

GOVERNMENT OF THE PUNJAB  
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT

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GOVERNMENT OF THE PUNJAB  
HOUSING, URBAN DEVELOPMENT &  
PUBLIC HEALTH ENGINEERING DEPARTMENT

dated-----

## NOTIFICATION

In exercise of the powers conferred under section 37 of the Punjab Housing & Town-Planning Agency ordinance 2002 (Ordinance LXXVITI of 2002), Governor of the Punjab is pleased to make/amend the following rules:

### CHAPTER I PRELIMINARY

- 1) Short title and commencement.** (1) These rules may be cited as the Punjab Housing & Town-Planning Agency (Affordable Private Housing Schemes Rules) 2020.
- (2) They shall extend to the controlled area declared under Section 15 of Punjab Housing & Town-Planning Agency Ordinance 2002 (Ordinance LXXVIII of 2002).
- 2) Definitions.** (1) In these rules, unless there is anything repugnant in the subject or context:
- a) "Affordable housing" "Affordable housing means dwelling units, houses, flats, quarters, combined houses, incremental houses, row houses, apartments, or residential plots that are priced within the payment capacity of the lower income households who are eligible for the affordable units as per criteria laid down by the Agency under the APH Schemes.;
  - b) "controlled area" means where nobody is allowed to subdivide land, construct or reconstruct any building, excavate the land or cut trees without prior approval of the Agency. Declaration of Controlled Area to be confined to the boundaries of the project for which sponsor has applied;
  - c) "amalgamation" means joining of two or more housing schemes;
  - d) "apartment site" means a site earmarked for use of an apartment building;
  - e) "chamfer" means the flat surface made by cutting of sharp edge or corner of a plot to enhance the visibility at the turning point;
  - f) "company" means a company registered under the companies Act, 2017 (XXIX of 2017);
  - ff) **"Cooperative Society"** means a society registered under the Cooperative Societies, Act 1925.
  - g) "development works" means the planning and execution of infrastructure of housing scheme such as roads, street lights, water supply and sewerage system, electricity, gas and such like amenities;

- h) "educational Institution" includes a school, college, university, research or training center, library or Madrassah
- hh) **"Firm"** means partnership firm registered with the registrar of firms under the Partnership Act 1932
- i) "Form" means a Form appended to these rules;
- j) "horticulture" means the art or practice of garden cultivation, tree plantation, arranging of grass and flower beds;
- k) **"housing scheme"** includes a private housing scheme, a cooperative housing scheme containing at least 20% of the residential area or built residential units reserved for **"Affordable Housing"** under **"Affordable Private Housing Scheme (APHS) Rules 2020"**
- l) **"Infrastructure"** means the services including road network, water supply, drainage and sewerage network, telephone, gas, cable and power lines;
- m) "Kanal" means a size of land equal to twenty marlas;
- n) **"landscape plan"** means a plan showing visible features in an open space in a scheme such as walkway, green area, fountain, flower bed, grass and trees;
- o) **"affordable price"** means a price which is determined by the Agency from time to time through notification for the area reserved for affordable housing;
- p) "marla" means a size of land equal to two hundred .twenty- five square feet in District Lahore and two hundred and seventy-two square feet in other districts;
- q) "Master Plan" means the traditional method for presenting a set of land usage allocation and control measures in the form of a map in graphical form and is supported by written statements of goals and objectives, strategy, financial implications and policies for planning and development for an area and includes' a structure plan, an outline development plan, a spatial plan, and peri-urban structure plan and a metropolitan plan;
- r) **"mixed use"** means land use which enables a range of land use, including residential, commercial and institutional to be co-located in an integrated way;
- s) "Ordinance" means the Punjab Housing & Town-Planning Agency Ordinance, 2002, (Ordinance LXXVIII of 2002);
- t) **"property"** means a plot or a building in a scheme;
- u) "public building" includes a dispensary, health units, post office, police station, local government office, schools, clinic, mosque, community center, clubs and such other public/institutional building,

- v) "right of way" means the width of road or street between two opposite properties;
  - w) "rules" means the Punjab Housing and Town-Planning Agency (Affordable Private Housing Schemes) Rules, 2020;
  - x) "Saleable area" means an area under the residential, apartment, or mixed use, commercial and public or institutional building plots in a scheme;
  - y) "sponsor" "sponsor" means a company or a cooperative society or a firm, who being owner of the land, intends to develop a housing scheme or who has already developed an APHS scheme after approval;
  - z) "town planner" means a town planner registered with Pakistan Council of Architects and Town Planners; and
  - aa) "valuation table" means the valuation table notified under the Stamp Act 1899 (II of 1899).
  - bb) "Open space" means a space to be used for active or passive recreational 'purposes.
- 2) A word or term used but not defined in the rules shall have the same meanings as are assigned to it in the Ordinance.

## CHAPTER II

### PLAN AND PLANNING STANDARDS

#### 3) Submission of application for development of a housing scheme. –

(1) The sponsor may submit an application along with required documents, to Director General of the Agency for participation in Affordable Private Housing Scheme Program and for approval of a housing scheme having minimum area of one hundred kanals.

