



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

Dated Lahore the 29th November, 2017

NOTIFICATION

No. SO(H-II)5-2/1981.P-IV. In exercise of the powers conferred under section 37 of the Punjab Housing and Town-Planning Agency Ordinance, 2002 (LXXVIII of 2002), Governor of the Punjab is pleased to make the following rules:

**CHAPTER I
PRELIMINARY**

1. Short title and commencement- (1) These rules may be cited as the Punjab Housing and Town Planning Agency Land Use Rules 2017.

(2) They shall come into force at once.

2. Definitions.- (1) In these rules:

- (i) "approved scheme" means a scheme approved by the Government, Agency, a local government or any other public authority;
- (ii) "area" means the controlled area of Punjab Housing and Town-Planning Agency Housing Schemes;
- (iii) "betterment fee" means the fee levied by the Agency;
- (iv) "building line" means the line beyond which the outer face of a building may not be projected in the direction of an existing or proposed road except the compound wall;
- (v) "building regulations" means the building and zoning regulations of the Agency;
- (vi) "commercial area" means an area which is designated for commercial use as per approved scheme or master plan, or is being used as such in the established built up area;
- (vii) "commercial use" means the land use which is predominantly connected with the sale and distribution of goods and services;
- (viii) "controlled area" means any locality within the area of a housing scheme notified by the Agency or declared as controlled area under the

Ordinance;

- (ix) "conversion of land" means any change in use of land or property from the one originally provided in an approved scheme or master plan of an area;
- (x) "educational institution" means a school, college, university, research or training center, library or a madrassah;
- (xi) "established built-up area" means the built-up area other than the area in an approved scheme;
- (xii) "environmentally sensitive area" means an area which is designated as environmentally sensitive area under the Pakistan Environmental Protection Agency (Review of Initial Environmental Examination and Environmental Impact Assessment) Regulations 2000;
- (xiii) "historically significant area" means an area designated as historically, architecturally or archeologically significant area;
- (xiv) "industrial area" means an area which is designated for industrial use as per approved scheme or master plan;
- (xv) "industrial plot" means an industrial plot in an Industrial estate, approved scheme or master plan;
- (xvi) "industrial use" means the land use which is predominantly connected with manufacturing, assembling, processing or storage of goods;
- (xvii) "institutional use" means the land use which is predominantly connected with education, health, public or private office, hotel, theatre or auditorium;
- (xviii) "katchi abadi" means an area declared by the Government as a katchi abadi under the Punjab Katchi Abadis Act 1992 (*VIII of 1992*);
- (xix) "List-A" means the roads or segments of roads where the commercial use has been allowed;
- (xx) "List-B" means the roads or segments of roads where the commercial use has been prohibited;
- (xxi) "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 statement of goals and objectives, strategy,

financial implications and policies for planning and development of an area and includes a structure plan, an outline development plan, a spatial plan;

- (xxii) "mixed use" means the land use of any building where the ground floor is commercial and the remaining floors are residential or non-commercial;
- (xxiii) "non-conforming use" means the land use that does not conform to the permitted or permissible land use but exists at site;
- (xxiv) "notified area" means an area in which special restrictions regarding its development or redevelopment have been imposed under the Ordinance;
- (xxv) "Ordinance" means the Punjab Housing and Town-Planning Agency Ordinance, 2002 (LXXVIII of 2002);
- (xxvi) "outline development plan" means a plan pertaining to the land use, allied matters and may include agro-ville development or any other plan duly approved by the competent authority;
- (xxvii) "other restricted area" means an area in which the Federal Government, the Government, the Authority, a local government or any other public body has imposed certain building or area development restrictions;
- (xxviii) "PHATA" means the Punjab Housing and Town Planning Agency;
- (xxix) "project area" means an area selected by the Agency to prepare a land use amendment plan;
- (xxx) "public sector institutional area" means an area reserved for the Federal Government, the Government, the Agency, a local government or any other public body;
- (xxxi) "redevelopment" means renewal, reconstruction or upgradation of infrastructure and buildings in an area;
- (xxxii) "residential area" means an area which is designated for residential use in accordance with an approved scheme or master plan or is being used as such in an established built-up area;
- (xxxiii) "residential use" means land use which is predominantly connected with housing;

- (xxxiv) "right of way" means the width of road or street between two opposite properties;
- (xxxv) "rules" means the Punjab Housing and Town Planning Agency Land Use Rules 2017;
- (xxxvi) "scrutiny committee" means the committee constituted under rule 22 of the rules; and
- (xxxvii) "valuation table" means the Valuation Table notified under the Stamp Act 1899 (*II of 1899*).

