the Local Government Commission.---(1) Tehsil Local Government shall extend all necessary support to the inspection teams, deputed by the Local Government Commission, while conducting annual and special inspections of the respective Tehsil Local Government.

(2) The tehsil offices shall provide all the necessary assistance and relevant documents to the Local Government Commission promptly under intimation to Chairman.

14. Orders, instruments, contract and litigation.---(1) All executive orders of the Tehsil Council shall be taken in the name of Tehsil Local Government.

(2) Save in cases where an officer has been specifically empowered by the Chairman to sign an order or instrument on behalf of Tehsil Council, every order shall be signed by such officer, and such signature shall be deemed to be proper authentication of such order or instrument.

(3) Making and execution of contracts and assurances of property in the Tehsil Council shall be subject to instructions and policy of the respective administrative department of Government.

(4) The Tehsil Council may sue and be sued in its name through Assistant Commissioner with regard to devolved offices and the Tehsil Municipal Officer with regard to municipal services.

15. Executive Committee.---(1) The Chairman may constitute an Executive Committee for devolved functions at the level of each Tehsil Council, headed by Assistant Commissioner with certain number of members as may be required for the disposal of a particular matter.

(2) The Executive Committee shall-

- (a) deal with administrative, financial or public policy matters of two or more such tehsil offices;
- (b) facilitate coordination among the devolved offices;
- (c) provide avenue for the consideration of matters of common interest; and
- (d) tender advice in any case that may be referred by the Tehsil Council or Chairman in respect of devolved offices.

(3) The head of devolved office, who wants a particular matter to be discussed in the Executive Committee, shall apprise the Assistant Commissioner of his intentions of doing so and forward ten copies of a brief note on the subject which would form the basis of discussion.

(4) The Assistant Commissioner shall issue notice of the meeting along with agenda of the meeting; provided that urgent items may be considered at short notice.

(5) Minutes of the meeting shall be recorded by an officer, nominated by the Assistant Commissioner, who shall attend the meeting for the purpose and circulate such minutes after approval by the Assistant Commissioner.

16. Administrative and financial powers.---(1) The administrative and financial powers shall be exercised by concerned officer of Tehsil Local Government, as per rules and delegation of powers.

(2) No senior officer of Tehsil Local Government shall exercise the powers specifically delegated to a junior officer. If a situation requires the exercise of such authority by a senior officer, he shall record the reasons for exercising the authority and submit the case to the Chairman for information.

(3) The concerned Tehsil Municipal Officer or head of devolved office, shall prepare regular periodic reports of the functions or activities by each group of offices as specified in the **Appendix-A** and **Appendix-B** for submission to the Chairman.

17. Information to be provided to the Standing Committee.---Any information, required by the Chairperson of a Standing Committee, shall be requisitioned from the Assistant Commissioner in case of devolved offices and Tehsil Municipal Officer in case of municipal services.

18. Action on the reports of the Standing Committee.---(1) The report of the Standing Committee, regarding Tehsil Council, shall be examined by Assistant Commissioner and Tehsil Municipal Officer, with regard to matters pertaining to devolved offices and Tehsil office with regard to municipal services, respectively.

(2) A Note shall be submitted to the Chairman for suggesting a course of action in the matter.

(3) The Chairman shall inform the Tehsil Council about the action taken by him on the report of the Standing Committee.

Part-II

Reference to Chairman

19. Reference to the Chairman.---(1) No order of the Tehsil Council shall be issued without the approval of the Chairman, in the following cases:

- (a) proposals for the levy of new taxes and making or withdrawal of bye-laws;
- (b) resource position and budget proposals before presentation of the budget and financial statement to the Tehsil Council;
- (c) any deviation from the approved policies and bye-laws of the Tehsil Council;

- (d) requisition for meetings of the Tehsil Council, except meetings requisitioned for consideration of impeachment motion against him;
- (e) annual reports on the working and performance of Tehsil Council for submission to Government; and
- (f) reports and documents required to be laid before the Tehsil Council.