(2) The application containing complete mailing address including e-mail address and active contact number shall accompany the following documents:

- a) a certified copy of a valid computerized national identify card (CNIC) and national tax number (NTN) certificate of the sponsor;
- b) a certified copy of valid certificate of registration;
- c) certified copies of registered sale deed, mutation, fard malkiat and any other relevant document establishing ownership of the land in the name of sponsor. Special or general power of attorney shall not be entertained as proof of ownership,
- d) The sponsor may submit an application for compulsory acquisition of land for the Access road/passage to the project only under the Land Acquisition Act 1894.
- e) khasra plan or aks-shajra certified by the concerned revenue officer;
- f) non-encumbrance certificate from the competent Agency;

- g) copy of location plan (in triplicate) signed by a Town Planner;
- h) copy of topographic survey (in triplicate) of the scheme area;
- i) lay-out plan super-imposed on khasra plan (in triplicate), with proposed division of scheme into residential and commercial plots, road network, open spaces, graveyard and public amenities / buildings, prepared and signed by a town planner, and the sponsor, in accordance with the rules;
- j) receipt of the deposit of scrutiny fee for the processing of layout plan;
- k) a soil investigation report for technical requirements prepared by approved consultant of the Agency engaged by the sponsor;
- l) an affidavit on Form C by the sponsor that he is willing to provide minimum 20% area reserved for affordable housing or 20% of built units as affordable housing units duly reflected on the layout plan under **Affordable Private Housing Scheme** as per rule 35 of the rules;
- m) an affidavit; no dispute/ litigation regarding land is pending;
- n) an affidavit that contents of application and attached documents are true and correct;
- o) An application by a sponsor for approval of such housing scheme which is incomplete, controversial, illegal, disputed and. with any kind of encumbrances shall not be entertained by the Agency; and
- p) A Bank Guarantee equals to price of land at the rate of **Rs. 500,000 per kanal** of land area of the scheme.

3) In case, the sponsor applies for approval of housing scheme in peri-urban area, it shall be binding on the sponsor to get it converted from the Agency after deposit of conversion fee at the rate of one per cent of; the valuation table or average sale price of the residential land of preceding 12 months in the vicinity if valuation table is not available.

**4) Lay out plan of housing scheme.** -The Agency shall ensure that a“ layout plan of a housing scheme is prepared and sanctioned in accordance with the following technical requirements:

- a) scale of scheme plan is 1:1200 to 1:2400;
- b) scale of location plan is 1: 4800;
- c) size and dimension of each plot are given;
- d) plots numbers In the scheme are fixed as per Form 'G';
- e) chamfering of a corner plot up to one kanal, by 5x5 feet;
- f) size and dimension of public buildings and open spaces;
- g) right of way;

- h) parking area with parking layout;
- i) dimensions of the housing scheme boundary;
- j) boundary of a mouza or revenue estate;
- k) number and boundary of each khasra in a mouza;
- l) area statement and percentage of:
  - (i) residential use;
  - (ii) built housing units or apartments;
  - (iii) commercial use;
  - (iv) open spaces;
  - (v) roads;
  - (vi) graveyard;
  - (vii) public buildings; and
  - (viii) other land uses;
- m) aggregate of various categories of plots for housing units or apartments with area and size;
- n) area of existing graveyard, If any, excluding It from area required for a graveyard under the rules;
- o) location of pumping station, If any;
- p) location of overhead water tank and tube well If any;
- q) aggregate of various categories of plots or built housing units to be mortgaged, High tension line passing through the scheme;
- r) stamp and signatures of the sponsor and a registered Town Planner;
- s) seal of the approving Agency;
- t) cardinal sign indicating north,
- u) name of the housing scheme; and
- v) names of the mouzas included in the scheme.

**5. Planning standards for housing scheme.-(1)** The Agency shall ensure that a housing scheme is planned and approved In accordance with the following planning standards and requirements:

a) Planning standards:

No	Land Use	Scheme with Area			Schemes with mixed use apartment s/flats
		100 to 300 Kanal	300 to 500 kanal	Above 500 kanal	
1	Open space	Min. 7%	Min. 7%	7% or above	Min. 10%
2	Graveyard	Min. 2%	Min. 2%	Min. 2%	Min 3%
3	Commercial	Max. 5%	Max.5%	Max. 10%	Max 10%
4	Public Buildings	2% to 10%	2% to 10%	2% to 10%	4% to 12%
5	Size of Residential Plot	Max. 1 kanal	Max.1 kanal	Max. 1 kanal	Min Plot Size 4 Kanal, Max. 1000 sft./apartment
6	Internal Roads	Min. 30 feet for plots upto 5 marla and 40 feet in case of Apartments			
7	Size of plot for Site for Solid Waste Management	Min. 10 marla plot.	Min. 10 marla plot.	Min. 10 marla plots for 500 kanal and 10 marla plot for every additional 500 kanal.	Min. 2 Kanal for up to 500 kanal and 2 Kanal plot for every additional 500 kanal.
8	Grid Station Exclusive of Public Buildings	As per requirements of concerned department or Agency that may be located inside or outside the scheme boundary			
9	Major Roads	Min. 60 feet	Min. 80 feet	(i) Between 500 to 1000 Kanal: Min. 100 feet; and (ii) above 1000 Kanal: Min. 120 feet.	(i) Up to 500 Kanal: Min.100 feet; and (ii) above 500 Kanal: Min. 120 feet.
10.	Service Area/Society Office	Min, 10 marla	Min. 10 marla	Min. 1 kanal	Min 2 Kanal.

**Note:** If the sponsor intends to develop mixed use of both plots and apartments in a scheme, planning standards will be calculated for both areas separately and then will be added. However, width of major roads of the scheme will be of the apartment category.

