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Chief Executive Secretariat
National Reconstruction Bureau

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THE SBNP TOWN MUNICIPAL ADMINISTRATION (MODEL) RULES OF BUSINESS, 2001

December, 2001

THE SBNP TOWN MUNICIPAL ADMINISTRATION (MODEL) RULES OF BUSINESS, 2001

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SBNP TOWN MUNICIPAL ADMINISTRATION (MODEL) RULES OF BUSINESS, 2001

No. ____ In exercise of the powers conferred by Section 191 of the SBNP Local Government Ordinance, 2001, the Government of SBNP is pleased to make the following Rules:-

PART A – GENERAL

1. Title and Commencement.– (1) These rules may be called the “SBNP Town Municipal Administration Rules of Business, 2001”.

(2) They shall come into force at once.

2. Definitions. – (1) In these rules, unless the context otherwise requires –

- (i) “business” means all work done by the Town Municipal Administration in pursuance of the provisions of the SBNP Local Government Ordinance, 2001 and these Rules;
- (ii) “case” means a particular matter under consideration and includes all papers relating to it and necessary to enable the matter to be disposed of, *viz.*, correspondence and notes and also any previous papers on the subject or subjects covered by it or connected therewith;
- (iii) “committee” means a committee constituted under the SBNP Local Government Ordinance, 2001 and these Rules;
- (iv) “council” means the Town Council of the Town concerned;
- (v) “decentralize” or “decentralised” means conferment by the Government under the SBNP Local Government Ordinance, 2001, of its administrative and financial authority for the management of specified offices of the Provincial Government to the local governments;

- (vi) "Town Municipal Administration" comprises the Town Nazim, Town Municipal Officer, Town Officers and other Officials of Local Council Service and Officials of the offices entrusted to the Town Municipal Administration.
- (vii) "Town Municipal Officer" means an officer appointed as such by the Provincial Government.
- (viii) "Town offices" means offices mentioned in Schedule-I to these Rules;
- (ix) "local government" means:-
 - (a) a District Government or a City District Government and Zila Council;
 - (b) a Tehsil (Taluqa) Municipal Administration and Tehsil Council;
 - (c) a Town Municipal Administration and Town Council in a City District; and
 - (d) a Union Administration and Union Council;
- (x) "member" means a member of the Town Council ;
- (xi) "Ordinance" means the SBNP Local Government Ordinance, 2001;
- (xii) "public representative" means an elected person to any political office;
- (xiii) "Rules" mean SBNP Town Municipal Administration Rules of Business, 2001; and
- (xiv) "schedule" means a schedule to these Rules.

(2) All words and expressions used in these Rules, but not defined, shall, unless the context otherwise requires, have the same meanings as in the SBNP Local Government Ordinance, 2001.

3. Business of Town Municipal Administration.– (1) The business of the Town Municipal Administration shall be disposed of by the offices of the Town Municipal Administration.

(2) Unless varied and notified by the Provincial Government, the decentralised offices in a Town shall continue performing their assigned functions and provide services to the people within their area of jurisdiction as they were doing on the commencement day of the Ordinance.

(3) The offices set up on or after the fourteenth day of August 2001 shall perform the functions and provide services as notified by the Provincial Government at the time of creation of such offices.

(4) During the transition period and till the reconstruction of the civil services, the officers and officials in the Town Municipal Administration may use the new titles and continue to serve in their pay scales.

4. Heads of offices.– (1) The Town Municipal Officer shall be administrative officer in-charge of the Town Municipal Administration.

(2) An office of the Town Municipal Administration shall be headed by a Town Officer.

(3) A Town Officer shall be responsible for efficient administration and discipline and for the proper conduct of business assigned to his office and for the due execution of the sanctioned policy.

(4) In the absence of the Town Municipal Officer for any reason, the Town Nazim may assign the charge of the post of the Town Municipal Officer to any competent officer of the Town Municipal Administration:

Provided that the case for posting of a regular Town Municipal Officer shall be initiated without any delay.

(5) In the absence of the Town Officer, the Town Nazim may, in consultant with the Town Municipal Officer, assign the additional charge of the post of the Town Officer to any other Town Officer.

