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SIND ORDINANCE NO. LI of 1984

THE HYDERABAD DEVELOPMENT AUTHORITY (AMENDMENT) ORDINANCE, 1984

[10th December, 1984]

An Ordinance to amend the Hyderabad Development Authority Act, 1976.

WHEREAS the Federal Shariat Court has directed to make certain amendments in the Hyderabad Development Authority Act, 1976; **Preamble.**

AND WHEREAS it is expedient to amend the Hyderabad Development Authority Act, 1976, in the manner hereinafter appearing;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, and the Provisional Constitution Order, 1981, the Governor of Sind is pleased to make and promulgate the following Ordinance:-

1. (1) This Ordinance may be called the Hyderabad Development Authority (Amendment) Ordinance, 1984. **Short title and commencement.**

(2) It shall come into force at once.

2. In the Hyderabad Development Authority Act, 1976, hereinafter referred to as the said Act, in section 4 in sub-section (4), the full-stop at the end shall be replaced by a colon and thereafter the following proviso shall be added:-- **Amendment of section 4 of Sind Act XIII of 1976.**

"Provided that a non-official member shall not be removed, unless he is given an opportunity of being heard.".

3. In the said Act, in section 17, in sub-section (1), the full stop at the end shall be replaced by a colon and thereafter the following proviso shall be added:- **Amendment of section 17 of Sind Act XIII of 1976.**

"Provided that the Master Programme relating to residential area shall include provision for mosque and earmarking of plots for that purpose.".

4. In the said Act, in section 18, in sub-section (4), the full-stop at the end shall be replaced by a colon and thereafter the following proviso shall be added:-- **Amendment of section 18 of Sind Act XIII of 1976.**

"Provided that the scheme for residential purpose

shall include provision for mosque and earmarking of plots for that purpose.".

5. In the said Act, in section 35, in sub-section (5), for the word "without" occurring for the second time the word "after" shall be substituted. **Amendment of section 35 of Sind Act XIII of 1976.**

6. In the said Act, for section 37, the following shall be substituted:-- **Amendment of section 37 of Sind Act XIII of 1976.**

37. Determination of compensation. The compensation under section 36 shall be determined in accordance with the provisions of the land Acquisition Act, 1894, as applicable to Sind.".

7. In the said Act, in section 38, for the commas and the words ",bonds, debentures, annuity within a period not exceeding twenty years, or in the form of developed site or in more than one of such forms", the words "or in the form of developed site or in both the forms" shall be substituted. **Amendment of section 38 of Sind Act XIII of 1976.**

8. In the said Act, in section 42, in clause (b), before the full-stop, the comma and the words ",but it shall in no case be less than the actual damage suffered by the owner or the person having interest in the land" shall be added. **Amendment of section 42 of Sind Act XIII of 1976.**

9. In the said Act, in section 45, the full-stop at the end shall be replaced by a colon and thereafter the following proviso shall be added:--- **Amendment of section 45 of Sind Act XIII of 1976.**

"Provided that no such order shall be reviewed unless the party likely to be affected thereby is given an opportunity of being heard.".