(b) The Agency shall ensure that the following additional requirements are met by the sponsor:-

- (i) accommodation of roads proposed in the master plan, outline development plan, structure plan, agro-ville development plan or other allied plans;
- (ii) location of a tube well, overhead reservoirs, pumping stations and disposal stations to be provided If required by the concerned Agency;

- (iii) location of fire hydrants on the main water line in open space, commercial center and at regular interval along a road;
- (iv) displaying of a guide map at an entrance and other prominent locations in a scheme and board at the corner of road indicating plot numbers and name of the blocks;
- (v) green strip/road under high tension electricity lines as per requirements of the concerned department or Agency;
- (vi) a suitable provision for place of worship;
- (vii) approval of design and specification of water supply, sewerage, drainage system, electricity and street light network, road network, solid waste management system in accordance with the rules from the Agency;
- (viii) the parking space of minimum thirty feet in depth shall be provided along the roads for commercial blocks or area; and
- (ix) The Sponsor shall provide developed land for graveyard inside the scheme if it is not available within a radius of 5 KM with appropriate access.

(c) Any special initiatives for affordable housing that receive funding from foreign banks, international donors, or other similar entities shall comply with the planning standards and design guidelines specified in the regulations made under the Rules."

### CHAPTER III

#### APPROVAL OF LAYOUT PLAN

6. **Processing of an application.** -The Director General shall entertain an application, complete in all respect as per Rule 3 and in case of incomplete application, inform the sponsor within seven days.

7. **Evaluation Criteria for the Scrutiny of Application.** The Director General of the Agency after receiving the application, complete in all respects, shall forward the same to the Director PHATA of the Region concerned who shall examine and satisfy that the site proposed for the housing scheme fulfills the following requirements:-

- a) it falls on an access road having minimum width of 40 feet and connecting with trunk infrastructure;
- b) it is not prone to flooding;
- c) it does not fall in a high risk seismic zone;
- d) it does not fall in designated or protected area;



- e) it is not notified by the Government for acquisition for any other public purpose; and
- f) the housing scheme proposal is in conformity with the approved master plan, **land use plan**, outline development plan, or agro-ville development plan and **any** other allied plans ;

8. **Scrutiny of land ownership document.** - (1) After initial scrutiny of the application **including verification of the completeness of the application and ownership documents** the Director General of the Agency shall, within **seven** days, forward the received application to the Director, PHATA Region concerned for scrutiny of the ownership documents.

(2) Director, PHATA Region concerned with the assistance of the District Collector shall, within seven days, scrutinize the ownership documents and forward his report or objections, as the case may be, to the Director General of the Agency.

(3) Director General of the Agency shall, within three days after receiving the objections, convey the objections to the sponsor for appropriate action.

9. **Public objections.** – (1) The Agency shall, after having been satisfied about the clearance of the documents for land ownership, publish a public notice for inviting objections on Form A in at least two leading Urdu (one should be local) and one English daily national newspaper.

(2) The sponsor shall bear such cost of the publication of the public notice as the Agency may determine.

(3) The Agency shall, within seven days, forward the objections, if received, to the sponsor, **to remove or make up deficiency.**

(4) In case an objection is raised about the ownership of any portion of land included in the scheme and both the sponsor and objector claim ownership on the basis of title documents, the Agency shall exclude the disputed land from the housing scheme.

(5) **As a consequence whereof, if the land becomes less than 100 kanals, then the Agency shall intimate the sponsor and shall require the sponsor to clear the dispute regarding the ownership of the land between the sponsor and the objector. The Agency shall, in case of failure of the sponsor to do so within a period of 4 weeks, reject the sponsor's application under Rule 3 of the Rules.**

10. **Technical scrutiny of layout plan.** - (1) After the scrutiny of the ownership documents and settlement of public objections, If any:

(a) Director General shall, within three days forward the layout plan to the following technical committee:

Technical Scrutiny of layout plan	Tasks.
I. Director of the concerned Region (Convener)	To make sure that all the prerequisites as required under law (APHS) Rules 2020, and Regulations are fulfilled.
II. Deputy Director of the concerned Sub Region (Secretary)	To verify and authenticate all the prerequisite documents required under Rules and Regulations
III. Director Spatial Planning, PHATA- HQ (Member)	To check the planning standard of the lay out plan.
IV. Deputy Director Town Planning of the concerned Region (Member)	To verify and confirm the planning standards of lay out plan are as per (APHS) Rules, 2020.
V. Chief Officer of the concerned Local Government. (Member)	To authenticate and verify the matter regarding master plan or any other plan along with the status of the land.
VI. Director Town-Planning of the Concerned Development Authority (Member)	To authenticate and verify the matter regarding master plan or any other plan along with the status of the land.
VII. Representative of the concerned Deputy Commissioner (Member)	To authenticate and verify revenue report as well as land status
VIII. Representative of sponsor association of Concerned sub-region (Member)	Submit and present the lay out plan as per planning standards of Affordable Private Housing Scheme Rules(APHS), 2020.

(b) The committee shall scrutinize the layout plan within three days and forward the objections, if any, to the sponsor to make up deficiency”. At this stage the sponsor may present case to the committee; and The committee shall inform the sponsor about the objections, if any, for comments or clarification. The scheme will not be processed further until and unless objections are removed, settled by the sponsor.