5. Distribution of work among officers in Town Municipal Administration.– (1) The distribution of work among the Town Officers shall be as under:-

- (i) Town Officer (Municipal Regulations) shall be officer in-charge of the Municipal Regulations Office and shall be responsible for licensing, management of municipal lands, estates, properties, facilities and enterprises, enforcement of relevant municipal laws, rules, regulations and bye-laws; and any other function entrusted to his office by the Town Nazim/Town Municipal Officer.
- (ii) Town Officer (Infrastructure and Services) shall be officer in-charge of the Infrastructure and Services Office and shall be responsible for water supply, sewerage and drainage other than those provided by the City District Government; sanitation and solid waste management; roads entrusted to Town Municipal Administration and streets; street lighting; park services and any other function entrusted to his office by the Town Nazim/Town Municipal Officer.
- (iii) Town Officer (Planning) shall be officer in-charge of the Planning Office and shall be responsible for spatial planning and land use control within the framework of the City District Plan prepared by the City District Government, building control, coordination of development plans and projects with Union Administration, Village and Neighborhood Councils and other local governments and any other function entrusted to his office by the Town Nazim/ Town Municipal Officer.

(iv) Town Officer (Finance) shall be officer in-charge of the Finance Office and shall be responsible for budget, revenue, accounts and any other function/s entrusted to his office by the Town Nazim/ Town Municipal Officer.

(2) Business shall be allocated to various offices and branches as shown in Schedule-II

(3) The duty lists of all the officials in Town Municipal Administration shall be prepared and compiled in the form of a booklet by Town Municipal Officer for ready reference. A copy of the same shall be submitted to the Town Nazim and other concerned officers.

(4) The duty lists shall be reviewed by the Town Officer on yearly basis for identifying redundant jobs in the office concerned and issue revised lists if deemed necessary.

(5) The Town Officer on the basis of the review carried out under sub-rule (4), may recommend reduction of posts or otherwise in the annual budget of his office.

(6) If in the opinion of the Town Officer, new posts are required in an office under his jurisdiction, he shall submit a detailed justification for creation of such new posts along with the budget proposal.

6. Transaction of business.— (1) No important decision relating to administration of an office shall be taken except with the approval of the Town Nazim.

(2) The Town Municipal Officer shall keep the Town Nazim informed of any important case disposed of by him.

(3) Decisions taken by the Town Nazim shall not be varied, reversed or infringed without consulting him.

(4) Where the orders of the Town Nazim appear to involve a departure from Rules, Regulations or Government policy, the Town Municipal Officer shall resubmit the case to the Town Nazim inviting his attention to the relevant Rules, Regulations or Government policy.

(5) Subject to sub rule (1), the Town Officer shall be responsible for proper implementation of decisions concerning his office.

7. Functions and powers of the Town Nazim.— (1) The Town Nazim shall perform such functions and exercise such powers as have been assigned to him under the Ordinance and these Rules.

(2) The Town Nazim shall ensure that the business of the Town Municipal Administration is carried out in accordance with the provisions of the Ordinance and other laws for the time being in force.

(3) In the case of Provincial Government employees, the Town Nazim shall in consultation with the Provincial Government initiate action in accordance with the provisions of the relevant Efficiency and Discipline Rules against those officers and employees who have been reported to be inefficient, undisciplined or corrupt by a Monitoring Committee.

8. Duties and Functions of the Naib Town Nazim.— (1) The Naib Town Nazim shall deputize for the Town Nazim in his absence.

(2) In his capacity as convener of the Town Council, he shall provide liaison between the council and the Town Nazim.

(3) He shall supervise the working of the office of the Town Council.

(4) He shall be responsible for the careful observance of Rules of Procedure and Conduct of Meetings in the council.

9. Duties and Functions of Town Municipal Officer.– (1) The Town Municipal Officer shall perform such duties and functions as have been assigned to him under the Ordinance and these Rules.

(2) In matters of policy and important decisions, the Town Municipal Officer shall obtain approval of the Town Nazim before communicating such matters and decisions to the Provincial Government.

(3) The Town Municipal Officer may call for any case or information from any office of the Town Municipal Administration.

(4) The Town Municipal Officer shall be responsible for execution of sanctioned policy relating to the Town Municipal Administration.

10. General Procedure for Disposal of Business.– (1) Instructions as to the manner of disposal of the business of the Town Municipal Administration shall be issued by the Town Municipal Officer with the approval of the Town Nazim.

(2) If any doubt arises as to the office to which a case properly pertains, the matter shall be referred to the Town Municipal Officer, who shall obtain the orders of Town Nazim if necessary, and the orders thus passed shall be final.

(3) All orders shall be made in writing. Where a verbal order is made, the officer receiving the order shall take appropriate action if the situation so demands and reduce it in writing and, as soon as may be, show it to the authority making the order for confirmation.

(4) If an order contravenes any law, rule or policy decision, it shall be the duty of the officer next below the officer making such order to point it out to the officer making the order and the latter shall refer the case to the next higher authority.

(5) If any doubt or dispute arises as to the interpretation of these rules, the case shall be referred to the Provincial Government whose decision shall be final.

11. Orders, Instruments, Agreements and Contracts.– (1) All executive actions of the Town Municipal Administration shall be expressed to be taken in the name of the Town Municipal Administration.

