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GOVERNMENT OF THE PUNJAB LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION (60 of 2020)

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NAZIR AHMAD GAJANA

Secretary

Government of the Punjab
Law and Parliamentary Affairs Department

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

Dated Lahore the 29th May, 2020

NOTIFICATION

No. SO(H-II) 3-2/2016. In exercise of the powers conferred under section 44 of the Lahore Development Authority Act, 1975 (XXX of 1975), Governor of the Punjab is pleased to make the following amendments in the Lahore Development Authority Private Housing Schemes Rules 2014 with immediate effect:

AMENDMENTS

In the Lahore Development Authority Private Housing Schemes Rules 2014:

(1) In rule 3,

- (a) in sub-clause (c), the word "and" shall be omitted;
- (b) in sub-clause (d), the expression "." shall be substituted with "; and";
- (c) after clause (d), the following shall be inserted:
"(e) Low cost apartment housing scheme."

(2) For rule 4, the following shall be substituted:

"Approval.- The sponsor shall not initiate any development activity without obtaining approval from the Authority."

(3) For rule 5, the following shall be substituted:

"Status of master plan.- (1) The Authority may on the application of a sponsor of a housing scheme, provide information regarding status of the land prescribed in the master plan. The application shall be submitted with copies of the following documents:

- (a) valid Computerized National Identity Card (CNIC);
- (b) document indicating location of Khasra numbers marked on satellite image; and
- (c) proof of processing fee of one thousand rupees.

(2) The information provided under sub-rule (1) shall:

- (a) be valid for a maximum period of six months; and
- (b) not constitute any commitment on the part of the Authority not to change the said land use subsequently in the Master Plan."

(4) For rule 6, the following shall be substituted:

"Application for approval of a housing scheme.- (1) In case of a housing scheme comprising of more than five owners of land, a company, firm or a cooperative society, shall submit application for approval.

(2) The application, containing complete postal and e-mail addresses, shall be submitted along with the following documents:

- (a) certified copy of valid National Identity Card (CNIC) of the sponsor, if applicable;
- (b) a copy of last-paid utility bill for the property mentioned in the mailing address as proof of residence;
- (c) a certified copy of certificate of registration of the company, firm or the cooperative society, if applicable;
- (d) triplicate copy of a location plan of proposed scheme signed by a town planner and sponsor;
- (e) certified title document such as registered sale deed, mutation, fard malkiat and any other relevant document to establish ownership of the land, but no special or general power of attorney shall be entertained or accepted for the proof of the ownership;
- (f) list of Khasra numbers, Khasra plan and boundary super-imposed on satellite image, location of site shown on the master plan signed by town planner and sponsor and any other information, if required;
- (g) triplicate copy of khasra plan or aks-e-shajra certified by the concerned revenue officer;

(h) a soil investigation report for technical requirements prepared by a consultant engaged by the sponsor;

(i) triplicate copy of non-encumbrance certificate from the competent authority;

(j) triplicate copy of topographic survey extended to a depth of one thousand feet around the housing scheme area; though, for the land sub-division the topographic survey shall be made up to the boundary of the land sub-division; and

(k) triplicate copy of layout plan super-imposed on khasra plan, with proposed division of scheme into residential and commercial plots, road network, open spaces, graveyard and public buildings prepared and signed by a town planner and the sponsor in accordance with the rules.

(3) The sponsor shall not use the name of a housing scheme or land sub-division already mentioned in the record. However, the words such like 'Phase-I', 'Phase-II' or 'Extension' may be added with the name of the housing scheme by same sponsor.

(4) Maximum 10% of total scheme area (min 7% within the scheme and maximum 3% adjacent to the scheme), proposed to be acquired through compulsory acquisition in accordance with the Land Acquisition Act, 1894 (I of 1894), shall be earmarked on the layout plan with certain boundary. Land adjacent to scheme boundary (upto 3%) may only be acquired to increase existing ROW of access road. compensation rate to be paid to the owners of land should not be less than market rate. Director Land Acquisition of the Authority shall forward the case for acquisition to the Board of Revenue, Government of the Punjab. However, the sponsor shall be bound to provide 100% ownership prior to technical approval of layout plan by the Authority. In all such cases, technical scrutiny shall be carried out prior to issuance of public notice regarding ownership. However, other terms and conditions shall remain same."

(5) For rule (7), the following shall be substituted:

"Evaluation criteria.- (1) The Authority shall not entertain an incomplete application.