(2) With respect to a case, mentioned in sub-rule (1), the head of devolved office with regard to tehsil office relating to social services or Tehsil Municipal Officer with regard to tehsil office relating to municipal services, shall initiate a Note, titled as "Note for the Chairman", including a self-contained and objective brief, stating relevant facts and the points for decision with specific recommendations and shall address the same to the Assistant Commissioner and Tehsil Municipal Officer with regard to matters pertaining to devolved offices and tehsil office relating to municipal services, respectively.

(3) The Assistant Commissioner, in respect of devolved offices and Tehsil Municipal Officer, in respect of tehsil office with regard to municipal services, shall submit the case to the Chairman with appropriate advice.

(4) The Note, containing orders of the Chairman shall be returned to the initiating officer.

(5) The Assistant Commissioner, in respect of devolved offices and Tehsil Municipal Officer, in respect of tehsil office with regard to municipal services, shall keep the Chairman generally informed of all matters, affecting public peace in the tehsil, and cases having administrative issues, if any.

Part-III **Procedure for Consultation**

20. Consultation amongst tehsil offices.---(1) When a case, concerns more than one tehsil office, the head of devolved office or Tehsil Municipal Officer shall be responsible for consulting the other relevant tehsil offices through a reference encompassing all relevant facts and points necessitating consultation.

(2) Such case shall be decided by the Assistant Commissioner, in respect of devolved offices and Tehsil Municipal Officer, in respect of municipal services, however, in case of any disagreement or where the Assistant Commissioner or Tehsil Municipal Officer deem appropriate, the case shall be submitted to the Chairman for his consideration and decision:

Provided that where the case or issue concerns the relevant departments of Government, the case may be forwarded to the Deputy Commissioner or Local Council Board for soliciting their view point.

21. Consultation with Tehsil Finance Office.--- All head of devolved offices and Tehsil Municipal Officer shall ensure prior consultation with Tehsil Finance Office in the following cases:

- (a) expenditure for which no provision exists in the relevant head of budget;
- (b) a change in the number or nomenclature or basic scale of a post or in the terms and conditions of service of the Government servants or their statutory rights and privileges which have financial implications;
- (c) re-appropriation with the budget grants earmarked for the tehsil offices; or
- (d) alteration in financial procedure or in the method of compilation of accounts or of the budget estimates.

22. Reference to Government.---(1) All tehsil offices shall route their references to Government through Assistant Commissioner, on following matters, requiring:

- (a) legislation and rules or their interpretation;
- (b) execution of Agreement and Memorandum of Understanding;
- (c) consideration of legal questions arising out of any case; and
- (d) institution or defense of civil proceedings in Courts in which Government is involved.

(2) The tehsil office, intending to refer any of the matters under sub-rule (1), to Government, shall draw up specific points, on which the decision of Government is required and shall send a self-contained reference, giving all the information and details, necessary for an appropriate decision, to the Assistant Commissioner for submission to Government.

(3) No tehsil office shall, without approval of the Tehsil Council, authorize any orders, other than an order in pursuance of any general or special delegation by Government, which involves-

- (a) reduction or extension in the scope of functions of a tehsil office, as specified in the **Appendix-B** or transfer of such functions from one tehsil office to another;
- (b) reorganization or change in the status of offices directly administered by a tehsil office; and
- (c) any change in the terms and conditions of services or statutory rights and privileges of Government servants.

Part-IV
Bye Laws

23. Making and amendments of bye-laws.---(1) The tehsil office with the subject shall be responsible through the Assistant Commissioner in respect of devolved offices and Tehsil Municipal Officer in respect of municipal services for determining the contents of bye-laws, proposed for the function and business of respective group of offices and obtaining approval of the Chairman to process a case for submission to the Tehsil Council.

(2) While according approval to the proposal, the Chairman shall also indicate the manner as to which the draft proposal may be submitted before the Tehsil Council, including-

- (a) the draft may be taken into consideration at once; or
- (b) it may be taken up at a specified date in future; or
- (c) it may be referred to respective Standing Committee of the Tehsil Council; or
- (d) It may be circulated for the purposes of eliciting public opinion thereon.