(2) Save in cases where an officer has been specifically empowered to sign an order or an instrument of Town Municipal Administration, every order or instrument shall be signed by the Town Municipal Officer or Town Officer and such signature shall be deemed to be proper authentication of such order or instrument.

(3) The Town Municipal Officer shall sign the notifications on behalf of the Town Municipal Administration for publication in the official Gazette.

PART B – OFFICE PROCEDURE

12. Consultation among Offices.– (1) When the subject of a case concerns more than one office –

- (a) The Town Officer concerned shall be responsible for consulting the other offices; and
- (b) no orders shall be issued nor shall the case be submitted to the Town Nazim, until it has been considered by all the offices concerned:

Provided that in cases of urgency, and with the approval of the Town Nazim, this requirement may be dispensed with, but the case shall, at the earliest opportunity, thereafter, be brought to the notice of the other office concerned in writing.

(2) When a case is referred to by one office to another office for consultation, all relevant facts and the points necessitating the reference shall be clearly brought out.

(3) In the event of difference of opinion amongst the offices, the Town Officer primarily concerned shall refer the case to the Executive Committee constituted under Rule 15.

(4) A Town Officer may ask to see a case of another office if it is required for the disposal of a case pending in his office.

(5) In case a Town Officer has submitted a case directly to the Town Nazim for any cogent reason, the Town Nazim shall after recording his decision return the case through the Town Municipal Officer. In case the Town Municipal Officer considers that the proposal of the Town Officer or the decision of the Town Nazim is against the policy of the Provincial Government or is contrary to the laws or rules for the time being in force, he shall resubmit the case to the Town Nazim proposing proper line of action and for reconsideration.

(6) The Town Municipal Officer may ask to see a case of any office involving important policy question.

13. Reference to the Town Nazim.— (1) No order regarding Town Municipal Administration shall be issued without the approval of the Town Nazim in—

(a) cases involving important policy or departure from important policy;

Explanation : Departure from policy includes departure from a previous decision of the Town Nazim; and

(b) cases enumerated in Schedule III.

(2) The Town Nazim may require any case to be submitted to him for information.

14. Legal Advice.– The Town Municipal Officer shall consult the Town Nazim regarding cases/matters requiring legal advice.

15. Executive Committee.– (1) The Town Nazim shall constitute an “Executive Committee” with the Town Municipal Officer as its Chairman and all Town Officers as its members, to deal with all matters concerning two or more offices, all matters of administrative, financial or public policy, to facilitate coordination among the offices of the Town Municipal Administration to provide avenue for the consideration of matters of common interest and to tender advice in any case that may be referred to the Town Council or the Town Nazim.

(2) A Town Officer who wishes a particular matter to be discussed in the Executive Committee meeting, shall apprise the Town Municipal Officer of his intention of doing so and forward ten copies of a brief note on the subject which would form the basis of discussion.

(3) The Town Municipal Officer shall issue notice of the meeting together with the agenda, well in advance of the meeting provided that urgent items may be considered at short notice.

(4) Minutes of the meeting shall be recorded by an officer nominated by the Town Municipal Officer who shall attend the meeting for the purpose and circulate such minutes after approval by the Town Municipal Officer.

(5) In the event of a difference of opinion on any issue amongst the members of the Executive Committee, the case shall be submitted to the Town Nazim through the Town Municipal Officer.

16. Manner of submission of Cases. – (1) When a case is required to be submitted to the Town Municipal Officer, it shall be the responsibility of the Town Officer concerned to ensure that all relevant papers, references and extracts of the laws and rules are submitted along with the case for quick disposal.

(2) In his note, the Town Officer concerned shall certify that all the relevant papers required for the disposal of the case have been submitted.

(3) All files and records shall be kept and maintained by the Town Office concerned in the prescribed manner.

(4) Any officer who notices that tempering of records has been made by his staff or colleague, he shall bring it to the notice of the Town Municipal Officer for an appropriate action against the accused.

(5) No page of the file either of the note portion or of the correspondence portion shall be removed.

(6) All notes shall be temperately written and shall be free from personal remarks.

(7) Proper decorum shall be observed in commenting upon the notes recorded by the senior officers and where an error is to be pointed out and an opinion is to be criticized, it shall be done in a respectful language.

(8) If a note has been written in the note portion erroneously, it shall be crossed out and a new note shall be written.

17. Meetings.— (1) The Town Officer shall endeavour to convene meetings of all the officers under his control once in a month to discuss -

- (i) important pending cases;
- (ii) specific problems calling for general expression of views or exchange of ideas; and
- (iii) questions of general interests concerning the Town Office.