(2) An expression used but not defined in the rules shall have the same meaning as in the Ordinance.

CHAPTER II LAND USE CLASSIFICATION

3. Land use classes.- (1) The Agency shall classify the land in an area or any part thereof into one or more land use classes as under:

- (a) residential;
- (b) commercial;
- (c) industrial;
- (d) institutional;
- (e) mixed use;
- (f) special development zone; and
- (g) notified area.

(2) The use of land for each land use class shall be as under:

- (a) permitted uses: the use of land as prescribed in the rules;
- (b) permissible uses: use of land, though not permitted, may be allowed by the scrutiny committee subject to the payment of the prescribed fee and other conditions; and
- (c) prohibited uses: use of land which are neither permitted nor permissible in each class.

(3) The Agency shall:

- (a) ensure the strict implementation of the rules; and
- (b) not allow the use a property in any land use class for a purpose which is neither permitted nor permissible.

(4) The scrutiny committee may grant permission for permissible uses listed under each land use class subject to the special rules, regulations, restrictions, conditions and payment of fee, if applicable, under the rules and the relevant policy.

(5) No person shall be authorized to use land or construct a building except in accordance with the land use approved for that

particular land.

4. Land use of residential area.- The use of land in residential area shall be classified as under:

(a) Permitted uses:

- (i) detached house;
- (ii) semi-detached house;
- (iii) town house;
- (iv) residential apartment;
- (v) neighborhood level park and playground;
- (vi) place of worship or prayer;
- (vii) place of burial or cremation; and
- (viii) horticultural nursery.

(b) Permissible uses (subject to payment of fee):

- (i) daycare centre or preschool;
- (ii) primary and secondary school;
- (iii) dispensary (not less than one kanal) and hospital (not less than six kanals);
- (iv) library;
- (v) guest house but not including hostels;
- (vi) small size corner shop at the ground floor;
- (vii) office of a professional not exceeding twenty five percent of the floor area as office associated with resident's profession with adequate parking space but this facility shall be available to a resident holding both either a professional degree, diploma or a certificate and has a valid registration with concerned regulatory authority under any law;
- (viii) college, university and research institution (not less than four kanals);
- (ix) Government office; and
- (x) club.

5. Land use of commercial area.- The use of land in a commercial area shall be as follows:

(a) Permitted uses:

- (i) multi-storey building;
- (ii) apartment;
- (iii) plaza;

- (iv) residential flat on upper floor;
- (v) market, shopping mall, departmental store or retail shop;
- (vi) business facility;
- (vii) private office;
- (viii) Government or semi-government office;
- (ix) court or tribunal (not less than two kanals);
- (x) financial institution;
- (xi) hotel up to three star;
- (xii) cultural institution such as park, memorial and monument (not less than hundred kanals);
- (xiii) motel having not more than twenty rooms (not less than two kanals);
- (xiv) showroom and shop;
- (xv) boutique;
- (xvi) restaurant;
- (xvii) social welfare institution such as community centre, art gallery and museum (not less than two kanals);
- (xviii) parking plaza;
- (xix) police station, post office, fire station;
- (xx) place of worship or prayer (not less than one kanal);
- (xxi) hospital (not less than four kanals), school (not less than four kanals), college, university or research institution (not less than four kanals); and
- (xxii) hostel.