(3) On receipt of approval under sub-rule (2), the head of devolved office shall send draft to the Secretary of the Tehsil Council through a memorandum, including a statement detailing the factors necessitating the bye-laws, for inclusion in the business of Tehsil Council.

(4) The head of devolved office shall thereafter prepare a brief for the use of the Chairman at the time of introducing the draft bye-laws in the Tehsil Council.

(5) The Tehsil Council shall carry out its business in accordance with the bye-laws, for the time being in force.

Part-V
Miscellaneous

24. Compliance with directions of Government.--- The Tehsil Local Government shall comply with the policy directions, notifications, circulars, instructions, and guidelines issued by any department, attached department or organizations of the Provincial Government or any other authority, duly authorized by the Government from time to time.

25. Protection and communication of official information.---(1) A Government servant shall not communicate any information, acquired directly or indirectly from official documents or otherwise, to the media, non-officials or officials, belonging to other Government offices, unless he has been, generally or specifically, empowered or obligated to do so.

(2) Ordinarily, all official news and information shall be conveyed to the media through the official spokesperson of the Tehsil Council, nominated by the Chairman.

(3) The Assistant Commissioner, in respect of devolved offices and Tehsil Municipal Officer, with regard municipal services, shall, from time to time, circulate instructions about the treatment and custody of official documents and information of a confidential nature.

26. Annual Development Plan of Tehsil Local Government.--- (1) The Tehsil Local Government may, with the approval of Tehsil Council, prepare Annual Development Plan for the Tehsil, which shall be within the budgetary allocation, allocated to such Tehsil Local Government, under clause (a) of sub-section (1) of section 53 of the Act, and its own source revenue.

(2) Tehsil Local Government may monitor a developmental scheme, executed from the budgetary allocation, as provided in sub-rule (1) and shall submit reports to the quarter concerned.

(3) Any developmental project, involving creation of post or recurring liability for the Government, shall require prior permission from the Finance Department of Khyber Pakhtunkhwa.

27. Channel of correspondence.---(1) Subject to the rules, all correspondence with Government shall be conducted by the concerned head of tehsil office and it shall be ordinarily addressed to the Secretary or head of the Attached Department.

(2) All correspondence with government of a foreign country or a Pakistan Diplomatic Mission or a foreign mission in Pakistan or an international organization shall be routed through the Provincial administrative department of Government.

(3) All correspondence with the attached departments, regional offices and autonomous bodies shall be made directly by the concerned tehsil office and it shall ordinarily be addressed to the heads of attached departments, regional offices and autonomous bodies.

(4) All correspondence within the tehsil, regarding municipal services and village council or neighborhood council shall be made through Tehsil Municipal Officer and Assistant Director of the Department, respectively.

(5) The servants of the Local Council concerned shall be governed by the same terms and conditions and rules under which they were originally appointed, unless the rules are amended or altered by the Department.

28. Manner for transaction of business.---(1) The business shall be transacted in accordance with the channels of communication, laid down in these rules and instructions, issued from time to time.

(2) If oral discussions are held with Chairman by an officer, he shall communicate the points, made during the discussion to his tehsil officer, in writing at the earliest.

29. Performance Evaluation Report.---(1) The Performance Evaluation Reports of officers, in Tehsil Council, shall be initiated, reported and countersigned in the following manner:

Sr.No.	Officers.	Reporting Officer.	Countersigning Officer.	Second Countersigning Officer.
1.	Assistant Commissioners.	Deputy Commissioners.	Divisional Commissioners.	Chief Secretary.
2.	Tehsil Municipal Officer.	Assistant Commissioner.	Regional Municipal Officer.	Secretary Local Council Board.
3.	Head of the Devolved Office.	Assistant Commissioner.	District Head / District Officer.	Head of Attached Department.
4.	Assistant Director LG&RDD.	Assistant Commissioner.	Director (Admin) LG&RDD.	Director General LG&RDD.