(c) In case of clearance of the lay out plan from the Technical committee, the Director of concerned region shall intimate the sponsor to provide the following:

- (i) a transparency of layout plan indicating the plots/built units/apartments proposed to be mortgaged;
- (ii) a soft copy of layout plans geo-referenced with the coordinate system of Survey of Pakistan Plan;
- (iii) a transfer deed in Form B, B1, B2 for transferring to the Agency, free of cost, the area reserved for roads, open spaces, parks, graveyard, solid waste management and such other services;
- (iv) undertaking in Form C by the sponsor that the reserved plots developed over 20% saleable area of the housing scheme, or the 20% apartments/housing units

constructed for affordable private housing scheme (APHS) shall be handed over to PHATA to be sold to eligible beneficiaries at reserved price notified by PHATA. The reserved price shall be notified by the Agency for each housing scheme. The plots, apartments and Housing units shall be allotted by the Agency as per criteria duly notified and prescribed by the Agency;

- (v) A mortgage deed in Form D, D1, D2 mortgaging in favour of the Agency the plots as per Rule 2(1)K as security for completion of development works.

## **CHAPTER IV**

### **REQUIREMENTS OF SERVICES DESIGN**

**11. Submission of documents.** -A sponsor shall, within three months after technical approval of the layout plan, submit four sets of the services designs to the Agency.

**12. Water supply, sewerage and drainage.** - (1) A sponsor shall:

- a) engage services of a qualified public health and structural engineer, registered with Pakistan Engineering Council, for the preparation of detailed design and specifications of water supply, sewerage and drainage systems;
- b) ensure that the design and specifications are in accordance with law, rules, master plan and guidelines of the Agency responsible for the approval; and
- c) ensure that water supply, sewerage and drainage lines are provided on both sides of a road but, If provided only along one side of a road, underground connections for properties on the other side of road shall be provided before road pavement.
- d) Sponsor to arrange IEE for the scheme

2) A sponsor shall, in areas where public trunk sewer does not exist, abide by the requirements of an Agency maintaining a sewerage system and shall ensure disposal of sewage to the satisfaction of the Agency.

3) A sponsor at his cost shall connect sewerage and drainage system of the scheme to a public trunk sewer wherever available subject to approval of an Agency maintaining a sewerage system.

4) After connecting the system to a public trunk sewer, the same may be maintained and operated by the Sponsor

5) A sponsor shall submit four sets of the following documents or drawings to the Agency:

- a) detailed designs and specifications of water supply, sewerage and drainage system;
- b) number of tube wells, their capacity, chamber design, the details of bore hole and connection with water supply system, Including tube well logs (strata chart), details of tube well machinery and Installation detail;
- c) number of overhead -tanks, capacity, design, structure design and design calculation details along with structural stability;
- d) design for ultimate disposal of the sewage; and
- e) location of septic or soakage well, where disposal is not available.

**13) Road network.**-A sponsor shall:

- a) engage the services of a qualified civil or structural engineer, registered with Pakistan Engineering Council, for preparation of detailed design and specifications of road network and bridges;
- b) ensure that the design and specifications are in accordance with law, master plan and guidelines of Agency responsible for approval of the same;
- c) ensure that foot paths are provided on both sides of a major road;
- d) submit to the Agency four sets of the following documents or drawings:
  - (i) design and specifications for a road network, bridge and foot path In accordance with law, rules, master plan and guidelines of the Agency responsible for approval of the same;
  - (ii) geometric design of road network and junctions, where applicable;
  - (iii) design of appurtenance and structure;
  - (iv) road drainage design;
  - (v) landscape design for a road network;
  - (vi) design of street furniture and fixtures, where applicable; and
  - (vii) detail of traffic control devices.

**14) Electricity and street light plan:** A sponsor shall:

- a) prepare design and specification of electricity and street or public lighting and the street or public lighting shall be designed through the most energy efficient lights as may be specified by approving Agency, **Agency or department. Renewable energy solutions e.g, solar energy, will be preferred;**

- b) submit these designs and specifications to concerned Agency notified by the Government responsible for the provision of electricity and street or public lights for approval;
  - c) ensure that designs are prepared by an electrical engineer, registered with Pakistan Engineering Council, and approved by the Agency responsible for provision of electricity;
  - d) The Agency shall facilitate the sponsor in obtaining approval of electricity and street lights from the Agency responsible for the provision of electricity and street or public lights.
- 15) Landscape plan:** A sponsor shall, submit to the Agency, a landscape plan for parks, open spaces, including tree plantation on both sides of a road and in open spaces. These would include climate-resilient elements to mitigate the risks of flooding and extreme heat.
- 16) Solid waste management plan:** A sponsor shall, submit to the Agency, a solid waste management plan which shall include a plan showing location of the proposed trash bins, collection points, and system for disposal of solid waste.
- 17) Gas supply charges:** (1) A sponsor shall, within one year of the sanction of a scheme, deposit charges and costs for provision of gas (if available in the vicinity) in accordance with the requirements of Sui Northern Gas Pipeline Company under Intimation to the Agency.
- 2) In case of non-availability of gas in the vicinity, sponsor shall provide to the Agency a certificate from Sui Northern Gas Company.
  - 3) The Agency shall facilitate the sponsor in obtaining approval of gas supply from the Agency responsible for the provision of gas supply.
- 18) Underground services:**(1) A Sponsor shall ensure that utility services such as water supply, sewerage and sui gas are laid underground.
- 2) In the area where topography does not permit laying of underground services, exemption may be granted by the plan approving Agency under Intimation to the Agency.
  - 3) The Agency shall facilitate the sponsor in getting NOC's of services design