(2) Brief minutes shall be recorded mentioning only the salient points considered and the decisions taken. Individual view-points shall not be recorded except on request.

18. Information to be supplied to a Monitoring Committee.– (1) The Chairman or a member of a Monitoring Committee shall not contact formally or informally any officer or official other than the Town Officer for obtaining information required by the Committee regarding his office.

(2) The Chairman of the Committee shall ask for information in writing and the officer incharge shall supply the information as early as possible.

(3) Where the requisite information is of classified nature, the information shall be supplied after observing all the formalities as prescribed in the relevant rules and instructions.

19. Processing of fresh receipts.– (1) All fresh receipts/cases shall be processed promptly.

(2) No case shall be kept pending for more than three days by an officer. If processing of a case requires more time, the immediate superior shall be informed. A report of the pending cases in an office shall be prepared at the end of every month and submitted to the Town Municipal Officer. Reasons for delay in the disposal of such cases shall be recorded.

20. Dealing with the Public Representatives and Visitors. – (1) All officers and officials working in the Town Municipal Administration shall use polite and decent language while dealing with the public representatives and visitors in their offices.

(2) As far as possible entertainment of the public representatives and visitors during office hours shall be avoided.

(3) All offices of the Town Municipal Administration shall have timings for public dealing. All concerned officers and officials shall remain available during the public dealing time for quick service.

(4) The Town Officer shall be responsible to ensure that citizens do not face any inconvenience.

21. Approach to Public Representatives in service matters.– (1) No employee shall, directly or indirectly, approach any public representative or any other non-official person to intervene on his behalf in his service matters.

(2) No employee shall bring or attempt to bring political or other outside influence, directly or indirectly, to bear on officers of Town Municipal Administration in support of any claim arising in connection with his employment as such.

22. Service Record, Performance Evaluation Reports or Annual Confidential Reports.– The General/Establishment Branch of the Town Municipal Administration shall be responsible to maintain the service record, performance evaluation reports or annual confidential reports of all direct employees of the Town Municipal Administration (formerly servants of the local council); and, copies of performance evaluation reports and annual confidential reports of all other officers and officials (formerly of the Local Council Service and others) in line with the policy and instructions issued by the Government on the subject.

23. Promotions.– (1) Cases for promotion of officers and officials of the Provincial Government shall be processed by the Provincial Government.

(2) Cases for promotion of the officers and officials of Local Council Service posted in any office of the Town Municipal Administration shall be processed by the Local Council Board.

(3) Cases for promotion of officers and officials of the servants of Local Government shall be processed according to the rules applicable to such category of employees.

24. Bar against dealing with cases relating to officer's own promotion, transfer, pay or allowances or conduct. – No officer shall deal with a case relating to his own promotion, transfer, pay or allowances or with a case dealing with his own official conduct.

25. Administrative and Financial Powers. – No senior officer of the Town Municipal Administration shall exercise the powers delegated to a junior officer. If a situation requires the exercise of such authority by a senior officer, he will record the reasons for exercising the authority and submit the case to the Town Nazim for information.

26. Periodical report of activities of offices. – There shall be prepared, for information of the Town Nazim, a quarterly report of the activities of each office by each Town Officer in the prescribed manner.

27. Submission of issues to the Zila Mushawarat Committee. – (1) The Town Municipal Officer shall under the directions of the Town Nazim be responsible to prepare the summary on each of the issues to be brought before the Zila Mushawarat Committee.

(2) The Town Municipal Officer shall be responsible for follow up action on the decisions taken by the Zila Mushawarat Committee.

28. Action on the Reports of the Monitoring Committees.– (1) The reports of the Monitoring Committees regarding Town Municipal Administration shall be examined by the Town Municipal Officer and a summary shall be submitted to the Town Nazim for suggesting a line of action against any inefficient, incompetent and corrupt officer or official of the Town Municipal Administration.

(2) The Town Nazim shall inform the Council about the action taken by him on the report (s) of the Monitoring Committee.

29. Complaint Cell.– The Complaint Cell established under section 188 of the Ordinance shall function under the direct supervision of the Town Nazim.

30. Internal Audit.– (1) The head of Internal Audit office shall report to the Town Nazim.

(2) The functions of the Internal Audit office shall be as prescribed by the Provincial Government.

(3) The organizational set up of the Internal Audit office shall be as approved by the Provincial Government.

31. Inspections by the Provincial Local Government Commission: – (1) The Town Municipal Administration shall provide all the necessary support to the Inspection Teams deputed by the Provincial Local Government Commission while conducting annual and special inspections of the Town Municipal Administration.

(2) The offices of the Town Municipal Administration shall provide all the necessary assistance and relevant documents to the Commission promptly under intimation to the Town Nazim.