(2) While writing the Performance Evaluation Reports, the reporting officer and the countersigning officers may give due consideration to the feedback, provided by the Chairman.

30. Repeal and savings. --- (1) The Khyber Pakhtunkhwa Tehsil and Town Municipal Administration Rules of Business, 2015 and the Khyber Pakhtunkhwa District Rules of Business, 2015, are hereby repealed.

(2) Notwithstanding the repeal of aforementioned rules, all orders and instructions, issued before commencement of these rules and not inconsistent to the provision of these rules, shall be deemed to be valid within the meanings of these rules

APPENDIX-A

[see rules 2(1)(p)and(q)(i), 3, 6(a) and 16(3)]

**Allocation of Business Amongst Offices of Tehsil/City Municipal
Administration**

I. Municipal Regulation:

1. Regulate markets and services;
2. Issue licenses, permits, grants permissions and impose penalties for violation thereof as and when applicable;
3. Management of Municipal lands, estates, properties, facilities, assets and enterprises vested in the City /Tehsil Local Administration;
4. Enforcement of all municipal laws, rules and byelaws governing the functioning of City /Tehsil Local Administration;
5. Prevention of encroachments on public lands and places (Temporary tehbazari and encroachment);
6. Prosecute, sue and follow up criminal, civil and recovery proceedings against violators of municipal laws in the courts of competent jurisdiction;
7. Regulate affixing of signboards and advertisements;
8. Regulation of tenure of Kachi Abadis, including rights of way, drains;
9. Organize sports, cultural, recreational events, fairs and shows;
10. Organize cattle fairs and cattle markets;
11. Propose taxes, cess, user's fees, rates, rents, tolls, charges, fines and penalties under Part -I of the Third Schedule of the Act for City /Tehsil Local Government for approval of the Tehsil Council and notify the same after such approval;
12. Collect approved taxes, cess, user's fees, rates, rents, tolls, charges, penalties and fines.
13. Management of bus terminals/ adda's, taxi stands, or any vehicles carrying passengers.
14. Management of municipal schools/ colleges and any other educational institutions and libraries.
15. Management of dastakari center.
16. Management of public toilets
17. Any other service assigned by the authority from time to time.
18. Custodian of the record.

II. Planning, Infrastructure, Architectural and Services

1. Provision, management, operation, maintenance and improvement services of the municipal infrastructure and services including:
2. Water supply and control and development of water resources, other than systems maintained by the VC/NC;
3. Storm water drainage;
4. Sanitation and solid waste management including solid waste collection and sanitary disposal of solid, liquid, industrial and hospital wastes;
5. Roads and street other than roads falling under the jurisdiction of and maintained by district, provincial government.
6. Traffic planning, engineering and management including traffic signaling system, sign on roads, street markings, parking places, transport stations, stops, stands and terminals;
7. Street lighting;
8. Disaster and emergency management including firefighting;
9. Maintenance and development of parks, playground, open spaces and arboriculture;

III. Maintenance and development of slaughter houses:

1. Maintain a comprehensive database and information system on services in the Tehsil municipal record and archives and provide public access to it on nominal charges.
2. Execute and manage development plans;
3. Prepare spatial plans for the City /Tehsil and VC/NC including plans for land use, zoning;
4. Formulate strategies for infrastructure development, improvement in service delivery of municipal services;
5. Exercise control over land use, land sub division, land development and zoning by public and private sectors for any purpose including agriculture industry, commerce, markets, shopping and other employment centers etc.
6. Building control and town planning;
7. Develop and manage schemes including site development
8. Any other development activity assigned.

IV. Finance:

1. Prepare annual and revised budget under the direction of Chairman /Mayor as the case may be;
2. Management and control of local fund and revenues – vigilance, detection and prevention of revenue leakages and losses;
3. Prepare financial statements and present them for internal and external audit in the manner as may be prescribed;
4. Maintenance of public accounts
5. Maintain a comprehensive financial database and information system for City /Tehsil Municipal office and provide public access to it;
6. Carry out regular surveys of the revenue base – current and potential and develop periodic reports financial analysis for the Council.