(2) The Authority shall examine and satisfy that:

(a) the site proposed for housing scheme form a contiguous boundary and fulfils the following requirements:

(i) it falls on an access road having following requirements:

(a) in case of District Lahore, minimum width of access road shall be:

i. 50 feet for housing schemes having area 301 kanals and above,

ii. 40 feet for housing schemes having area upto 300 kanals;

iii. 25 feet for land sub-divisions; and

(b) in other Districts, width of access road shall be decided as per ground situation;

(ii) it is not prone to flooding;

(iii) it is not notified by the Government for acquisition for any other public purpose;

(iv) the housing scheme proposal is in conformity with the approved master plan or outline development plan, agro-village development plan and other allied plans;

(v) land is owned by the sponsor; and

(vi) soil is suitable for development of a housing scheme.

(b) additional requirements in case of land sub-division:

(i) the land is locked owing to the following:

(a) surrounded by an existing built up area or any housing scheme; or

(b) separated from the vacant area by physical barriers such as proposed structure plan road, main road, railway line, canal, distributary or any other public project, farm house, graveyard, or compound wall including structure inside; or

(c) surrounded by the pockets of land which, if combined, do not form a housing scheme of area having 100 kanal and above; and

(ii) a sponsor does not own additional land in continuation of the land proposed for sub-division.

Explanation: Notwithstanding anything contained in sub-clause (i) above, the Director General may on the recommendation of the committee consisting of Director Metropolitan Planning and Director Engineering (PHS) of the Authority, if the sponsor fails to obtain the adjoining vacant land owing to reasons beyond his control, accept or reject the request of the sponsor regarding the condition of the land locked area.

(6) For rule 8, the following shall be substituted:

"Processing.- If the application, on evaluation, is found to be in accordance with the rules:

(a) Director Metropolitan Planning shall, within seven days, forward the case to Water and Sanitation Agency or other concerned Department or Agency;

(b) Water and Sanitation Agency or other concerned Department or Agency shall, within ten days, either issue a 'No Objection Certificate' or communicate its observations to the Director Metropolitan Planning; and

(c) Director Metropolitan Planning shall, within ten days of receipt of the observations, if any, from Water and Sanitation Agency or other concerned Department or Agency, scrutinize the case in accordance with the rules."

(7) In rule 10:

(a) in sub-rule (1), in sub-clause (a), under the heading "Planning Standards", the following shall be substituted:

S. No.	Land use	Land Subdivision		Farm housing scheme	Private Housing Scheme			Low Cost Apartment Housing Scheme
		Less than 40 Kanal	40 kanal to less than 100 kanal		Less than 300 Kanal	300 to 500 kanal	Above 500 kanal	
1	Open space	-	Min. 5%	Min. 5%	Min. 7%	Min. 7%	7% or above	Min. 5%
2	Graveyard	-	-	Min. 2%	Min. 2%	Min. 2%	Min. 2%	Min. 3%
3	Commercial	Max. 2% (not compulsory)	Max. 3%	Max. 5%	Max. 5%	Max. 5%	Max. 10%	Max 2%
4	Public Buildings	2%-10% (not compulsory)	2%-10%	2%-10%	2%-10%	3%-10%	3%-10%	2%-10%
5	Size of Residential Plot	Max. 2 kanal	Max. 2 kanal	Min. 4 kanal	Max. 2 kanal	Max. 2 kanal	Max. 2 kanal	Size of Plot Area Min. 10M, Max apartment size 3Marla Max. Height 60 feet
6	Internal Roads	Min. 30 feet	Min. 30 feet	Min. 30 feet	Min. 30 feet	Min. 30 feet	Min. 30 feet	20 feet
7	Site for Solid Waste Management	-	Min. 5 Marla plot	Min. 10 marla plots for 500 kanal and 10 marla plot for every additional 500 kanal				-
8	Grid Station Exclusive of Public Buildings	-	-	As per requirements of concerned department /agency				-
9	Major Road (start from entrance and serve major area of scheme)	Min. 30 feet	Min. 40 feet	Min. 40 feet up to 300 kanal and 60 feet above 300 kanal	Min. 80 feet	Min. 100 feet	(i) Between 500 to 1000 kanal: Min. 120 feet; and (ii) above 1000 kanal: Min. 150 feet	40 feet
10.	Service Area/ Society Office	-	Min. 5 marla	Min. 10 marla	Min. 10 marla	Min. 10 marla	Min. 1 kanal	-;

In case of low cost apartment housing scheme, minimum 2% area of total scheme area shall also be provided for parking of vehicles of residents of low cost apartment housing scheme.

