

CHAPTER - XIII

LOCAL GOVERNMENT PROPERTY

SECTION 121: OWNERSHIP OF IMMOVABLE PROPERTY.

(1) Subject to any reservations made, or any conditions imposed by the Government, the property specified hereunder shall vest in the respective Local Government if it is-

- (a) vested in a Local Government through succession as provided in Section 180;
- (b) transferred to the Local Government by the Government or any other authority, organisation or an individual; and
- (c) constructed or acquired by a Local Government with its title.

(2) The properties of the Government in possession of the Local Councils established under Sindh Local Government Ordinance, 1979 (XII of 1979) shall pass on to their successors as provided in Section 180 till varied by the Government.

(3) The successor Local Governments shall, subject to policy of the Government or contractual obligations, make bye-laws for the use, development and management of the Local Government properties.

¹⁶⁴ [(4) The Government shall not, except with the prior consent of the Local Government concerned, reallocate or in any other manner divest title of properties vested in that Local Government under this Ordinance.]

SECTION 122: TRANSFER OF PROPERTY BY THE GOVERNMENT.

Subject to such conditions as may be prescribed, the Government may, on its own accord or on request by a District Government, transfer the management of 'nazul land', 'auqaf land' or any other Government or public property to it for administration as a trustee.

SECTION 123: STOCK TAKING BY THE NAZIM.

(1) Every Zila Nazim, Taluka Nazim, Town Nazim and Union Nazim shall, on assumption of his office and thereafter, once in every year on a date fixed by him, take the physical stock of movable and immovable properties of the concerned Local Government and submit a report to the concerned Council.

(2) The report referred to in sub-section (1) shall contain-

- (a) particulars of the properties held during the preceding year;
- (b) total value of the property, annual return therefrom and change in its value, if any;
- (c) particulars of unserviceable articles;
- (d) particulars of losses, if any; and
- (e) proposals for utilization, development and improvement during the following year.

SECTION 124: USE AND DISPOSAL OF PROPERTIES OF LOCAL GOVERNMENTS.

(1) Properties of Local Governments shall be used only for public purposes.

(2) Immovable properties of Local Governments shall, subject to Section 125, not be sold or permanently alienated:

Provided that such properties may be given on lease through competitive bidding by public auction ¹⁶⁵[xxx].

(3) The movable property of a Local Government which is required to be disposed of, shall be sold through competitive bidding by public auction.

(4) All articles declared unserviceable shall be disposed of through competitive bidding by public auction.

SECTION 125: ACQUISITION OF IMMOVABLE PROPERTY.

Whenever any Local Government considers it necessary or expedient it may acquire or purchase any immovable property for public purposes:

Provided that in case of purchase of property, the agreement of purchase shall be in writing:

Provided further that until the development authorities are merged with any other department or authority of a Local Government, the development authorities decentralised to District Government, Taluka Municipal Administration and Town Municipal Administration may acquire land for development purposes and may sell or dispose of thereafter in accordance with the existing laws and the rules made thereunder.

SECTION 126: LOSS OF PROPERTY OF LOCAL GOVERNMENT.

In case of any loss of property of the Local Government, the responsibility for such loss shall be fixed by the concerned Local Government and the amount of the loss shall be recovered from the defaulting person and a report to this effect shall forthwith be submitted to the concerned Council in the meeting next following.