V. Municipal Administration:

1. In charge of the sanitation functions;
2. Water supply;
3. Fire fighting;
4. Recovery of municipal fees, rates, taxes etc;
5. Any other function assigned by the authority.

Note:

The Regional Municipal Officer, Regional Account Officer, Superintendent Engineer, District/ Tehsil Architect shall perform their functions as per job description notified by the Local Council Board from time to time.

APPENDIX-B

[see rule 2(1)(h), (i) and (q)(ii), 3, 6(a), 16(3) and 22(3)(a)]

Allocation of Business amongst Tehsil Offices of Devolved Departments

I. Primary and Secondary education:

1. Enforcement of "Free and compulsory education Act" in the Tehsil;
2. Monitoring of primary school's infrastructure facilities;
3. Distribution of Free textbooks;
4. Reconciliation of books distributed with the demand made for primary schools;
5. Education monitoring committee (if any) at Tehsil level to monitor distribution and ensuring;
6. Promotion of sports and co-curricular activities in schools at primary level;
7. Promotion and launching of Enrolment Campaign;
8. Maintenance of universal primary education register at school level;
9. Compilation of out of school children data for timely provision to Tehsil and village council in order to mobilize parents of out of school children;
10. Achievement of Sustainable Development Goals;
11. Provision of science laboratories, additional class rooms and essential facilities in schools according to standards and technical norms set by the Government through PFC/own source revenue;
12. Promotion of Parents Teachers Councils;
13. Collect, compile and disseminate primary data relating to education of the Tehsil including primary Level enrollment data collection;
14. Promote literacy.

II. Social Welfare:

1. Implementation and reporting of Tehsil Local Government Schemes as per laid down procedures;
2. Extend and enhance coordination amongst government and nongovernment partners in the area of social welfare services;
3. Coordination at Tehsil level elected and appointed public representative;
4. Creation of enabling environment for communities to discharge their due role in national life.
5. Developing linkages with organizations engaged in community development.
6. Sensitize the vulnerable people and marginalized communities to organize themselves by resolving their needs and problems on self-help basis.

7. Promote public sector facilitation and support for the protection, rehabilitation and look after of the deprived, marginalized and vulnerable individuals, groups and communities at Tehsil Level
8. Commissioning research and surveys on issues obstructing community development and community participation.
9. Provision of technical and financial support, to the Civil Society, Non-Profit Social Welfare Organizations.
10. Strengthening the existing institutional care system and helping the people on need of support directly in their families and communities.
11. Data Collection, compilation and dissemination of primary data of vulnerable and disadvantage groups. Registration and updation of registration of Disabled and Special persons, senior citizen
12. Transformation of the local governments into organizations that actively practices and promotes gender equality and women empowerment.

III. Sports:

1. Implementation of Sports activities at Tehsil level together with regional sports authorities
2. Ensure development and growth of Sport activities and sports infrastructure activities under Tehsil Local Government
3. Formulation of Annual Tehsil level sports Development Plan
4. Collaborates with and takes part in the work of Provincial, National and international sports and youth activities
5. Organize, promote and develop sports, game and physical education in accordance with the policy of the Government
6. Arrangement and Management of Sports events at Tehsil Level
7. Annual sports competition

IV. Youth Affairs:

1. Implementation of youth inclusive programs at Tehsil level
2. Encouraging character building and ethical values among youth
3. Assessment at Tehsil level for Provision of Grants for youth development programs
4. Production of documentaries and literature on youth related issues Education Sponsorship programs under guidance from Directorate and Tehsil Local Government
5. Assist youth in identification of opportunities through Career Counseling/Career Management. Youth sponsorship programs Youth Co-Curricula competitions (Speeches etc.)