(b) in sub-rule (b):

(i) for sub-clause (viii), the following shall be substituted:

"20% of total residential area shall be provided for apartments or small plots (3Marla-5Marla) or combination

of both, except in a farm housing scheme, low cost apartment housing scheme or in a land sub-division scheme having an area less than forty kanal. Furthermore, in case of provision of more areas for apartments, minimum %ages of areas of open space, graveyard and public buildings shall be increased by one percent against every 10% slab of apartments. The road on which apartments are provided should not be a dead end to ensure smooth flow of traffic. In case of higher %age of apartments, minimum width of access road shall be 40 ft for land sub-division and 60 ft for housing schemes;";

(ii) after sub-clause (ix), the following shall be inserted:

"(x) in case of approved housing scheme having commercial area less than prevailing planning standards, sponsor may apply for the revision of housing scheme to the extent of enhancement of the commercial area up to prevailing planning standards, subject to following conditions:

- (a) the sponsor shall have valid ownership of the proposed area;
- (b) the enhancement shall not disturb other planning standards of the rules under which the scheme initially approved;
- (c) the proposed land or plots are falling on minimum 60 feet wide road;
- (d) the setback or parking is provided as per prevailing rules;
- (e) conversion fee as per commercialization policy;
- (f) public notice and settlement of objections, if any; and
- (g) the proposed commercial area is in a compact form (minimum area of each compact commercial block shall be 3% of total scheme area);

(xi) graveyard shall be provided:

- (a) within housing scheme; or
- (b) with an existing graveyard in nearby vicinity (within a radius of 5 KM) subject to the conditions that:

i. land is owned by same sponsor

- ii. site has appropriate access
- iii. site is in conformity with Master Plan and
- iv. NOC from the owners of adjacent land;
- (xii) in addition to the land uses mentioned in rule 10(1)(a), area(s) for recreational purpose (e.g. camping parks, amusement parks, botanical gardens, mini zoo, golf course, sports ground, etc) may be provided in layout plan. Ancillary land uses (residential, commercial, public buildings etc) may also be provided within these recreation areas subject to the conditions that these provisions do not violate overall planning standards and other requirements of the housing scheme;
- (xiii) in the housing scheme, the sponsor shall plant at least ten trees per kanal of gross area of housing scheme, which shall be native to the region preferable fruit trees having minimum height of three feet;
- (xiv) a ten feet set-back or passage shall be provided between two non-compatible land use; and
- (xv) minimum four feet wide foot-path in road having right of way of sixty feet and above shall be provided on both sides of road."
- (8) In rule 24:
 - (a) in sub-rule (1), in sub-clause (b) in sub-clause (ii), for the word "coordinate system of Survey of Pakistan Plan", the word "appropriate coordinate system" shall be substituted;
 - (b) in sub-rule (2):
 - i. in sub-clause (b), the word "and" shall be omitted;
 - ii. in sub-clause (c), for expression ".", the expression and word "; and" shall be substituted; and
 - iii. after sub-clause (c) as amended above, the following shall be inserted:

"(d) the sponsor shall submit services design within six months of issuance of technical approval of layout plan."; and
 - (c) after sub-rule (2) as amended above, the following shall be inserted:

"(3) The marketing or advertisement and sale of plots shall be allowed after payment of approval fee,

penalty, if any, execution of transfer and mortgage deeds and incorporation of the same in revenue record, but the sponsor shall not be absolved of the responsibility to comply with the marketing requirements under any other law."

(9) In rule 26:

(a) in sub-rule (1)

- i. In clause (e), after expression ";;", the word "and" shall be inserted;
- ii. In clause (f), after expression ";;", the expression "." shall be substituted;
- iii. clause (g) shall be omitted;

(b) after sub-rule (2), the following shall be inserted:

"(3) The sponsor shall submit no objection certificate issued by the Provincial Environmental Protection Agency within six months of sanction of the scheme, if applicable. However, in case of failure, sponsor shall be liable to pay penalty as per rule 36 for the duration of delay in provision of NOC. It shall be subject to:

- a. formal request by sponsor and
- b. affidavit to comply with above conditions."

(10) For rule 27, the following shall be substituted:

"Sanction of private housing schemes. - After fulfilment of the above requirements, the Authority shall issue a formal letter of sanction in Form E. The sponsor shall not market or sell any mortgaged plot unless it is redeemed by the Authority and the plot is released by executing a redemption deed."

(11) In rule 29A:

- (a) in sub-rule (2), in sub-clause (a), for the word "one", the word "two" shall be substituted; and
- (b) in sub-rule (3), after the word "clubs", before the full stop, the following shall be inserted:

"subject to deposit of one hundred thousand rupees for each additional plot or resultant plot as sub-division fee".

