



# The Sindh Government Gazette

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PART IV  
PROVINCIAL ASSEMBLY OF SINDH

## NOTIFICATION

Karachi, the 29th November, 1994

No. PAS/ Legis-B-24/ 94. The Coastal Development Authority Bill, 1994 having been passed by Provincial Assembly of Sindh on 9th October, 1994 and assented to by the Governor of Sindh on 15th November, 1994 is hereby published as an Act of the Legislature of Sindh.

THE COASTAL DEVELOPMENT AUTHORITY ACT, 1994.

SINDH ACT NO. XXVIII OF 1994

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 29th November, 1994.)

AN

ACT

to provide for development, improvement and beautification of the coastal

areas of the Districts Thatta and Badin and to establish an Authority for such purpose.

Preamble

WHEREAS it is expedient to provide for the development, improvement and beautification of the coastal areas of the Districts Thatta and Badin and to establish an Authority for such purpose;

It is hereby enacted as follows:—

## CHAPTER—I PRELIMINARY

Short title  
and commen-  
cement.

1. (1) This Act may be called the Coastal Development Authority Act 1994.
- (2) It shall come into force at once.
- (3) It extends to the coastal area.

Definitions.

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2. In this Act unless there is anything repugnant to the subject or context—

- (a) "Authority" means the Authority established under section 3;
- (b) "Chairman" means the Chairman of the Governing Body;
- (c) "coastal areas" means the coastal areas of the Districts Thatta and Badin as may be notified by Government.
- (d) "fund" means the fund of the Authority;
- (e) "Governing Body" means the Governing Body constituted under sections;
- (f) "Government" means the Government of Sindh;
- (g) "Master Plan" means a Plan prepared under this Act,
- (h) "Member" means a member of the Governing Body;
- (i) "prescribed" means prescribed by rules or regulations made under this Act;
- (j) "rules and regulations" respectively means rules and regulations made under this Act;
- (k) "scheme" means a scheme prepared, undertaken or executed under this Act;

## CHAPTER—II

### ESTABLISHMENT AND FUNCTIONS OF THE AUTHORITY

Establishment  
of the  
Authority.

3. (1) There shall be established an Authority to be called the Coastal Development Authority for carrying out the purposes of this Act.

(2) The Authority shall be a body corporate, having perpetual succession and a common seal with power to acquire and hold property, both movable and immovable, and may, by the said name, sue and be sued.

(3) The Headquarter of the Authority shall be at Karachi or such other place in the coastal areas as Government may fix by notification.

4. (1) The general direction and administration of the Authority and its affairs shall vest in the Governing Body which may exercise all powers and do all acts and things which may be exercised or done by the Authority.

Management

(2) The governing body in discharging its functions shall act on sound principles of planning, Development operation, management and maintenance of coastal areas and shall be guided on questions of policy by such directions as Government may, from time to time, give.

(3) If any question arises as to whether any matter is a matter of policy or not, the decision of Government shall be final.

1\* 5. (1) The Governing Body shall consist of the Chairman to be appointed by Government and the following members:—

Constitution  
of the Govern-  
ing Body.

(a) Secretaries of the following departments of Government:—

(i) Planning and Development Department.

(ii) Finance Department.

(iii) Forest, Fisheries and Live stock Department.

(iv) Irrigation and Power Department.

(v) Agriculture and Wild Life Department.

(vi) Culture and Tourism Department.

(vii) Local Government, Public Health Engineering and Rural Development Department.

(viii) Communication and Works Department.

(ix) Housing Town Planning, Katchi Abadies and Environment Departments.

(b) Commissioner Hyderabad Division.

(c) Two Members of the Provincial Assembly of Sindh one each from Thatta and Badin district to be nominated by the Chief Minister.

(d) Two eminent persons of the Province to be nominated by the Chief Minister.

(2) The Governing Body may co-opt such other persons as its members as deemed appropriate.

(3) A non-official member shall hold office for a period of three years, unless he resigns or is removed earlier.

(4) Any person appointed in a casual vacancy in the office of non-official member shall hold office for the unexpired portion of the term of such vacancy.

(5) The Authority may allow such remuneration to the non-official members as it may determine.

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Chairman.

6. (1) The Chairman shall unless Government otherwise directs, hold office for a period of five years on such terms and conditions as Government may determine.

(2) The Chairman on the expiry of his term shall be eligible for re-appointment for another term or for such shorter term as Government may determine.

(3) The Chairman shall be the Chief Executive of the Authority.

(4) The Chairman and members shall perform such duties and exercise such powers as are assigned to them by or under this Act.

(5) When the Chairman is absent from duty for any reason or is unable to perform the functions of his office, Government may nominate any member of the Governing Body to perform the duties of the Chairman.

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Function

7. Subject to the general or special directions of Government, the Authority shall—

(1) be responsible for overall development, improvement, beautification and co-ordination of the coastal areas.