## **CHAPTER V**

### **APPROVAL OF SERVICES DESIGNS AND SANCTION OF SCHEME**

**19) Processing of services design.- (1) On submission of the design for services:**

- a) the Director of concerned region shall forward, within three days, the design to the Deputy Director of concerned sub-region for vetting ;
- b) the Deputy Director of concerned sub-region shall, within fifteen days, convey objections, If any, to the sponsor under intimation to the Director of concerned region;
- c) a sponsor, after removing the objections, may resubmit the case to the Deputy Director of concerned/sub-region; .
- d) on resubmission of the case, the Deputy Director of concerned sub-region shall, within fifteen days, convey its decision to the sponsor under Intimation to the Director of concerned region; and-
- e) the sponsor shall submit:
  - (i) a soft copy of the approved design to the Agency; and
  - (ii) a soft copy of the approved layout plan of infrastructure services of the housing scheme.

**(2) On fulfillment of all requisite requirements:**

- (a) The Director of the concerned region shall, submit the case to the Director**

**General;**

(i) Before forwarding the case of the private housing schemes to the Governing Body of the Agency for its approval, the case shall be placed before a Committee of the Governing Body to examine all the pre-requisites including required documents attached with the affordable private housing scheme applications under the PHATA Affordable Private Housing Scheme Rules 2020. The said Committee of the Governing Body shall comprise of the following:

- 1) Director General PHATA. (Convener)
- 2) Three members from Governing Body;
- 3) Any other member co-opted by the Convener. (Member)

(ii) The waste-water plan and source of clean drinking water of the proposed housing scheme shall be presented by the sponsor of the scheme to the above Committee, as well as in Governing Body meeting.

(iii) After clearance from the above Committee, the case may be forwarded to the Governing Body by the Director General. The proceedings of the Committee of the

Governing Body shall be concluded within seven days from the receiving of a file/application that has been duly vetted and recommended by the technical scrutiny committee.

- (b) The Director General will forward the case to the Governing Body of Punjab Housing & Town Planning Agency for its approval;
- (c) After the approval from the governing body, the Director General shall notify the scheme area as controlled area as required under the ordinance;
- (d) Afterwards the Director General shall approve the layout plan or pass appropriate orders; and
- (e) The Director of the concerned region shall, within three days of the receipt of the order of the Director General, intimate the sponsor(s) the order of the Director General.
- (f) The Director PHATA Region concerned shall ensure that the mortgage deeds and transfer deeds are executed by the sponsor of the housing scheme and such deeds are incorporated in the revenue record in the following manner,
  - i) the transfer of land under open spaces, parks and such like other amenities in the name of the Agency is incorporated in the revenue record;
  - ii) the mortgage of the plots in favour of the Agency is incorporated in the revenue record; and
  - iii) the housing scheme is incorporated in the revenue record.
  - iv) 20% of land reserved for **AFFORDABLE PRIVATE HOUSING SCHEME (APHS)**, or land on which 20% of Affordable Housing units will be constructed, is mortgaged in favor of the Agency.

**20) Pre-requisites for sanctioning a housing scheme.-** (1) The Agency shall issue the letter of final approval of a scheme and shall release the lay out plan within ten days from the date on which the sponsor fulfills the following requirements:

- a) deposit the approval fee; .
- b) deposit the land use conversion fee, If applicable;
- c) deposit fee for a public notices applicable, in one Urdu and one English daily national newspapers giving details of the approved scheme per para 22 below.;
- d) get the approval of services design for water supply, sewerage and drainage, road network, solid waste, horticulture and electrification from the concerned agencies.

**21) Sanction of affordable private housing schemes.-**After fulfillment of the above requirements, the Director General shall issue a formal letter of sanction in Form "F".

**22) Public notice.**-The **Director PHATA Region concerned** shall, at the cost of the sponsor, publish in two daily national newspapers a public notice in Form G, giving details of mortgaged plots and plots on which affordable units will be constructed, and salient features of the sanctioned housing scheme and also publish It on the website, If applicable.

**23) Revision of commercial block and public building site:** (1) No change in any land use i.e. residential, commercial or mixed of the approved schemes to be allowed:

2) provision of parking space as per provisions of the rules by the applicant.

3) The Agency after admitting the application, may allow revision, bifurcation, or part plan of public building site in an approved scheme according to requirement for specific uses like dispensary, post office, police station, local government office, **school**, clinic, mosque, community center or clubs.

## **CHAPTER VI**

### **FEE AND PENALTIES**

**24) Fee.**- (1) A sponsor shall deposit a scrutiny fee for, processing the layout , plan along with application at the rate of rupees one thousand per kanal for the total scheme area.

2) The sponsor shall deposit fee for:

a) sanction of a housing scheme at the rate of rupees one thousand per kanal for the total scheme area;

b) approval of design and specifications for water supply, sewerage and drainage at the rate of rupees one thousand per kanal for the total scheme area;

c) approval of design and specifications for roads, bridges and footpaths of a housing scheme at the rate of rupees one thousand per kanal for the total scheme, area; and

d) approval of design and specifications for electricity and street or public lighting at the rate fixed by the Agency responsible for electricity supply.

**25) Fee for revised plan and service designs:** (1) A sponsor shall deposit the fee for approval of a revised scheme and service design at the rate of fifty percent of the fee mentioned in rule 24 but for any additional area, the fee shall be payable at the rate prescribed for a new scheme.