6. Implementation of Youth Development packages such as Youth carnivals, Youth Entrepreneurship development
7. Engagement of youth in peace building and conflict transformation processes,
8. Inclusion of marginalized & minorities youth in the mainstream.

V. Agriculture Extension:

1. Production, multiplication and marketing of seed and fruit plants certified by Government
2. On field demonstrations of technology and practices regarding crops, vegetable and fruits
3. Advisory services for plants protection
4. Promotion of agriculture activities
5. Collection, compilation and publication of agriculture sector information and statistics

VI. Livestock:

1. Promotion of private sector for establishment of dairy farms and poultry farms
2. Prevention of livestock and poultry diseases from own source revenue
3. Training of villagers on prophylactic vaccination, management and first aid
4. Enforcement of livestock and poultry related laws and rules
5. Provision of inputs and allied services for artificial insemination, breed improvement and genetic Up gradation of livestock resources
6. Provision of communication and extension services
7. Surveillance and control of livestock diseases
8. Regulation, management and inspections of milk and meat safety measures
9. Management, regulation and modernization of public sector slaughter houses and promotion of private sector investment, except those managed by TMAs
10. Support services for small livestock farmers in livestock keeping, disease diagnosis prevention, treatment and management
11. Advisory support to private enterprises on the animal husbandry practices
12. Promotion and regulation of Dairy Farms and Poultry Farms
13. Collection, compilation and dissemination of primary data
14. Prevention of Zoonotic diseases
15. Control of Endo/Ecto parasites
16. Provision of veterinary public health services

17. Control and regulation of animal movement (livestock poultry and its products)
VII. On Farm Water Management: 1. Formation and registration of Water Users Associations 2. Precision/rough land leveling 3. Irrigation agronomy practices 4. Harvesting of water resources 5. Demonstration of improved water management practices
VIII. Soil Conservation: 1. Soil and Water Conservation 2. Collection, compilation and dissemination of primary data 3. Construction of water disposal field outlets, check dams, water ponds, mini dams, water 4. Diversion structures and water infiltration galleries for water conservation 5. Afforestation, micro-watershed management to control soil erosion through 6. Provision of advisory, technical, training and institutional support for soil conservation and water harvesting 7. Reclamation of eroded agriculture lands through stream bank stabilization structures, bio-engineering interventions, agronomic activities, terracing and sand dunes stabilization
IX. Fisheries: 1. Capacity building of public and private sector for development of fisheries and aquaculture 2. Awareness raising for conservation of natural fish fauna in public water bodies 3. Provision of extension support services to private sector 4. Conservation, management, and promotion of aquaculture and fisheries resources 5. Applied and theoretical research, collection, compilation and publication of statistical data on fisheries and aquaculture 6. Enforcement of sector-specific laws and regulations

X. Population Welfare:

1. Collection of data.
2. Mainstreaming population factor in development planning process at Tehsil/Town level
3. Provision of family welfare services including family planning and general medical care through Family Welfare Centers.
4. Information, education and communication services in population welfare sector i.e.
 - a. Inter Personal communication.
 - b. Sukhi Ghar Mehfil.
 - c. Baby Shows
 - d. Essay writing competition.
 - e. Leaflet competition.
 - f. Poster competition.
 - g. Declamation contest and.
 - h. Sports events etc.
 - i. Seminars/Workshop, etc.
5. Forecasting, placement of demand and storage for provision of contraceptives at SDUs and stakeholder level.
6. Promotion of population planning activities through:
 - a. Public Sector Institutes
 - b. Social marketing of contraceptives
 - c. Non-Governmental organization, registered medical practitioners, hakims and homeopaths; and
 - d. Public private sector organization (PPSO)
7. Promotion of population welfare motivational services by establishing contact with the client at level within the Tehsil/ Town.
8. Establishment/promotion of family health services, clinical and non-clinical contraception through family welfare centers and particularly provision of services for rural areas will remain at Tehsil level.
9. Supply of contraceptives and medicines to the desirous clients in urban and rural areas of the Tehsil/Town through SDUs and agencies involved in the program
10. Promotion of community involvement and their active participation in population program activities for adoption of small family norms.
11. Coordination of population welfare program activities with other Government departments at Tehsil/Town level.
12. Setting up of population welfare committees at village & Tehsil level for promotion of Family Planning Activities in their respective jurisdiction.
13. Monitoring and Evaluation of the Population Welfare Program at Tehsil/Town level.
14. Any other activities of the population welfare program that the Tehsil/Town Government may specify.