(2) be responsible for identification, coordination, execution of monitoring development schemes/activities which shall comprise of the following provisions:—

(a) drinking water facilities, communication systems, electricity, drainage, tourism and rural development works.

(b) establishment of educational, technical, and professional institutions;

(c) development of fisheries, livestock, horticulture, forest and agriculture;

(d) local/foreign credits for the development of agriculture, livestock, fisheries, industries and other allied economic activities.

(e) development of marketing facilities;

(f) construction of jetties and harbours;

(g) upgradation and improvement of the socio-economic conditions of the inhabitants;

(h) promotion of NGOs and co-ordination, in financial assistance for development schemes to uplift the area;

(i) Organizing enterprenure development;

(j) development of human and other resources in the area;

(3) act as coordinating agency of the Federal and Provincial Governments

or any local authority or autonomous body;

1\* Amendment by CDA Act, No: VIII of 2006 Dated:27/12/2006

2\* ibid

- (4) collaborate with the Federal or Provincial, public or private agencies engaged in development activities and environmental protection;
- (5) provide technical guidance including technical services and personnel for development or co-ordination of development activities;
- (6) undertake the execution of such schemes entrusted to it by the Federal or Provincial Government;
- (7) undertake research in developmental planning of various activities related to coastal areas;
- (8) compile relevant literature on planning and development and distribute among the persons and agencies engaged or interested in developmental works;
- (9) arrange and conduct training programmes and seminars on planning and development in related fields;
- (10) assist and co-ordinate in the establishment of palm coconut oil plantation and arrange their extraction and refining;
- (11) assist and co-ordinate in the development of fish harbours/ cum-mini/deep port at keti Bander and/or at any other feasible locations
- (12) assist and coordinate in the establishment of oil refinery with provision of pipe lines for transportation of oil;
- (13) perform such other functions as may be considered necessary for achieving the objectives of the Authority.

8. The Governing Body may, constitute committees such as financial, technical, executive for carrying out the purposes of this Act.

Constitution of Committees.

9. The Governing Body shall meet at such place and time and in such manner and observe such rules of procedure as may be prescribed; provided that until the manner or procedure is prescribed the meeting shall be held as directed by the Chairman.

Meetings of the Governing Body.

10. The Governing Body may by general or special order, delegate any of its powers, functions and duties, to the Chairman, member or any officer of the Authority.

Delegation of powers.

11. For efficient performance of its functions, the Authority may appoint such officers, experts, consultants and employees on such terms and conditions as may be prescribed.

Appointment of officers staff etc.

### CHAPTER— III MASTER PLAN AND SCHEMES

plan. 12. (1) The Authority shall, as soon as may be, prepare a Master Plan for

development, improvement, expansion and beautification of such coastal areas that need to be developed, expanded and beautified and submit such plan to Government for approval.

(2) Government may approve the plan with or without modification.

Schemes.

13. (1) The Authority shall prepare or cause to be prepared development scheme or schemes for the coastal areas or part thereof in such form and such manner as may be prescribed.

(2) All schemes prepared by the Authority shall be submitted to Government for approval which may be approved with or without modification.

#### CHAPTER— IV ACQUISITION OF PROPERTY

Property.

14. The Authority may, by purchase, lease or exchange, acquire any other movable or immovable property or any interest therein by entering into an agreement with the party concerned.

15. Where the Authority is of the opinion that any land needed for any scheme or other public purpose can not be acquired under section 14, such land may be acquired in accordance with the Hyderabad Development Authority Act, 1976 and any reference to the Hyderabad Development Authority in that Act shall be deemed to be a reference to the Authority.

#### CHAPTER— V FINANCES

Fund.

16. (1) There shall be a separate fund known as the Coastal Development Authority Fund Which shall vest in the Authority.

(2) The Authority shall frame a scale of charges or fees to be levied for the use of facilities and services provided by it.

(3) The fund shall consist of—

(a) grants made by Government or local councils or any other donor agency.

(b) sale proceeds of movable or immovable properties of the Authority.

(c) all fees, receipts and charges received under this Act.

(d) all other sums receivable and loans obtained by the Authority.

17. (1) A statement of estimated receipts and expenditure for every financial year shall be prepared and submitted to Government in the manner as may be prescribed.

(2) Government may sanction the budget with or without modification.

Budget.

18. (1) The accounts of the Authority shall be maintained in such form and in such manner as may be prescribed.

Maintenance of accounts.

(2) The accounts maintained under subsection (1) shall be audited by the Auditor General of Pakistan.

#### CHAPTER— VI MISCELLANEOUS

19. The Authority shall, at the close of every calendar year, prepare a report of its activities during that year and submit such report to Government.

Annual Report.

20. Any sum due to the Authority or wrongly paid by the Authority under this Act shall be recoverable as arrears of land revenue.