32. Inspection by the Town Municipal Officer: – (1) The Town Municipal Officer shall inspect the working of offices in Town Municipal Administration once every six months. He shall pay special attention to:

- (i) compliance with the Rules, standing instructions and orders and office directives;
- (ii) security arrangements;
- (iii) general office management; and
- (iv) proper use and care of property, equipment and stationery etc. under the control of an office.

(2) A copy of the inspection report shall be submitted to the Town Nazim. The report shall also indicate steps taken or required to be taken for corrective measures.

(3) The Town Officer shall take follow up actions required to be taken for corrective measures.

33. Action on the reference received from Zila Mohtasib.– (1) The reference received from the office of the Zila Mohtasib shall be attended to promptly for compliance under intimation to the Town Nazim.

(2) The references requiring action by the Town Municipal Administration shall be implemented in letter and spirit.

34. Weeding of records.– (1) Records of the Town Municipal Administration shall be scrutinized after every five years by the incharge of the office.

(2) The instructions of the Provincial Government for weeding out records and classification of files shall be applicable to the records of the Town Municipal Administration. All decisions for retention or otherwise of record etc. shall be taken in the light of such instructions.

(3) The Town Municipal Officer shall organize a central record room where record of permanent nature shall be retained and preserved for specified periods.

PART C – RELATIONS WITH THE COUNCIL

35. Compliance with Rules of Procedure and Standing Orders of the Council. – All offices of Town Municipal Administration shall, in their relation with Town Council, comply with the rules of procedure and standing orders of the Council.

PART D – MISCELLANEOUS PROVISIONS

36. Directions to the Union Nazim etc. – No officer of the Town Municipal Administration shall issue a directive to a Union Nazim or a Chairman of the Village or Neighbourhood Council without the specific approval of the Town Nazim.

37. Protection and communication of official information.— (1) No classified information acquired directly or indirectly from official documents or relating to official matters shall be communicated by the officer/official of the Town Municipal Administration to the press, non-officials, or officials belonging to other Government offices, unless he has been specially empowered to do so. All other information shall be made available.

(2) Detailed instructions shall be issued by the Town Municipal Officer for the treatment and custody of official documents, computer diskettes and information of a confidential character.

(3) Ordinarily all official news and information shall be conveyed to the press through the Town Municipal Officer in the manner prescribed generally or specially in each case.

38. Channel of correspondence.— (1) Correspondence with the Provincial Government or the District Government or another Town Municipal Administration shall be conducted by the Town Municipal Officer and it shall ordinarily be addressed to the Secretary of the Department concerned of the Provincial Government or the District Coordination Officer of the district concerned, or the Town Municipal Officer of the Town concerned, as the case may be.

(2) Correspondence with the Union Administration of the same Town shall be conducted directly by the offices in respect of the subjects allocated to them and it shall ordinarily be addressed to the Union Nazim concerned.

