

GOVERNMENT OF ¹[Khyber Pakhtunkhwa]
 LOCAL GOVERNMENT, ELECTIONS AND RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

15th October, 1988

No. Admn: (LG) 1(52)/88.--- In exercise of the powers conferred by Section 154 read with Section 172 of the ²[Khyber Pakhtunkhwa] Local Government Ordinance, 1979 (Ord: IV of 1979) the Government of ³[Khyber Pakhtunkhwa] are pleased to make the following rules:---

1. Short Title and Commencement.--- These rules may be called the ⁴[Khyber Pakhtunkhwa] Local Councils (Inspection) Rules, 1988.

2. They shall come into force at once.

2. Definition.--- In these rules, unless the context otherwise provide "Inspecting Authority for the Local Councils" means:---

- (a) The Director General, Local Government and Rural Development Department.
- (b) The Secretary, Local Council Board.
- (c) The Divisional Director for Local Councils within the Division except Municipal Corporation, Peshawar.
- (d) The Assistant Directors for Union Councils within the District.
- (e) Any other officer/officers appointed for purpose by the Government under these rules.

3. Inspection.--- The Local Councils shall be inspected on such date or dates as may be specified by the Inspecting Authority, provided that the Councils shall be inspected at least once every year.

4. Power of the Inspecting Authority.---(1) The Inspecting Authority shall have the following powers---

¹ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

² Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

³ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

- (a) To enter, inspect and survey or cause to enter, inspect and survey all the immovable property of the Local Council or any institution maintained by them or any work which is in progress under the direction of a Local Council;
- (b) To call for and inspect or cause to inspect all records, files, registers, books and documents of accounts, reports, documents and minutes of the meeting and proceedings of the Local Councils; and
- (c) To inquire generally into the affairs of a Local Council with a view to ascertain whether or not it is satisfactorily administered, and for purposes of such inquiry the Inspecting Authority may---
 - (i) make use of any property of the Local Councils;
 - (ii) exercise all powers mentioned in clause (a), (b) and (c) above; and
 - (iii) take such assistance from members, officers and servants of the Local Councils as he may consider necessary.

(2) Non-compliance with the directions of an Inspecting Authority under sub-rule (1) shall be a contravention within the meaning of section 164 of the Local Government Ordinance, 1979.

5. Inspecting Note.--- (1) After Inspection, the Inspecting Authority shall record inspection note and forward the same or copy, thereof within fifteen days of such inspection to the Local Council concerned.

- (2) The Inspecting Authority shall, *inter alia*;---
 - (a) review the general working of the Local Council;
 - (b) point out all irregularities, committed by the Local Council; and
 - (c) make recommendations for improvement of finances and general working of the Local Council.

(3) The Chairman of the Local Council shall supply copy of inspection note to all members of the Local Council.

(4) A copy of the inspection note shall be affixed conspicuously on a Notice Board of the office of the Local Council for information of general public.

6. (1) Annotation of the Inspection note.---(1) It shall be the responsibility of the Chairman of the Local Council to take such action on the inspection note as he may deem necessary.

(2) The Local Council shall forward annotated copies of the inspection note to the Inspection Authority within thirty days of the receipt of the inspection note.

7. Direction to the Local Councils.--- If, in opinion of the Inspecting Authority, the action taken by a Local Council on any matter referred to in the inspection note, is not satisfactory, he shall bring that to the notice of the Government which may issue directions to the Local Council as may be deemed necessary.

8. Annual Inspection Report.--- At the end of each financial year---

- (a) the inspecting Authority shall draw up an Annual Report, reviewing the working of all Local Councils within its jurisdiction and submit the same to---
 - (i) the Government in cases of Municipal Corporation, Peshawar and all District Councils and Municipal Committees.
 - (ii) The Director General in case of Union Councils and Town Committees.
- (b) The Director General shall draw up a Consolidated Annual Report reviewing the working of all Local Councils within the Province and submit the same before the conclusion of the financial year to the Government.

INAYATULLAH KHAN,
SECRETARY TO GOVERNMENT OF ⁵[Khyber Pakhtunkhwa]
LOCAL GOVERNMENT, ELECTIONS AND RURAL
DEVELOPMENT DEPARTMENT.

⁵ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.