XI. Local Govt. & Rural Development:

1. Procurement of goods and services and execution of rural development programs, projects and activities;
2. Monitoring, supervision and reporting on matters related to rural development and VC/NC.
3. Ensure implementation of monitoring reports on performance of service providers as per sub-section 1 (ix) of Section-29 of LG (Amendment) Act, 2019
4. Support the government in response to natural calamities and conducting special campaigns
5. Extension arm of the coordination unit in matters related delimitation, national census, socio-economic surveys etc.
6. Grant of administrative approval and technical sanction and executing agency for various development programs and projects, including assignment/deposit works, foreign aided projects etc related to VC/NC.
7. Drawing and Disbursement Officer for the local government and rural development at Tehsil level;
8. Coordinate matters related to Local Government Commission at Tehsil Level
9. Secretarial support to DDAC at the district headquarters level
10. Matters related to Registration of Civil Registration of Vital Events (CRVS)
11. Capacity building of functionaries and elected representatives
12. All matters related to the VC/NC in terms of section 29 of the Act;
13. Appointing, promotion and posting and transfer of staff in the VC/NC level;
14. Matters relating to office accommodation of VCNC, hiring of daily wagers for sanitation etc.
15. Any other functions to be assigned by the department or attached department.

XII. Public Health Engineering:

1. Implementation of Water policy 2015 and Rural Drinking Water act 1985 at Tehsil Level
2. Construction of Small Scale Water Supply Schemes under Tehsil Local Government funds
3. In Coordination with Tehsil Local Government, Monitoring and Evaluation of Tehsil Local Government funded schemes
4. PHED to Provide Technical Assistance in standard and specification to TLG in the area of water supply, sanitation and hygiene
5. Water supply charges to be collected by SDO/Tehsil government
6. Drinking water supply from small scale projects through Tehsil funds

7. Need assessment of construction work such as street pavements and Drains through Tehsil funds
8. Ensure quality of work particularly under TLG
9. Maintenance such as Cleaning of drains and sewers
10. Awareness and Promotion of Hygiene in Tehsil.
11. All small scale water supply schemes i.e. hand pumps, pressure pumps by LGE RDD with Tehsil Local Government through Tehsil funds

XIII. Coordination Functions of Tehsil Local Government:

1. General Coordination and supervision of tehsil Offices
2. Welfare schemes for tehsil/City local Government employees
3. Local holidays and celebration of national events
4. Periodic review of the organization, staff, functions and procedure of the tehsil Offices to improve efficiency for efficacious disposal of Business
5. Matters relating to standardization, printing and proper utilization of stationery resources of the tehsil /City local Government
6. Preparation and periodical review of secretariat manuals and circulation of instructions
7. Review of staffing pattern of tehsil/City Offices for optimal utility of human resources
8. Simplification of forms and procedures in tehsil/City Offices
9. Service Reforms at tehsil level
10. Provision and allotment of residential accommodation to Government and tehsil/City local Government servants in the tehsil/City
11. Compilation of the list of persons dismissed and debarred from future employment and its submission to the Government
12. Provision of Service Identity Cards for tehsil/City local Government employees
13. Matters relating to domicile
14. Relief during calamities and emergencies
15. Introducing Information technology to achieve the objectives of E Governance, E-Service Delivery, Web Content Management
16. Pre-Qualification of firms to provide consultancy, software development and products to the local governments in Information Technology sector
17. Registration of deeds and documents and registration fee
18. Functions of Controlling Authority for the Enforcement Officers in terms of section 35 of the Khyber Pakhtunkhwa (Amendment) Act 2019