Schedule- I

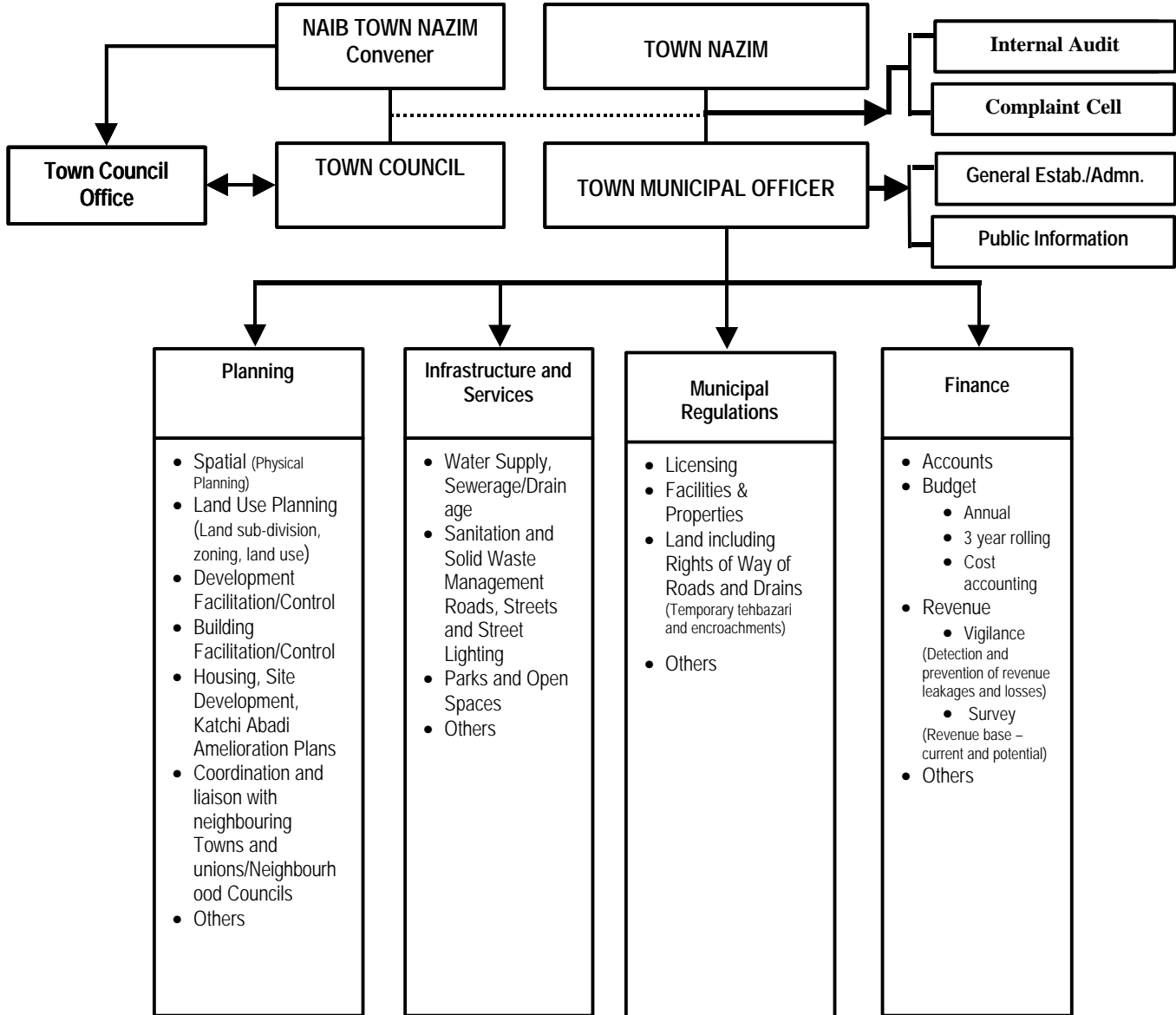
[See Rule 2(viii)]

S. No.	Office
1.	Planning
2.	Infrastructure and Services
3.	Municipal Regulations
4.	Finance

Schedule-II

[See Rule 5(2)]

TOWN MUNICIPAL ADMINISTRATION ORGANIZATION



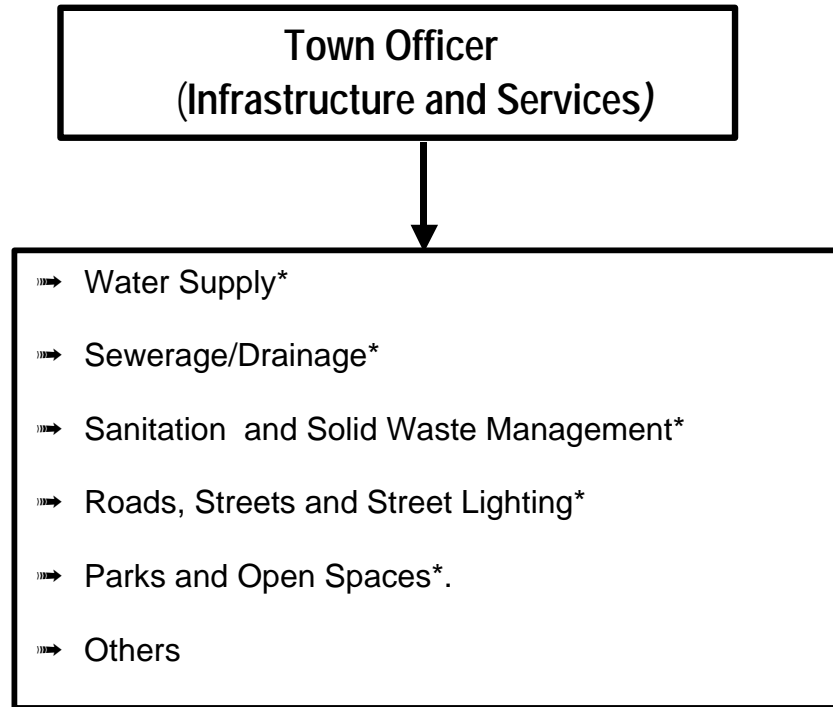
TOWN OFFICE PLANNING

**Town Officer
(Planning)**



- Spatial (Physical Planning)
 - Participatory planning and citizen participation
 - Reaction Planning of Critical Services
- Land Use Planning (Land sub-division, zoning, land use)
- Development Facilitation/Control
- Building Facilitation/Control
- Housing, Site Development, Katchi Abadi Amelioration Plans
- Project appraisal and coordination of development activities including CCBs schemes; liaison with neighbouring town/tehsils, Unions/Neighbourhood Councils; support to Unions/Neighbourhood Councils and CCBs.
- Others