(b) Permissible uses:

- (i) technical and vocational institution (not less than four kanals);
- (ii) marriage or banquet hall (not less than four kanals);
- (iii) cinema;
- (iv) theater, auditorium, concert hall or exhibition hall (not less than four kanal);
- (v) seasonal commercial fare site (not less than two kanals);
- (vi) stadium (as per National Reference Manual on

Planning and Infrastructure Standards, 1986);

- (vii) play land;
- (viii) petrol pump or gas station (not less than two kanals);
- (ix) bus terminal (not less than fifty kanals) or truck terminal (not less than hundred kanals);
- (x) loading and unloading requirements of all uses;
- (xi) service industry without nuisance;
- (xii) wholesale market;
- (xiii) second hand goods market or junkyard;
- (xiv) coal, wood or timber yard;
- (xv) hotel four star or above;
- (xvi) television or other studio;
- (xvii) auto workshop and service garage (not less than one kanal);
- (xviii) whole sale storage place and warehouses;
- (xix) printing press;
- (xx) athletic club, gymnasium, fitness centre or indoor sports facility;
- (xxi) base trans-receiver station or communication tower;
- (xxii) clubs; and
- (xxiii) mixed commercial use out of above listed permissible uses.

6. Land use of industrial area.- The use of land in industrial area shall be as follows:

(a) For approved industrial scheme or estate:

the permitted, permissible and prohibited land uses shall be in accordance with the approved scheme of an industrial area; and

(b) For declared industrial area:

(i) Permitted uses:

- a) cottage, light industry and medium industry;
- b) construction equipment;
- c) warehouse, storage or distribution centre;

- d) building material store;
- e) fire station; and
- f) loading and unloading place.

(ii) Permissible uses:

- a) heavy industry;
- b) petrol pump or gas station;
- c) essential residential, commercial, health and educational facility for laborers or employees; and
- d) police station, post office and other public buildings.

(iii) Prohibited uses:

Notwithstanding anything contained in in clauses (a) and (b), the following land use shall also not be permitted in a declared industrial area:

- a) storing, packing, pursing, cleaning, preparing, and manufacturing of blasting powder, ammunition, fireworks, gun powder, sulphur, mercury, gases, nitro-compounds, phosphorous, dynamite;
- b) storing explosives, petrol, oil, lubricants, and other inflammable materials including coal, chemicals, liquids;
- c) storing, processing, cleaning, crushing, melting, preparing or manufacturing and dealing in bombs, tallow, offal, fat blood, soap, raw or dry hide or skin, washing or dyeing wool or hair; and
- d) casting of heavy metals, electro plating, welding, marble cutting and polishing, manufacturing of cement or pipes, burning or grinding of lime stone, metal or use of any other obnoxious or hazardous material.

7. Land use of institutional area.- The use of land for institutional purposes shall be follows:

(a) Permitted uses:

- (i) educational and research institution (not less than two kanals);
- (ii) office;
- (iii) diplomatic mission;

- (iv) religious institution;
 - (v) park, memorial and monument;
 - (vi) public utilities and buildings;
 - (vii) community facilities;
 - (viii) art councils and auditoriums;
 - (ix) local and zonal Municipal and Government offices; and
 - (x) residences and other uses incidental to the permitted uses but which do not cause any nuisance or hazard.
- (b) Permissible uses (subject to payment of fee):
- (i) large residential hotel;
 - (ii) guest house, hostel, restaurant and club;
 - (iii) offices of a commercial and financial institution;
 - (iv) commercial and recreational uses such as theatre halls or cinemas;
 - (v) petrol and gas filling station (not less than two kanals);
 - (vi) limited retail shopping;
 - (vii) taxi stand; and
 - (viii) bus halt.

8. Land use of mixed use.- The use of land in mixed area shall be as follow:

- (a) Permitted uses:
- (i) commercial on the ground floor and offices-cum-residential area on the upper floors;
 - (ii) park and play ground;
 - (iii) place of worship and players; and
 - (iv) parking plaza.
- (b) Permissible uses (subject to payment of fee):
- (i) educational institution;
 - (ii) health institution;
 - (iii) workshop;
 - (iv) banquet hall (not less than four kanal);
 - (v) library;
 - (vi) guest house but not a hostel; and

(vii) petrol pump and gas station (not less than two kanals).