XIV. Finance and Budget Functions of Tehsil Local Government:

1. Supervision and control of Tehsil/City Local Government Finance
2. Ways and Means of Tehsil/City Local Government and matters relating to Provincial Finance Commission
3. Preparation and circulation of instructions for guidance of Tehsil/City Local Government Offices in financial management
4. Administration of Own Source Revenue of the Tehsil/City Local Government
5. Examination and advice on matters affecting, directly or indirectly, the finances of Tehsil/City Local Government like emoluments, grants, contributions, allowances, honoraria, defalcation, embezzlement and losses with the concurrence of Provincial Government.
6. Management of assets and liabilities of Tehsil/City Local Government
7. Communication of financial sanctions under Delegation of Power Rules 2018
8. Tax proposals in areas within the authority of Tehsil/City Local Government
9. Preparation of Annual Budget, Supplementary Budget, Revised Estimates, Demands for Excess Grants, Citizens' Budget, and preparation and execution of output based budgeting
10. Appropriation and Re-appropriation with in Grants
11. Supervision and oversight of Tehsil/City Local Government Accounts
12. Abolition and creation of posts on the Establishment of City Tehsil Local Government Offices and examination of schedule of New Expenditure with the approval of Provincial Finance Department
13. Institutional arrangement for Audit of Receipts and Expenditure in Tehsil/City Local Government
14. Matters relating to Tehsil Accounts Committee and Public Accounts Committee
15. Authentication of Audit Copies of releases from Tehsil/City Local Government Fund
16. Formulation of Annual Development Plan with a special focus on gender and marginalized groups
17. Reconciliation of monthly and annual accounts of Receipts and Expenditure
18. Preparation, publication and submission periodic financial statements as prescribed in Fiscal Transfer Rules and Planning, Development, Budget and Accounts Rules of the state of finance and planning in Tehsil/City Local Government
19. Matters relating to internal controls and Departmental Accounts Committee
20. Supervision and financial management in accordance with rules
21. Consultation with Provincial Finance Department in policy matter
22. Mobilization of Tehsil/City Local Government Resources in consultation with Provincial Government.

XV. Human Resource Management Functions of Tehsil Local Government:

1. Management, Professional Development and Career Planning of human resources in local governments in the Tehsil
2. Preparation of training strategy, its implementation and monitoring
3. Training need assessment and preparation of training modules in coordination with Tehsil Offices
4. Collaboration and linkages with provincial and national training institutes
5. Short courses for officers and officials of local governments in the Tehsil/City in critical areas including management, office procedure, financial management, planning, development and, information technology
6. Need based customized capacity building courses for Tehsil/City offices

XVI. Planning and Development Functions of Tehsil Local Government:

1. Preparation, implementation, monitoring and evaluation of Tehsil/City Annual Development Program in coordination with Tehsil/City Offices
2. Preparation of Medium- and Long-Term Tehsil/City Development Plans
3. Appraisal of development projects
4. Collection, Analysis, Compilation and Publication of Development and Socio-Economic Statistics of the Tehsil/City local governments
5. Undertaking Research and Surveys on strategic issues pertaining to the tehsil/city local government for preparation of projects, programmes and plans
6. Coordination with Provincial P&D Department on issues pertaining to planning and development
7. Working as secretariat for the Tehsil Development Committee for approval of development schemes and clearing house for development schemes within the competence of Provincial Development Working Party (PDWP)
8. Consolidation and processing of budgetary proposals for resource allocation, re-appropriation of tehsil/City development funds, appropriations from block allocations and supplementary grants

9. Coordination of nominations for training, seminars, conferences and workshops, notified by Provincial Government for elected representatives and officers of local governments in the Tehsil/City
10. Promotion of private sector development and public private partnership
11. Focusing accelerated development of rain fed (barani) and less developed areas
12. Framing guidelines for procurement of consultancy services.

**Secretary
Government of Khyber Pakhtunkhwa
Local Government, Election & Rural
Development Department.**