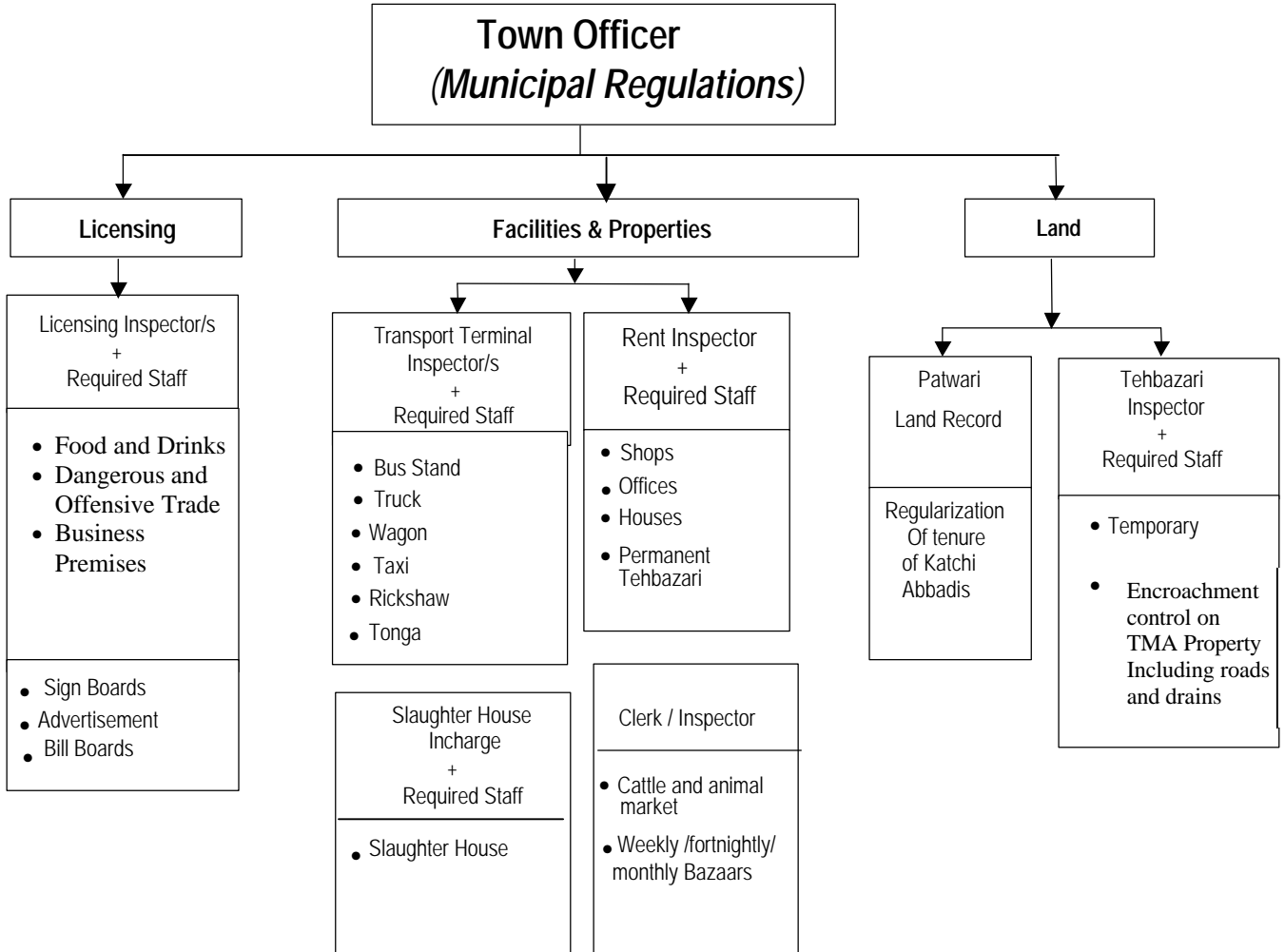
TOWN OFFICE INFRASTRUCTURE AND SERVICES



*Other than macro functions or other functions which for technical or other reasons are retained by the City District Government.

