

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

GAZETTE

KHYBER PAKHTUNKHWA

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA AUQAF,
HAJJ, RELIGIOUS AND MINORITY AFFAIRS DEPARTMENT

NOTIFICATION

Dated: 18th May, 2017.

NO.SO.(HR&MA)1-70/2017 --- In exercise of the powers conferred by Section 29 of the Khyber Pakhtunkhwa Evacuee Trust Properties (Management and Disposal) Act, 2014 (Act No. XLIV of 2014), the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA REMOVAL OF ENCROACHMENTS AND DEMOLITION OF UNAUTHORIZED STRUCTURES ON THE EVACUEE TRUST PROPERTIES SCHEMES RULES, 2017

1. Short title and Commencement :--- (1) These rules may be called the Khyber Pakhtunkhwa Removal of Encroachments and Demolition of Unauthorized Structures on the Evacuee Trust Properties Schemes Rules, 2017.
(2) It shall come into force at once
2. Powers of the Chairman ---, The Chairman or an Administrator or a Deputy Administrator or an Assistant Administrator as authorized by the Chairman (herein after to referred as an "authorized officer"), as the case may be, may order the removal of any encroachments made on or over an evacuee trust property and may also order the demolition of unauthorized structures there on, whether temporary or permanent.
3. Prevention of encroachment. (in receiving information that an attempt is being made to encroach upon or to any unauthorized construction on or over the evacuee trust property, the Chairman or the authorized officer, as the case may be, shall take immediate steps to prevent such encroachment or construction forth with and for that purpose may use or cause to be use such force as may be considered necessary.
4. Procedure. (1) On receiving information that any person has made an encroachment (movable or immovable) on an evacuee trust property, the Chairman or the authorized officer, as the case may be, shall issue a notice requiring the person responsible for such encroachment to remove the same in the case of immovable encroachment, within fourteen (14) days and in the case of movable encroachment within twenty four (24) hours from the receipt of notice.
(2) If the encroachment is not removed within the period specified in sub – rule (1), the Chairman or the authorized officer, as the case may be. may cause the encroachment to be

5. **Removal and disposal of debris:---** In case encroachment is removed of unauthorized construction is demolished by Chairman or the authorized officer, as the case may be, he shall give notice to the person concerned to remove the debris from the evacuee trust property within fourteen (14) days from the date of receipt of notice and if the debris is not removed within said period, Chairman or the authorized officer, as the case may be, shall cause the removal of the debris. The recovery of the cost of removing the debris shall be made as arrears of Land Revenue.

Repeal: ---- The removal of encroachments and Demolition of Unauthorized Structures on the Evacuee Trust Properties Scheme, 1983 is hereby repealed to the extent of the Province of the Khyber Pakhtunkhwa.

Sd/-xxx
Secretary to
Government of the Khyber Pakhtunkhwa
Auqaf, Hajj, Religious and Minority Affairs
Department

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