**26) Fee for conversion of land use:** A sponsor shall deposit fee for conversion of Industrial area to the use of an affordable housing scheme at the rate of one percent of the value of Industrial land as per valuation table or one percent of the average sale price of preceding twelve months of the Industrial land in the vicinity, If valuation table is not available.



**26-A) Penalty for Non-Execution of Development Works.**

1. In case the sponsor is unable to undertake the development works in the area reserved for Affordable plots or units mortgaged with the Agency, within 12 months of final approval, or the time limit mentioned in the agreement as specified by the Agency, the Director General may proceed to sell the remaining unsold plots and mortgaged plots in Agency's favour in the scheme either through private negotiation or public auction in order to arrange funds for the completion of the whole or remaining development works pertaining to the area reserved for affordable housing in the scheme.
2. The Agency shall also be authorized to freeze the development account if it finds the pace of development in the area reserved for APHS not conforming to the agreed implementation schedule. The Agency may complete the development work at the cost of the sponsor by recovering the same as arrears of land revenue.

**CHAPTER VII  
ACTION AGAINST VIOLATIONS**

**27) Action against violations:** (1) Any person who violates any of the provisions of these rules or APHS regulations or the conditions of development permits, or obstructs the entry of the person authorized to enter the housing scheme under the rules and regulations or harasses such a person after entry shall be punishable:

- (i) With a fine which may extend to Rs 200,000/- or, with simple imprisonment which may extend up to six months; and
  - (ii) In case of continuing violation, an additional fine which may extend to Rs. 20,000/- for each day after the first day during which the violation continues.
  - (iii) In case of disposal of mortgaged plot/area or services plot, the original plot will be restored if possible and penalty of up to Rs. 200,000/- per marla will be payable in addition to the cost of plot at market rate. The amount of penalty will be decided by a committee constituted by the Director General PHATA.
- 2) If a person committing an offence punishable under these rules or regulations, is a company, firm or other association or body of individuals, whether incorporated or not, and if it is proved that the offence was committed with the consent or connivance of, any

~~officer or individual concerned with the above mentioned entities, such officer or individual shall be liable to be proceeded against and punished.~~

~~3) The above action will be in addition to any other applicable law, for the time being in force.~~

**28) Cancellation of approved scheme:** (1) In case a sponsor is unable to develop or complete an approved housing scheme within the stipulated time, as prescribed under Rule 37, the sponsor may apply to the Agency for the cancellation of the housing scheme subject to the condition that sponsor has not sold any plot in the housing scheme and provides such surety as the Agency deems appropriate and deposits the requisite fee for publication of a public notice in this regard at the cost of the sponsor.

2) Subject to the conditions mentioned in sub-rule (1), the Agency may cancel the housing scheme subject to deposit of all the outstanding dues including fine.

3) The approved evaluator of the Agency shall, in the prescribed manner, assess the value of public sites mentioned under rule 2(1) u and such value shall not be less than the residential value of land given in the valuation table.

4) Nothing in this rule shall have the effect of absolving the sponsor of any liability or claim of a third person on account of the cancellation of the approved plan or scheme.

**29 Transfer of approved housing scheme.**-(1) The Agency may allow the transfer of an approved housing scheme from a sponsor to another sponsor subject to fulfillment of the following conditions:

- a) Provision of valid sale deeds of the unsold land of plots of the Housing Scheme,;
- b) Submission of the agreement to be executed between sponsors with the prior approval of the Agency that the subsequent sponsor will abide by all the terms and condition of the approved housing scheme;
- c) public notice for calling objections from the general public and settlement of the objections, If any;
- d) payment of fee for transfer of the housing scheme; and
- e) Transfer of all assets, rights and liabilities.

2) The transfer to the new sponsor shall not absolve the original sponsor of any liability arising at any stage.

**30 Revision of approved housing scheme:** ( 1) The Agency may allow revision of an approved housing scheme. ~~Its approval will need to follow the same process as for a new housing scheme is approved.~~

2) For revision in the plan of an approved housing scheme, the sites earmarked for public amenities in approved housing scheme can be changed however, open spaces/roads shall not be shifted to a different location In the revised layout plan, except if:

- a) no plot has been sold in the scheme; or
- b) sponsor has provided no objection .certificates from the buyers of sold plots facing the open space/road required to be changed after Issuance of public notice specifying proposed changes.

**Explanation:** The term "different location" means the location not at or adjacent to existing location.

- 3) No revised scheme shall be entertained and approved unless the Agency has granted extension In the development period In accordance, with these rules.
- 4) The sponsor shall not be allowed any extra time for executing the revised scheme.
- 5) If before the expiry of the development period, the sponsor submit the revised plan which includes an additional area, the Agency may, in accordance with these rules, grant extension in the development period but only to the extent of the additional area. ,

**31. Area for approval of housing scheme:** The Agency shall allow affordable housing scheme in the area declared residential or industrial or peri-urban in the master plan, **land use plan**, outline development plan, agro-ville development plan, peri-urban structure plan and other allied plans.