9. Notified area.- (1) The Agency shall notify the following areas:

- (a) historically significant area;
- (b) environmentally sensitive area;
- (c) public sector institutional area;
- (d) other restricted area; or
- (e) an intercity service area.

(2) The Agency shall specify the permitted and permissible land uses in the notified areas.

(3) The permitted, permissible and prohibited uses and restrictions, if any, of the notified area shall have effect notwithstanding the permitted and permissible uses of other land use classes and provisions of temporary commercialization under the rules.

10. Power of the Government.- (1) In case of any ambiguity in the classification of land use, the matter shall be referred to the Government.

(2) The Government shall, within thirty days, decide the reference and such decision shall be final.

(3) The Government may permit a use of land in any area that is not classified but such permission shall be as near to the land use as permitted or permissible in the area.

CHAPTER III PROCEDURE FOR LAND USE CLASSIFICATION

11. Land use classification map.- The Agency shall prepare a land use classification map of the area or part thereof in accordance with the rules.

12. Preparation of the map.- (1) The Agency shall prepare the map for an approved scheme by:

- (a) collecting the approved scheme plans;
- (b) dividing the scheme area into various classes of land use under rule 3;
- (c) marking the plot which has been converted from residential land use under any law;
- (d) marking the plot which has been converted from residential land use without approval of the competent authority and declaring it as non-conforming use; and
- (e) marking the plot which has been temporarily converted to commercial use with the approval of

the competent authority.

(2) The Agency shall prepare the land use classification map for an established built-up area by dividing an established built-up area, falling outside an approved scheme:

- (a) into urban blocks;
- (b) marking the plot which has been converted from residential land use under any law;
- (c) marking the plot which has been converted from residential land use without approval of the competent authority and declaring it as non-conforming use;
- (d) marking the plot which has been temporarily converted to commercial use with the approval of competent authority and declaring it as non-conforming use; and
- (e) classifying an urban block on the basis of predominant land use.

(3) The Director (Spatial Planning) shall prepare, sign and stamp the land use classification map and the Regional Director PHATA shall check and countersign the map.

CHAPTER IV LAND USE RECLASSIFICATION

13. Land use re-classification.- The Agency, after the notification of land use classification map, may prepare a land use reclassification scheme for an area which shall be called project area.

14. Selection of project area.- (1) The Agency shall select the project area by identifying and prioritizing a scheme or an urban block proposed for reclassification in accordance with the following criteria:

- (a) trend of changes in the existing land uses;
- (b) market demand for the change of land use in the area;
- (c) compatibility with adjoining uses;
- (d) potential for upgradation of serving road network; and
- (e) prospects for redevelopment.

(2) Notwithstanding anything contained in the rules, the Agency shall not select a planned industrial area as a project area unless the same is scrutinized and recommended by the Government.

15. Re-classification scheme.- (1) After selection of the project area, the Agency shall prepare a re-classification scheme by:

- (a) demarcating the boundaries of the project area;

- (b) undertaking survey of the project area, including:
 - (i) a topographic survey;
 - (ii) land use survey;
 - (iii) documentation of the existing infrastructure and design capacity;
 - (iv) assessment of existing traffic volume and design capacity of the road network; and
 - (v) collection of secondary data regarding utility services, traffic and transportation;
- (c) compiling and analyzing the collected data; and
- (d) preparing proposed land use reclassification scheme.

(2) A proposed land use reclassification scheme shall include the following documents:

- (a) location plan of the project area;
- (b) site plan, giving all the details of the project area;
- (c) notified land use classification map of the project area;
- (d) proposals for land use re-classification of the project area; and
- (e) proposals for improvement in the project area for:
 - (i) utility services such as electricity, gas, communication networks, solid waste management, water supply, sewerage and drainage;
 - (ii) traffic and transportation;
 - (iii) landscape and street furniture;
 - (iv) public building requiring facade improvements;
 - (v) any katchi abadi or slum area; and
 - (vi) open space and park.

