

THE GREATER LAHORE WATER SUPPLY, SEWERAGE AND DRAINAGE ORDINANCE,
1967

WEST PAKISTAN ORDINANCE II OF 1967

[AS AMENDED BY:

1. WEST PAKISTAN ORDINANCE XXXVII OF 1969

2. PUNJAB ORDINANCE XIV OF 1971

[3rd June 1967}

An Ordinance to make provision for facilitating the execution of the Greater Lahore Water Supply, Sewerage and Drainage Scheme.

[No. PAWP/Legis (9)/67/18. The Greater Lahore Water Supply, Sewerage and Drainage Ordinance, 1967, promulgated by the Governor of West Pakistan on 16th February, 1967, having been approved by the Provincial Assembly of West Pakistan with amendments, on 2nd May 1967, in pursuance of clause (4) of Article 79 of the Constitution of the Islamic-Republic of Pakistan and assented to by the Governor of West Pakistan on 2nd June, 1967 is hereby published for general information :]

WHEREAS it is expedient to make provisions for facilitating the execution of Greater Lahore Water Supply, Sewerage and Drainage Scheme;

AND, WHEREAS, the Provincial Assembly of West Pakistan is not in session, and the Governor of West Pakistan is satisfied that circumstances exist which render immediate legislation necessary;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of Article 79 of the Constitution, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance :--

1. Short title, commencement and extent. (1) This Ordinance may be called the Greater Lahore Water Supply, Sewerage and Drainage Ordinance, 1967.

(2) It shall come into force at once.

(3) It shall extend to the area under the jurisdiction of the Lahore Improvement Trust, and to such other area or areas beyond the jurisdiction of the Trust as Government may, by notification, specify from time to time.

2. Definitions. (1) In this Ordinance, unless there is anything repugnant in the subject or context :--

(a) 'Act' means the Punjab Town Improvement Act, 1922 (Punjab IV of 1922);

(b) 'Government' means the Government of West Pakistan;

(c) 'Municipal Committee' means the Lahore Municipal Corporation;

(d) 'Ordinance' means the Municipal Administration Ordinance, 1960 (Ordinance X of 1960);

(e) 'Project Director' means the Project Director, Lahore Water Supply, Sewerage and Drainage Project;

(f) 'Scheme' means the Lahore Water Supply, Sewerage and Drainage Project; and

(g) 'Trust' means the Lahore Improvement Trust.

(2) Words and expressions not defined in this Ordinance shall have the same meaning as in the Act and the Ordinance.

3. Water Supply, Sewerage and Drainage Scheme. The Scheme shall be executed and administered by the Trust as if it were a scheme under the Act.

4. Functions with regard to water supply, sewerage and drainage. (1) For the period, the water supply, sewerage and drainage scheme remains under the control of the Trust:--

(a) all functions and powers with regard to water supply, sewerage and drainage, including the power to administer and collect rates, fees and charges for water supply, sewerage and drainage, and the making of bye-laws under the Ordinance for the purposes of water supply, sewerage and drainage shall be performed and exercised by the Trust as if it were a Municipal Committee;

(b) all properties, assets, and liabilities pertaining to water supply, sewerage and drainage heretofore vesting in the Municipal Committee shall vest in the Trust;

[(c) the staff of the Municipal Committee, heretofore responsible for the administration of water supply, sewerage and drainage, shall continue to be governed by the provisions of the Ordinance and the Rules framed thereunder, but shall work under the administrative control of the Trust, and for the purposes of the said staff, the Trust shall be deemed to be the Municipal Committee and the Chairman of the Trust shall be deemed to be the Chairman of the Municipal Committee.]

[(2) The arrangements for the transfer of functions with regard to water supply, sewerage and drainage from the Municipal Committee to the Trust shall be as specified in Schedule I.]

5. Lahore Water Supply, Sewerage and Drainage Committee. (1) The Trust shall implement the Scheme through a Committee, to be known as the Greater Lahore Water Supply, Sewerage and Drainage Committee which shall consist of :-

(a) Chairman, Lahore Improvement Trust ...Chairman

(b) Chairman, Lahore Municipal Corporation ...Member.

[(c) Representative of the Finance Department of Government of West Pakistan ; and ...Member.

(d) Chief Engineer, West Pakistan, Public Health Engineering Department, Lahore ...Member.

(2) The Project Director shall be the Secretary to the Committee.

(3) The Chairman, Lahore Improvement Trust shall be the principal Executive Officer and for the purpose of planning and implementation of the Scheme shall exercise such powers of the Trust, as may be specified by Government, while the Chief Technical Engineer, Public Health Engineering Department shall be the Advisor to the Committee.

(4) The Chairman may delegate to the Project Director or any other officer employed in the scheme such powers as may be necessary from time to time for the execution of the Project and the performance of functions with regard to the administration to water supply, sewerage and drainage.

6. Assignment of functions to the Municipal Committee. Notwithstanding the transfer of functions with regard to water supply, sewerage and drainage from the Municipal Committee to the Trust, the Government may require the Municipal Committee to perform such functions on behalf of the Trust as may be specified, including the collections of water, sewerage and drainage rates on such condition as may be laid down.

7. Finance. (1) For the purposes of the execution of the scheme, and the administration of the water supply, sewerage and drainage service, the Trust shall maintain separate fund to be known as the Water Supply, Sewerage and Drainage Fund. All receipts relating to or meant for water supply, sewerage and drainage shall be credited to the Fund, and expenditure for the purposes of water supply, sewerage and drainage shall be incurred out of the Fund.

(2) The Trust shall prepare and administer a separate budget for the purposes of the Water Supply, Sewerage and Drainage Fund.

8. Rates, fees and charges. (1) Adequate funds shall be raised by the Trust to meet the cost of the Scheme by imposing rates, fees and charges for water, sewer and drainage from time to time.

(2) The rates, fees and charges for water, sewer and drainage shall be such as to provide sufficient revenues:-

(i) to cover the operating expenses, including taxes, if any, any interest to provide for adequate maintenance and depreciation ;

(ii) to meet repayments on long term indebtedness to the extent that such repayments exceed the provision for depreciation ;

(iii) to finance the normal year to year extension of water supply, sewerage and drainage system and to provide a reasonable portion of the cost of future major expansion of such system.

(3) Initially, sewer and drainage rates shall be levied as specified 'in Schedule II, but in order to conform to the provisions of sub-section (1), Government may, from time to time, by notification, vary the rates specified in the Schedule.

(4) The loan raised to finance the Scheme shall be the primary charge on the Water Supply, Sewerage and Drainage Fund, and if in the opinion of Government, the income from the water and drainage rates is inadequate to meet the loan charges. Government may levy any tax which a Municipal Committee is authorised to levy under the Ordinance and direct that the proceeds thereof shall be credited to the

Water Supply, Sewerage and Drainage Fund, and utilized for the service of the loan.

9. Control. (1) Where the Trust acts as a Municipal Committee for the purposes of this Ordinance, the Government shall be the Controlling Authority.

(2) The Government may frame Rules to carry out the purposes of this Ordinance, and for the administration of the water supply, sewerage and drainage service.

(3) If there is any dispute between the Trust and the Municipal Committee over any point arising under this Ordinance, the matter shall be referred to Government whose decision shall be final.

10. Completion of the Water Supply, Sewerage and Drainage Scheme. When the scheme has been completed to the satisfaction of Government, functions with regard to water supply, sewerage and drainage may be transferred by it to the Municipal Committee, and the consequences which ensue upon such transfer, including the assets and liabilities shall be duly determined and specified by Government, and the same shall be given effect to by the parties.