## **CHAPTER VIII**

### **MARKETING AND SALE**

**32. Advertisement.**-(1) Notwithstanding anything in rule 10, a sponsor shall not-advertise sale of plots or housing units or apartments in print or electronic media, **social media** or in any other manner, **until final approval of the scheme and** without prior approval of the Agency

- 2) The Agency may, within fifteen days after the fulfillment of the conditions prescribed for the purpose, grant no objection certificate to a sponsor under sub-rule (1).
- 3) The contents of advertisement shall Include:
  - a) total area of the scheme along with location plan;
  - b) total number of residential and commercial plots with area;
  - c) **total number of plots or houses/apartments being offered under the APHS Program;**

- d) detail of public building sites;
- e) detail of mortgaged plots;
- f) period for completion of development works;
- g) name of sanctioning Agency and sanction number and date;
- h) procedure of allotment through balloting or otherwise; and
- i) details of plots to be sold.

**33) Execution of agreement** (1) A sponsor shall execute a registered agreement with the allottee at the time of booking, of a plot or constructed house except allottees of houses and apartments to be constructed on 20% area of the scheme specified for **APHS**.

2) The agreement shall also include the following terms and conditions:

- a) In case of sale/transfer of property by the allottee to another party, allottee shall conform to conditions prescribed by the sponsor including payment of transfer charges In the agreement; u
- b) the number of the allotted property shall not be changed without prior consent, In writing, of the allottee;
- c) Allottee will become member of a resident association **duly registerd under the law and acknowledged by the Agency** and will be bound to pay management and maintenance charges on regular basis;
- d) allotment of a property shall not be cancelled without prior notice of at least 15 days, sent to the allottee through registered post Indicating the reasons for such cancellation;
- e) the date of handing over possession of the property shall be indicated in the agreement;
- f) not with standing anything in the contract, in case of delayed handing over of possession of the plot or property beyond the stipulated date, the sponsor shall be liable to pay an amount stipulated in the **agreement along with other penalties prescribed under law;**
- g) In case the cancellation of property is due to the non-payment of installments of the price of property or development charges,the sponsor shall give a fifteen days' notice to the allottee before cancellation;
- h) In case of cancellation due to default of the allottee, ten percent of the price of the property shall be deducted and the balance amount shall be refunded within six months of cancellation;

- i) on payment of full Installments, the sponsor shall facilitate In execution the sale deed in favour of the allottee.
- 3) The sponsor shall submit to the Agency a copy of every booking agreement duly registered.
- 4) All information regarding allotment and sale of plots shall be provided periodically by the sponsor to the Agency and, If so required by the Agency, the updated Information shall be published on the website of the sponsor and the Agency.
- 34) Execution of sale deed.** - The sponsor, on receipt of full payment of a plot or property, shall facilitate the purchaser/buyer to execute the sale deed in favour of the purchaser or allottee. All expenses related to transfer of property including sales tax will be borne by the allottee.
- 35) Reserved Price of plots or houses or apartments under APHS Housing Program:**  
The reserved price of plots, houses, or apartments under APHS shall be determined by the Agency for each scheme.
- 36) Incentives under Affordable Private Housing Schemes Program-** Special incentives to Private Housing Schemes who allocate minimum 20% of the residential plots or 20% of constructed units/apartments under rule 2(1)k under APHS Program are:

S.No.	Incentives	Percentage of Residential Area reserved for Affordable Private Housing Scheme				
		20%	More than 20% and up to 40%	More than 40% and up to 60%	More than 60% and up to 80%	More than 80%
1	Discount on Sanction Fee	-	20%	40%	60%	80%
2	Discount on Approval of design and specification for water supply, sewerage and drainage	-	20%	40%	60%	80%
3	Discount on Approval of design and specifications for roads, bridges and footpaths	-	20%	40%	60%	80%
4	Discount on Fees for Revision	-	20%	40%	60%	80%
5	Discount on Land use Conversion Fee	-	20%	40%	60%	80%

6	Percentage Mortgage of Plots as security for completion of development works	10%	10%	10%	5%	-
7	Time For Approval	90Days	80 Days	70 Days	70 Days	50 Days
8	Time for Approval of revised plan	60Days	60Days	60Days	50 Days	50 Days

## CHAPTER IX

### DEVELOPMENT AND MONITORING

**37) Commencement of Development of sanctioned scheme.** -The sponsor shall:

- a) **Start Construction of Housing Units and Apartments within three months of the final approval of the scheme or from the date of ballot which shall be done within 60 days after finalisation of allottees, whichever is later. In case sponsor do not, start construction works on 20% of the area reserved under APHS, the works (on 80% of the sponsor area) to be stopped after completion of 50% works,**
- b) execute all development and **construction** works within the time mentioned as under:
  - (i) **within one year from the date of commencement of construction works on the area reserved for affordable housing;**
  - (ii) three years, In case of an area 100 kanal to 300 Kanal; and
  - (iii) five years, In case of an area above 300 kanal;
- c) Undertake development works immediately after issuance of approval of design and specifications
- d) In case of water supply, sewerage and drainage works, intimate the name and address of the pipe manufacturing factory to the Agency which approved design and specifications of water supply, sewerage and drainage.

**38) Monitoring of development works.** - (1) The **Deputy Director concerned sub region** shall ensure that there is no deviation from the sanctioned housing scheme plan.

- 2) The Agency which approved the design and specifications or any person authorized by either of them shall:
  - a) conduct, without prior notice, regular site visits to ensure that development works are being executed in conformity with approved design and specifications;
  - b) carry out hydraulic tests for sewer and water supply lines;

- c) determine testing laboratory, types and number of tests to be performed;
- d) complete testing and inspection prior to back filling of trenches and paving road surface;
- e) Intimate the sponsor to rectify any deviations from approved design and specifications; and
- f) take action against the deviations or violations as per law.