(3) The Agency, for purposes of public consultation, shall:

- (a) invite objections or suggestions by giving public notice indicating salient features of the draft reclassification scheme on its website, and in at least two leading National Urdu and one National English newspapers;
- (b) arrange a public hearing on a specified date, time and place; and
- (c) maintain record of the proceedings for a minimum period of five years.

(4) The Director (Spatial Planning) of the Agency shall prepare, sign and stamp the draft re-classification scheme.

(5) The Director PHATA Region (concerned) shall countersign the draft re-classification scheme.

CHAPTER V REDEVELOPMENT PLAN

16. Redevelopment plan.- (1) The Agency may prepare a redevelopment plan after the notification of the land use reclassification scheme.

(2) A redevelopment plan may include:

- (a) environmental impact assessment or initial environmental examination and the traffic impact assessment of the project area;
- (b) transportation plan for:
 - (i) improving and upgrading the road network, to accommodate the increased demand of the proposed land use within the available right of way;
 - (ii) traffic management with detailed assessment and option analysis including traffic signals and intersection improvements;
 - (iii) modification and addition of public transport routes;
 - (iv) parking facilities;
 - (v) pedestrian and cycling facilities, if required; and
 - (vi) bus, taxi, rickshaw and tonga parking; and
- (c) street furniture plan for:
 - (i) street lighting;
 - (ii) landscape improvement;
 - (iii) architectural improvement; and
 - (iv) public spaces, open areas and plantation;
- (d) utility service plan for:
 - (i) upgradation of electricity and gas system;
 - (ii) upgradation of water supply, sewerage and storm water drainage facilities;
 - (iii) facilitates for solid waste management;
 - (iv) public toilets; and
 - (v) upgradation of firefighting arrangements;

- (e) financial assessment plan including cost estimates and execution of development work in phases;
- (f) land consolidation plan including landownership patterns and proposal for land readjustment or land pooling, if required; and
- (g) implementation framework, including:
 - (i) time schedule;
 - (ii) monitoring mechanism;
 - (iii) feedback mechanism; and
 - (v) completion report.

CHAPTER VI
LAND USE CLASSIFICATION MAP, LAND USE RE-CLASSIFICATION SCHEME AND REDEVELOPMENT PLAN

17. Scrutiny and approval.- (1) The Director General shall forward the draft of a classification map, re-classification scheme or redevelopment plan to the scrutiny committee which may either recommend for approval or propose amendments in the draft.

(2) The Director General, on the recommendations of the scrutiny committee, shall submit the draft of the land use classification map or land use re-classification scheme or redevelopment plan and observations of the scrutiny committee, to the Agency for approval.

(3) The Agency may approve, amend, defer or refer back the land use classification map or land use re-classification scheme or redevelopment plan.

18. Notification.- The Director (Spatial Planning) shall, sign and certify the approved land use classification map or re-classification scheme or redevelopment plan, in triplicate.

19. Circulation.- (1) The Director (Spatial Planning) shall:

- (a) retain a copy of the notified land use classification map or re-classification scheme or redevelopment plan;
- (b) forward the other copies of the notified land use classification map or re-classification scheme or redevelopment plan to the Government; and
- (c) publish the notified land use classification map or re-classification scheme or redevelopment plan on its website.

(2) A person may, on payment of the requisite fee, obtain a certified copy of the notified land use classification or re-classification scheme or redevelopment plan from the office of the Deputy Director, concerned sub-region of the Agency.

20. Scrutiny committee.- (1) The scrutiny committee shall consist

of the following:

- | | | |
|-----|--|-------------|
| (a) | Commissioner of the Division (concerned); | Chairperson |
| (b) | Director PHATA of the concerned region; | Member |
| (c) | Deputy Commissioner (concerned); | Member |
| (d) | Deputy Director PHATA of the concerned sub-region; | Member |
| (e) | Deputy Director (Town Planning) PHATA of the concerned region; | Member |
| (f) | Assistant Commissioner of the concerned Tehsil; | Member |
| (g) | Tehsil Municipal Officer or Chief Officer (concerned); | Member |
| (h) | Managing Director (Water ASA) or his representative; | Member |
| (i) | Managing Director, Traffic Engineering Planning A or his representative; | Member |
| (j) | Incharge Traffic Police (concerned); | Member |
| (k) | District Officer (Roads) (concerned); | Member |
| (l) | Executive Engineer Highway (concerned); | Member |
| (m) | Town Officer (Planning and Coordination) (concerned); and | Member |
| (n) | District Officer (Spatial Planning) (concerned). | Member |

(2) The scrutiny committee shall scrutinize the plan for land use classification or re-classification and perform any other function assigned to it by the Agency under the rules.