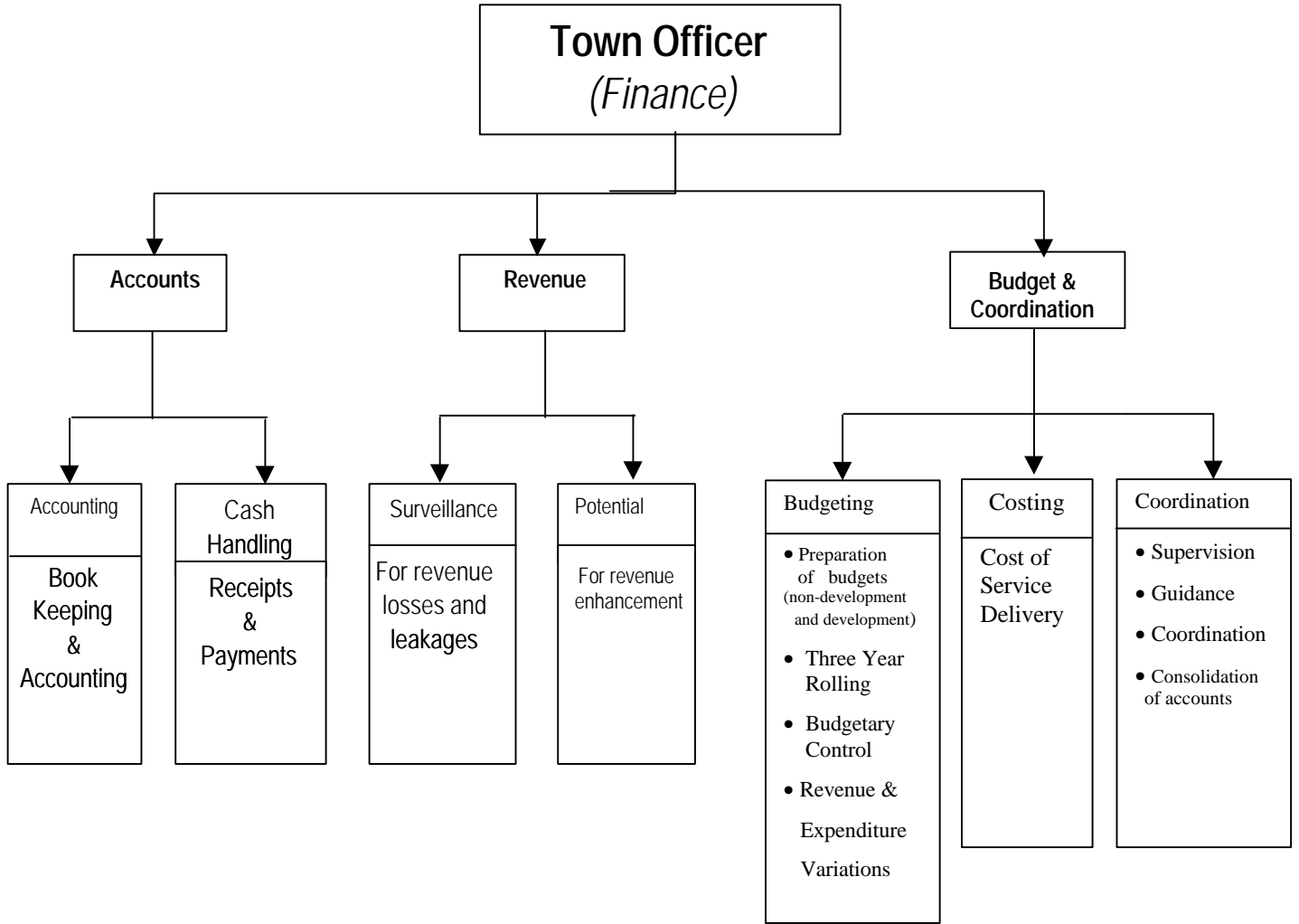
Schedule-II (Continued)

TOWN OFFICE MUNICIPAL REGULATIONS



Schedule-II (Continued)

TOWN OFFICE FINANCE



Schedule- III
[See Rule 13(1)(b)]

List of cases to be submitted to the Town Nazim for his approval before issue of orders

Sr. No	Cases
1	Annual Budget Statement.
2	Authentication of the Schedule of authorized expenditure.
3	Laying of Supplementary Statement of expenditure before the Town Council.
4	Cases in which Provincial Government has issued directions and involves implementation of laws.
5	Proposals involving changes in the functions or powers of Town Municipal Officer and Town Officers.
6	All cases which are liable to involve the Town Municipal Administration into controversy with Provincial Government or with District Government or with another Tehsil/Town Municipal Administration.
7	Recommendations for the grant of honours and awards.
8	Cases regarding premature transfers of Town Municipal Officer and Town Officers.
9	In matters of policy and important decisions before communicating such matters and decisions to the Provincial Government.
10	Cases in which inspecting officers are to be designated to objectively examine the performance of a Union Administration in relation to service delivery.