**3) A sponsor shall:**

- a) prior to commencement of development works, inform the Agency which approved design and specifications In writing of its Intention to commence the development works;
  - b) engage services of public health, structural and electrical engineers, registered with Pakistan Engineering Council, to ensure quality control and execution of works In accordance with an approved design and specifications; and
  - c) rectify any deviations from the approved design and specifications as Intimated under clause (c) of sub-rule (2).
- 4) Testing and Inspections carried out by the Agency which approved design and specifications shall be at the cost of the sponsor.

**39) Extension in time.-** (1) If a sponsor fails to complete the development works within the given time, the Agency may, after recording reasons, extend the period for completion of the development works up to two years on payment of penalty of five thousand rupees per kanal per year, or part of it, for the area of the scheme not completed

- 2) The Agency may extend development period for less than two years on payment of penalty as prescribed in sub-rule (1) proportionate to the period requested by the sponsor if it is satisfied that the remaining development works can be completed a such lesser period.

**40) Release of mortgaged plots.-**(1) In case of mortgaged plots as guarantee of development works, 50% of the mortgaged plots will be released after the completion of houses/apartments **under Affordable Private Housing** Program

- 2) The remaining 50% mortgaged plots will be released based upon the following weightage of completion of development works:
  - a) Water Supply, Sewerage and Drainage: 25%
  - b) Road works: 25%
  - c) Electricity and Street lights: 25%

- d) Sui Gas or in case not available, a certificate from the SNGPL Department about non availability for the scheme: 10%
  - e) Horticulture works: 10%
  - f) Solid Waste Management system: 05%
- 3) In case of mortgaged plots as guarantee of development works, the Agency shall release the mortgage plots in proportionate to development works after:
- a) Obtaining reports-of works from the Director of the PHATA Region concerned about the quantum of the completed works under the approved design and specification.
  - b) In case of Electricity and Sui Gas obtaining report of payment of electricity and sui gas charges from the concerned agencies,
- 4) In case of mortgaged plots as guarantee of development works, the release of mortgage plots shall be as follows: -
- a) on completion of twenty-five percent of the development works, up to twenty-four percent of the mortgage plots shall be released;
  - b) further mortgage plots shall be released In proportion to every, stage of ten percent completion of works;
  - c) four percent of mortgaged plots shall be attached with the management and maintenance of the housing scheme; and
  - d) after completion of development works, on submission of a written request for the maintenance of housing scheme by the sponsor or upon handing over the housing scheme to the association of the residents of the housing scheme, the remaining four percent plots shall be released.
- 5) Not withstanding anything contained In sub-rule (2) and sub-rule (3), the following conditions shall also apply:
- a) an application shall not be accepted for release of mortgaged plots, If the sponsor falls to execute mortgage or transfer deeds; and
  - b) If the mortgage or transfer deeds have been executed, applications from Individual allottee, along with recommendations of the sponsor, may be accepted.
- 6) In case of release mortgaged plots as guarantee to sell houses/apartments under APHS Program, the plots will be released as and when houses/apartments are sold on reserved price.



**41) Default and action.**-(1) The Agency besides any other action, may take over the development works of the scheme and execute the development works from the sale proceeds of mortgaged plots or encashment of bank guarantee.

2) If the cost of development is more than the proceeds as mentioned in sub-rule (1), the Agency may recover the extra amount from the sponsor as arrears of land revenue,

**42) Management of housing scheme.**-(1) After the development works are completed and plots/housing units/apartments are handed over to allottees, the sponsor of the scheme shall submit an undertaking to the Agency that it shall remain responsible for the management and maintenance of the housing scheme.

2) In case the sponsor is not willing to continue to undertake the management and maintenance of the housing scheme, the sponsor shall, in writing, hand over the management and maintenance of the housing scheme to the association 'of the owners of plots in the scheme incorporated under any law, and such Association shall be responsible for the management and maintenance of the housing scheme, including water supply, sewerage drainage, street lights, electricity, parks, roads, solid waste and graveyard till such time that these services are taken over by the Government or Its Agency.

3) The sponsor, or the Association, as the case may be,:

- a) shall make appropriate security arrangements;
- b) shall manage the buildings of common use such as mosques and clubs; and
- c) may raise fee or dues to disburse the-expense incurred on the maintenance and management of the housing scheme.

## **CHAPTER X**

### **MISCELLANEOUS**

**43) Appeal:** (1) Any person aggrieved by an action taken under these rules may, within thirty days, file an appeal before the Secretary, Government of the Punjab, Housing, Urban Development and Public Health Engineering Department, comprising of:

- a) an application signed by the aggrieved person supported by affidavit;
- b) a copy of the valid national identity card of the aggrieved person;
- c) a copy of the impugned notification or order; and
- d) any other relevant document

2) The Secretary, Government of the Punjab, Housing, Urban Development and Public Health Engineering Department shall decide the appeal within sixty days and communicate its decision to the parties.

**44) Relaxation of rules:** No provision of these rules shall be relaxed for any reasons whatsoever.

**SECRETARY  
GOVERNMENT OF THE PUNJAB,  
HOUSING, URBAN DEVELOPMENT AND PUBLIC  
HEALTH ENGINEERING DEPARTMENT**

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**SECRETARY  
GOVERNMENT OF THE PUNJAB  
LAW AND PARLIAMENTARY AFFAIRS  
DEPARTMENT**