Recovery of dues.

21. No Court shall have jurisdiction to grant any injunction or make any order or entertain any proceedings in relation to anything done or intended to be done under this Act.

Jurisdiction barred.

22. No act done or proceedings taken or order passed under this Act shall be rendered invalid merely on the ground of any vacancy in the Governing Body or any committee or any defect in the constitution thereof.

Validation of proceedings.

23. No suit or legal proceedings shall lie against Government, Authority, or any other person in respect of anything done or intended to be done under this Act.

Indemnity.

24. Government may make rules for carrying out the purposes of this Act.

Rules.

25. (1) Subject to the provisions of this Act and the rule, the Authority may make regulations for carrying out the purposes of this Act.

Regulations

(2) In particular and without prejudice to the generality of the foregoing powers, such regulations may provide for—

- (i) the meetings of the Authority and conduct of business in such meetings;
- (ii) terms and conditions of service of officers and staff of the Authority.
- (iii) any other matter required by the provisions of this Act. to be provided by regulations.

26. The coastal Development Authority Ordinance, 1994, is hereby repealed. Repeal

**BY ORDER OF THE SPEAKER  
PROVINCIAL ASSEMBLY OF SINDH**

**ZAKIR HUSSAIN K. MIRZA**  
Secretary,  
Provincial Assembly of Sindh.

(1250) 29-11-94 (Offset)



# Amendment Act, No: VII of 2006

It is hereby enacted as follows :-

Short title and commencement.

1. (1) This Act may be called the Coastal Development Authority (Amendment) Act, 2006.
- (2) It shall come into force at once.

Amendment of Sindh Act XXVIII of 1994.

2. In the Coastal Development Authority Act, 1994, hereinafter referred to as the said Act, throughout the Act, for the word "Coastal Development Authority", the words "Sindh Coastal Development Authority" shall be substituted.

Amendment of section 2 of Sindh Act XXVIII of 1994.

3. In the said Act, in section 2, after clause (c), the following shall be substituted :-

"(cc) "Director General" means the Director General of the Authority;"

Amendment of section 5 of Sindh Act XXVI of 1994.

4. In the said Act, in section 5, for sub-section (1), the following shall be substituted :-

"(1) The Governing Body shall consist of the Chairman and the following members :-

(a) Secretaries of the following Departments of the Government :-

- (i) Planning and Development Department;
- (ii) Finance Department;
- (iii) Forest and Wildlife Department;
- (iv) Irrigation and Power Department;
- (v) Agriculture Department;
- (vi) Culture, Sports, Youth Affairs and Tourism Department;
- (vii) Local Government, Katchi Abadis and Spatial Development Department;
- (viii) Works and Services Department;
- (ix) Environment and Alternate Energy Department; and
- (x) Livestock and Fisheries Department;

(b) District Coordination Officer of Thatta and Badin;

(c) two Members of the Provincial Assembly of Sindh one each from Thatta and Badin District to be nominated by the Chief Minister;

# Amendment Act, No: VII of 2006.

- (d) two eminent persons of the Province to be nominated by the Chief Minister; and
- (e) Director General who shall also be the Secretary of the Governing Body;

In the said Act, for section 6, the following shall be substituted :-

Amendment of section 6 of Sindh Act XXVI of 1994.

"6. (1) The Minister for Planning and Development Department shall be the Chairman.

(2) The Chairman and Members shall perform such duties and exercise such functions as are assigned to them under this Act.

(3) Where the Chairman is absent or is unable to perform the functions, the Additional Chief Secretary (Development) shall be the convenor of the Governing Body and shall perform all duties of the Chairman."

6. In the said Act, after section 6, the following new section shall be inserted :-

Insertion of section 6-A of Sindh Act XXVIII of 1994.

"6-A. (1) Government shall appoint a person as Director General possessing such qualifications and on such terms and conditions as it may determine.

(2) The Director General shall be the Chief Executive of the Authority.

(3) Subject to the provisions of this Act and rules and the general control of the Chairman, the Director General shall -

- (a) exercise effective control over and be responsible for smooth functioning of the day to day affairs of the Authority;

# Amendment Act, No:VII of 2006

- (b) supervise the financial and executive administration of the Authority and perform functions assigned and exercise powers conferred on or delegated to him by or under this Act;
- (c) be responsible for instituting or contesting legal proceedings for and on behalf of the Authority and for matters incidental thereto;
- (d) be responsible for and have the authority for overseeing and implementing the orders of the Authority;
- (e) have powers to exercise administrative control over the personnel of the Authority.

In the said Act, in section 7, in sub-section (2), for the words "of monitoring", the words "and monitoring of" shall be substituted.

Amendment of  
section of  
Sindh Act  
XXVII of 1994.

BY ORDER OF THE SPEAKER  
PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIRO  
SECRETARY  
PROVINCIAL ASSEMBLY OF SINDH