

Walled City of Lahore Authority
Government of the Punjab
Date: 08-04-2015

Letter No. Dir(Admn)/WCLA/2015. The Walled City of Lahore Authority has proposed to notify the Walled City (Heritage Property) Rules, 2015 and the same are hereby published in the official gazette, for inviting **public suggestions/ objections**. Any objection or suggestion with respect thereto which may be received by the Director General, Walled City of Lahore Authority, 54-Lawrence Road, Lahore **within thirty days** of the publication of this notification, shall be taken into consideration in his office.

1. Preamble

Whereas, it is necessary to provide for appropriate framework for protection of heritage properties and conservation of heritage.

And whereas, it is expedient to provide for a framework for declaration of Heritage Properties within Walled City of Lahore.

And whereas, in exercise of powers granted under section 49 of the Walled City of Lahore, Act 2012 (Act XXXVI of 2012), the Government is pleased to notify the following rules.

1. Short Title and Commencement.-

- (1) These Rules may be cited as the Walled City (Heritage Properties) Rules, 2015.
- (2) These rules shall extend to whole of the Walled City of Lahore.
- (3) They shall come into force at once.

2. Definitions.- (1) In these rules unless the subject or context otherwise requires, the following expressions shall have the meanings respectively assigned to them to say:

- a) "**Act**" means the Walled City of Lahore Act 2012;
- b) "**Authority**" means the Walled City of Lahore Authority established under section 3 of the Act;
- c) "**Board**" means the Heritage Conservation Board constituted under section 9 of the Act;
- d) "**Building Fabric**" means parts and elements of the building which envelop the structural elements and provide enclosure and finishing to the building.
- e) "**Heritage Declaration**" means declaration of a building, structure, land, building fabric or work of heritage value as heritage property under these rules pursuant to section 23 of the Act;

- f) **"Interested Person(s)"** means the owner or occupant of a building, structure, land, building fabric or work of heritage value and any person which has special knowledge of, or interest in, the building, structure, land, building fabric or work of heritage value;
- g) **"Notice of Declaration"** means a notice by the Authority, that a building, structure, land, building fabric or work of heritage value to which the notice relates has been Declared as a Heritage Property;
- h) **"Notice of Intention"** means a notice by the Authority, of its intention to Heritage Declaration;
- i) **"Objection"** means written objection in response to notice of intention;
- j) **"Register of Heritage Properties"** means the register of heritage properties maintained by the Authority under the Act.

3. Declaration of Heritage Property

(1) The Authority may declare any building, structure, land, building fabric or work of heritage value within Walled City of Lahore as Heritage Property on all or any of the following grounds for Heritage Declaration:

- (a) heritage Value for architectural, archaeological, monumental, historic, artistic, aesthetic, cultural or social value, age value and commemorative value, use value, place value reasons;
- (b) age ,rarity and uniqueness;
- (c) relevance to social or economic history;
- (d) association with well-known persons or events;
- (e) a building or groups of buildings and/ or areas of a distinct architectural design and/ or style, historic period or way of life having sociological interest;
- (f) its heritage value as a part of a group of buildings; and

(2) prior to Heritage Declaration, the Authority shall:

- (a) consult with Heritage Conservation Board;
- (b) serve the owner or occupant of any building, structure, land, building fabric or work with a Notice of Intention as per Schedule I describing the detailed reasons of proposed heritage declaration;
- (c) publish a Notice of Intention in at least two leading newspapers, one in English and the other in Urdu.