(12) In rule 30, in sub-rule (2), at the end, before the full stop, the following shall be inserted:

"within a period of one month".

(13) In rule 31, in sub-rule (2), in sub-clause (a), for the word "ten", the word "fifteen" shall be substituted.

(14) In rule 33:

(a) for the word "thirty", the word "fifty" shall be substituted; and

(b) after the words "sub-division of a", the word "residential" shall be inserted.

(15) In rule 42:

(a) for sub-rule (1), the following shall be substituted:

"The Authority may allow revision of an approved housing scheme subject to the following:

(a) fulfilment of all financial requirements (fees & penalties) of the already approved area.

(b) fulfilment of requirements under rules 6, 7 and 8 to the extent of additional area, if any;

(b) scrutiny of scheme plan as per planning standards;

(c) public notice for invitation of objection regarding change in layout plan and ownership of additional land;

(d) technical approval;

(e) payment of sanction fee or penalty or both;

(f) execution of mortgage deed and transfer deed, if required;

(g) approval of services design, if required;

(h) final sanction; and

(i) NOC issued by Provincial Environmental Protection Agency for additional area, if any.";

(b) in sub-rule (3),

i. before the word "extension", the words "two year" shall be inserted; and

ii. at the end, before the full stop, the following shall be inserted:

" , except in case of schemes where development works has already been completed".

(c) in sub-rule (4), after the full stop, the following shall be inserted:

"However, in case of revision of an approved housing scheme, where development works have already been completed, the sponsor may complete the development works as per revised plan in two years, if any."

(d) after sub-rule (5), the following shall be inserted:

"(6) The sponsor shall, while revising the layout plan of the housing scheme, follow the existing planning standards or the planning standards under the rules under which the housing scheme was approved. In case of additional area, the existing planning standards shall be applicable.

(7) In case of open or unapproved pockets within the already approved scheme, the same sponsor shall submit the proposal along with already approved layout plan. The ownership documents to the extent of proposed pockets shall be scrutinized by the Authority on the pattern of rules of new housing scheme. The scrutiny fee shall be charged of the unapproved pockets. The planning standards shall be applicable on the aggregated areas of open or unapproved pockets. However, if different sponsor wants to develop a housing scheme on any portion of land lying vacant within or adjacent to an already approved scheme with access or right of way from approved scheme in addition to other requirements, mutual consent of the sponsors shall be mandatory regarding already approved schemes whose right of way or any other facility is to be utilized or shared by the other housing scheme proposed in the pocket of land.

(8) One time partial revision for maximum of 10% area of scheme shall be made subject to the following:

- (a) payment of penalties, if any;
- (b) submission of complete housing scheme plan showing boundary of area proposed for modification;
- (c) scrutiny of the housing scheme plan as per the planning standards;
- (d) no change in planning standards

- (e) public notice regarding changes in plan;
- (f) technical approval;
- (g) payment of sanction fee for the revised area;
- (h) execution of mortgage deeds in case of change of mortgaged plots;
- (i) execution of transfer deed in case of change in public buildings transferred to the Authority;
- (j) approval of services design in case of any major change; and
- (k) final sanction.

Note: in case, sponsor provide graveyard in his adjacent approved scheme, then partial revision of approved scheme for this particular purpose shall not cease the right of sponsor of one time partial revision."

(16) For rule 43, the following shall be substituted:

"Area for approval of housing scheme.- The Authority may allow:

- (a) a housing scheme in the area declared residential or peri-urban in the master plan, outline development plan, agro-ville development plan, peri-urban structure plan and other allied plans; and
- (b) land sub-division in the area earmarked as settlement in the master plan, provided that:
 - (i) minimum area of settlement is 500 kanal; and
 - (ii) proposed land sub-division shall be within boundary limits of existing settlement; and
 - (iii) Governing body of the Authority has duly declared the settlement for processing land sub-division cases."

(17) In rule 45, for sub-rule (1), the following shall be substituted:

"A sponsor shall not advertise sale of plots or housing units in print or electronic media or in any other manner, without prior approval of the Authority."



(10) In rule 55:

- (a) in sub-rule (1), for the word "thirty", the word "sixty" shall be substituted; and
- (b) in sub-rule (1), for the word "Government", the word "LDA Authority" shall be substituted.
- (c) in sub-rule (3), for the word "Government", the word "LDA Authority" shall be substituted; and
- (d) in sub-rule (3), for the word "sixty", the word "ninety" shall be substituted.

SECRETARY

**GOVERNMENT OF THE PUNJAB
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DEPARTMENT"**