(3) The Chairperson of the scrutiny committee may convene a meeting of the committee.

(4) The scrutiny committee shall take decision by the majority of members present and voting.

(5) One half of the total membership of the scrutiny committee shall constitute the quorum for a meeting.

(6) Any defect in the constitution or composition of the scrutiny committee shall not invalidate any proceedings of the committee.

21. Commercialization committee.- On the recommendation of

the scrutiny committee, the final approval for conversion of land use, on case to case basis, shall be accorded by the following commercialization committee:

- (a) Director (Spatial Planning) PHATA Chairman
Head Quarters;
- (b) Director, PHATA of the concerned Member
region;
- (c) Deputy Director (Town Planning) Member
PHATA of the concerned region; and
- (d) Deputy Director, PHATA of the
concerned Sub-Region.

CHAPTER VII CONVERSION, COMMERCIALIZATION AND PERMISSIBILITY FEE

22. Fee for conversion of land use.- (1) The fee for conversion of land use shall be as follows:

LAND USE	RATES
(a) On the approved roads.	20% of the commercial value of the total area of plot, as provided in the valuation table
(b) On re-classification under the Punjab Housing and Town Planning Land Use Rules 2017, or under the rules:	
(i) From institutional or industrial and intercity service area to commercial area.	(I) Five percent of the commercial value of the total area of plot, as provided in the valuation table.
(ii) From industrial area to commercial areas.	(II) Ten percent of the commercial value of the total area of plot, as provided in the valuation table.
(iii) From industrial area to residential area.	(III) Five percent of the residential value of total area of plot, as

provided in the valuation table.

- (c) On permissible uses under rules 4, 7 and 8. Twenty percent of the commercial value of the total area of plot, as provided in the valuation table.

(2) The Agency shall not levy any conversion fee for the conversion of land use to an educational or a healthcare institutional use, if the proposed educational institution or healthcare institution is:

- (a) owned by a philanthropic, charitable or non-profit organization;
- (b) exempted from the payment of income tax; and
- (c) providing services to the needy or the poor free of cost or on a non-profit basis which is reflected in its audited accounts for last three years.

(3) The Agency may allow payment of a fee in four equal quarterly installments over a period of one year.

(4) In case of default, the fee already paid shall, subject to an opportunity of hearing, be forfeited and the offer of commercialization shall stand withdrawn.

23. Betterment fee.- The Agency may, on re-classification, levy betterment fee in an area under the Ordinance.

24. Prohibition.- (1) The Agency shall not allow conversion of a building, plot or land reserved for an educational institution, healthcare institution, post office, police station, place of worship or any other plot sold by a public Authority at reserve price for a specific use.

(2) The Agency shall not entertain any application for conversion of land use of a building, plot or land facing the road mentioned in the List-B.

CHAPTER VIII TEMPORARY COMMERCIALIZATION

25. Temporary commercialization.- (1) The Agency may allow temporary commercialization of land or property in the area, for a period up to ten years.

(2) The temporary commercialization of properties more than twenty percent of the total number of properties abutting on both sides of a road shall not be allowed.

(3) At the time of the commencement of the rules, if the ceiling of twenty percent has already been crossed, temporary commercialization only to the extent of further ten percent of the total properties abutting on both sides of a road may be allowed.

(4) The Agency may allow temporary commercialization in the following manner:

- (a) the Agency shall prepare a list of buildings which have been allowed for temporary commercial use under any law;
- (b) an application from the owner along with the ownership documents shall be submitted to the Director (Spatial Planning) or any other person authorized by the Director General, mentioning specifically the intended use of the building with the following documents:
 - (i) no objection certificates from the adjoining neighbours (left, right and rear side);
 - (ii) a copy of the national identity card; and
 - (iii) a pay order of five thousand rupees as processing fee.