4. Request for Heritage Declaration by Interested Person(s)

- (1) Notwithstanding anything in these rules to the contrary, any interested person(s) may request the Authority to declare building, structure, land, building fabric or work of heritage value;
- (2) A written request under sub-rule (1) shall be made.
- (3) The Authority may require interested person to furnish further information in addition to the written request.
- 4) The Authority may:
 - a) consider the request; and carry out consultation with the Board for heritage declaration; or
 - b) pass an order for refusal in writing within 30 days of the receipt of the request under sub-rule(1)

5. Objection to Proposed Heritage Declaration:

(1) Any interested person(s) who wishes to object to the proposed declaration of a Heritage Property shall serve the Authority with an objection stating the reason for objection and all the relevant facts;

(2) The interested person shall serve the objection within 15 days of Publication in Newspaper;

(3) On receipt of an objection pursuant to sub-rule (1), the Authority shall within 15 days:

(a) refer the matter to the Board for a hearing and notify the interested person of the referral; or

(b) withdraw the proposed heritage declaration; or

(c) dismiss the objection with justifiable reasons.

6. Hearing of Objections to proposed Heritage Declaration:

On the receipt of the objections from the interested person(s), the Authority shall start the proceeding and serve the notice to join the hearing personally and to plead his objections. The Authority shall decide the matter within 30 days from the date of serving the notice to the interested person(s).

7. Notice of Declaration:

The Authority shall serve the owner or occupant of any building, structure, land, building fabric or work with a notice of declaration after consultation with the Board, specifying the details of the heritage declaration.

8. Notification of Heritage Declaration:

The Authority shall notify the Heritage Declaration after the proceedings under rules mentioned above as per Schedule-II.

9. Register of Heritage Properties:

- 1) The Authority shall keep a register of all the Heritage Properties as per Schedule III.
- 2) The Register shall contain:
 - (a) the description of the heritage Property(including property no., street address and the data as recorded in Authority's GIS database).
 - (b) site plan with exact measurements.
 - (c) Photographs
 - (d) the name and address of the owner and occupant of the Heritage Property; and
 - (e) the reason for the declaration.

10. Appeals

Any interested person may within 30 days of Notice of Declaration prefer an appeal under section 47 of the Act before the Lahore High Court against the Heritage Declaration.

DIRECTOR GENERAL

SCHEDULE-I

NOTICE OF INTENTION

(Rule 4)

To,

You are hereby notified that:

1. The land and building located at (_____) has been identified to be declared as Heritage Property under section 23 of the Walled City of Lahore Act, 2012.

2. The reasons for this proposed Heritage Declaration are:

- i. _____
- ii. _____
- iii. _____

(age of property; architectural significance; association with persons, places and events of historical significance; status as important landmark; or other consideration).

3. _____ prohibits demolition or any substantial alteration in proposed _____ described herein for a period of one hundred twenty (120) days from the date of service of this notice, unless within that time the Authority _____.

4. The effect of declaration of Heritage Property is that no alteration _____ may be undertaken from the date of Declaration without the approval of the Authority in consultation with Heritage Conservation Board.

5. A decision with respect to proposed Declaration of Heritage Property will not take place until 60 days after service of this notice in order to allow reasonable time for interested persons to make representation to the Authority with respect to the proposed Declaration. You are invited to forward any comments you might wish to make in this matter during that time _____.

DATED THIS ____ day of _____, 20____

The Director General
Walled City of Lahore Authority

Schedule-II
NOTICE OF HERITAGE DECLARATION
(Rule 9)

To:

You are hereby notified that:

1. The _____ at (_____ address, location, legal description or other identification of property) has been declared as Heritage Property by the Authority under section 23 of the Walled City of Lahore Act, 2012 on _____, 20__.

2. The effect of registration in the Provincial Registry of Heritage Property is that no alteration in Heritage Property shall be undertaken from the date of Heritage Declaration without the approval of the Authority under the provisions of the Walled City of Lahore Act, 2012.

DATED this ____ day of _____, 20__.

The Director General

Walled City of Lahore Authority

Schedule-III

REGISTER OF HERITAGE PROPERTIES

(Rule 10)

Sr. No.	Description of Heritage Property			Description of owner / occupant		Reason for Declaration
	Property No.	Street Address	GIS Database	Name	Address	