(5) The Agency may allow temporary commercialization subject to the following conditions:

- (a) the temporary commercialization shall be on an annual basis and may be allowed after the site visit and no objection certificates from the neighbours;
- (b) if the use remains the same, there shall be no need for resubmission of fresh no objection certificates from the neighbours every year;
- (c) renewal of permission of commercialization may be made on an annual basis;
- (d) minimum ten feet setback or building line shall be required for plots exceeding seven marlas and five feet setback or houseline for plots up to seven marlas;
- (e) detailed sketch of the site shall be prepared before approval of temporary commercialization;
- (f) any change of use from the originally approved use shall be subject to the prior permission of the approving authority;
- (g) the minimum width of a road allowable for temporary commercialization shall be twenty feet; and
- (h) no structural changes shall be allowed in the buildings after the grant of temporary or annual commercialization and in case of any alteration in the structure or permitted use, the permission shall be liable to be cancelled and the fee deposited for

commercialization shall stand forfeited * after affording an opportunity of hearing to the affected person.

(6) The fee for temporary or annual commercialization shall be charged on annual basis at the rate of 1.25% of the commercial value of the total land owned as provided in the valuation table.

(7) The fee may be paid either in lump sum or in two equal installments, and, in case of non-payment of fee or installment within the stipulated time, a surcharge at the rate of ten percent of the defaulted amount per month shall be levied and after affording an opportunity of hearing to the affected person, the permission shall be liable to be withdrawn.

(8) The temporary commercialization shall not be allowed for:

- (a) hazardous industries, storage of chemicals, explosive and inflammable materials;
- (b) uses which are a source of nuisance, noise, vibration, pollution such as printing press, cutting of stone, other such like uses, and which are likely to cause danger to human life and property;
- (c) uses which may involve boilers or compressors and such like other objects.
- (d) a property or building which falls within 1143 meters radius of any ammunition depot or area.

(9) The temporary commercialization shall not be allowed in the areas permitted for commercialization in:

- (a) master plan;
- (b) re-classified areas or permitted for commercial use; and
- (c) roads mentioned in List-A.

(10) The Agency shall not allow conversion of a building, plot or land reserved for an educational institution, healthcare institution, post office, police station, place of worship or any other plot sold by a public Agency at reserve price for a specific use.

26. Approval.- The Director General or any other person authorized by the Agency may grant approval for temporary commercialization subject to the rules.

27. Re-classification.- Nothing contained in this Chapter shall limit the Agency to reclassify an area including a listed road in accordance with the rules.

CHAPTER IX MISCELLANEOUS

28. General.- (1) A person shall apply to the concerned office of the

Agency for construction, alteration or reconstruction of a building, plot or land in accordance with, notified land use under the re-classification scheme or on approved roads or permissible use in different land use classes.

(2) The Agency shall not entertain an application for construction, reconstruction or alteration of a building, plot or land in a notified land use under re-classification scheme or on approved roads or permissible use in different land use classes, unless the applicant has paid the fee in accordance with the rules as applicable on the date of submission of the application.

(3) The Agency may allow conversion of a cinema site:

(a) in an approved scheme or on land allotted on reserved price subject to the following conditions:

(i) conversion fee shall be charged as applicable to the conversion of a residential plot to commercial use; and

(ii) a cinema or a projection theater with at least one third seating capacity of the existing cinema shall be provided in the new building; and

(b) on private land other than the site on land specified in clause (a), subject to the following conditions:

(i) if the cinema is located in an area which is not a commercial area then it shall not be allowed to be converted to any other use; and

(ii) if the cinema is located in an established built-up area which is classified as commercial, on payment of the conversion fee.

29. Building line.- The Agency shall fix a building line in a land use reclassification scheme which shall not be less than:

(a) the building line specified in the building regulations;

(b) thirty feet along a road with right of way of eighty feet and above; and

(c) ten feet along any other road.



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

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Section Officer (H-II)