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ORD. NO. XVII OF 2005*

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PART IV

PROVINCIAL ASSEMBLY OF SIND

NOTIFICATION

Karachi, the 2nd January 1976

No. PAS/Legis/Bill-23/75.—The Sindh Regional Plant Organization Bill, 1975 having been passed by the Provincial Assembly of Sindh on the 5th December, 1975 and assented to, by the Governor of Sindh on 28th December, 1975 is hereby published as an Act of the Legislature of Sindh:—

THE SIND REGIONAL PLAN ORGANIZATION ACT, 1976

SIND ACT NO. I OF 1976

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary), dated 28th December, 1975.

AN

ACT

to provide for establishment of an Organization for preparing Regional Plan for the Province of Sindh.

WHEREAS it is expedient to provide for establishment of an Organization for preparing Regional Plan for the Province of Sindh; Preamble.

It is hereby enacted as follows:—

Short title,
commence-
ment and
exemption.

1. (1) This Act may be called the Sind Regional Plan Organization Act, 1975.

(2) It shall come into force at once.

(3) Government may, by notification, exempt any area from operation of all or any of the provisions of this Act.

Definitions.

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

(a) "budget" means the official statement of annual income and expenditure of the Organization;

(b) "Chairman" means the Chairman of the Organization;

(c) "Regional Plan Commissioner" means Additional Chief Secretary/Development Commissioner, Planning and Development Department, Government of Sind;

(d) "Director" means Director of the Organization appointed under section 7;

(e) "fund" means the fund of the Organization created under section 11;

(f) "Government" means Government of Sind;

(g) "Organization" means the Sind Regional Plan Organization established under section 3;

(h) "prescribed" means prescribed by rules or regulations made under this Act.

Establish-
ment and
incorpora-
tion of the
Organization.

3. (1) There shall be established an Organization to be called the Sind Regional Plan Organization for carrying out the purposes of this Act.

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

Explanation.—Any property required by the Organization shall be deemed to be the property needed for public purpose within the meaning of the Land Acquisition Act, 1894.

(3) The Headquarters of the Organization shall be at such place as Chairman may fix by notification.

4. (1) The Organization shall consist of—

Constitution
of the
Organization.

- (a) ~~Chief Minister, Sind~~ ^{Married to an Administrator Zameer} ~~Chief Minister, Sind~~ Chairman
- (b) Minister for Planning and Development ... Member.
- (c) Regional Plan Commissioner, Planning and Development Department, Government of Sind. ... Member.
- (d) Secretary, Finance Department, Government of Sind. ... Member.
- (e) Director ... Secretary.

(2) The Organization may, by notification, co-opt one or more official or non-official Members to the Organization.

(3) An official Member appointed by virtue of his office shall cease to be member on vacating office.

(4) A non-official Member, if co-opted, shall hold office for a period of three years, unless he resigns by addressing a letter to Chairman or is removed earlier, for reasons to be recorded in writing, by Chairman.

Proviso added see 540-2

5. The Organization may allow such remuneration, fees, allowances or other privileges to non-official Members as it may determine.

Remuneration and privileges of Chairman and Members.

6. The Additional Chief Secretary/Development Commissioner shall be the Regional Plan Commissioner of the Organization, and shall, except as otherwise provided in this Act and subject to general or special directions of Chairman, perform duties and exercise powers on behalf of the Organization.

Regional Plan Commissioner of the Organization.

7. (1) The Chairman shall appoint a Director or Directors on such terms and conditions as he may determine and where more than one Director is appointed he may designate one of them to be the Secretary of the Organization.

Director of the organization.

(2) The Director or Directors appointed under Sub-Section (1) shall work under the control and supervision of the Regional Plan Commissioner and discharge such duties and exercise such powers as may be entrusted to him/them by the Regional Plan Commissioner.

8. (1) The Chairman may appoint such officers, including Additional Director, Deputy Directors and other staff possessing such professional, technical, ministerial or secretarial qualifications and experience, and on such terms and conditions, as may be prescribed.

Appointment of officers and staff and disciplinary action against them.

(2) The officers and staff appointed under sub-section (1)—

- (a) may be assigned such duties and powers by the Organization as it may deem fit;

1. Subs. by Sind Ord. No. XI of 1978, s. 2. *for* Chief Minister Sind and again subs for MHA

2. Proviso added by Sind Ord. LXII of 1984, s. 2. *Zameer* by Sind Act No. *1* of 1986.

(b) shall, unless otherwise directed by the Regional Plan Commissioner or the Organisation, work under the control and supervision of the Director;

(c) shall be subject to such disciplinary action as may be prescribed;

(d) shall be deemed to be public servant within the meaning of section 21 of the Pakistan Penal Code.

Committees.

9. The Organization may constitute Committees such as Finance Committee, Technical Committee, Advisory Committee or such other Committee for carrying out the purposes of this Act.

Delegation of powers.

10. The Chairman may, by general or special order, and subject to such conditions as he may impose, delegate any of his powers, functions and duties to the Member or any Committee or the Director or any other officer or employee of the Organization.

Fund.

11. (1) There shall be a separate fund of the Organization known as the Sind Regional Plan Organization Fund.

(2) The fund shall consist of—

(a) grants made by Government;

(b) loans raised or obtained by the Organization;

(c) proceeds of movable or immovable properties;

(d) moneys received, from the Federal Government, any International Agency or as donations from any source;

(e) fees and charges and other earnings from services rendered under this Act;

(f) other sums receivable by the Organization;

(3) The amounts credited in the fund shall be deposited in a Bank approved by the Chairman.

(4) The funds of Organization may be invested in any security of the Federal Government or a Provincial Government or in any other security approved by the Chairman.

(5) The Organization may raise funds by issuing bonds or debentures for financing any scheme, work or project or for such other purposes.

(6) The Organization may obtain loan from Government or any Bank on such terms and conditions as may be specified by Government.

Utilization of Fund.

12. (1) The Organization may utilize the fund for—

(a) meeting charges in connection with its functions under this Act including payments admissible to its non-official Members and salaries and other allowances to officers and employees of the Organization;

- (b) incurring expenditure on execution of any scheme, work or project authorized by or under this Act;
- (c) re-payment of loans and interest thereon;
- (d) other expenses required for carrying out the purpose of this Act.

(2) The Organization may fix the limit upto which the Regional Plan Commissioner shall have power to draw from the funds, to hold in his custody and to spend the funds.

13. The Regional Plan Commissioner shall prepare or cause to be prepared statement of estimated receipts and expenditure for every financial year and submit such statement for approval to the Organization not less than three months before commencement of such financial year and the Organization may approve the same with or without modification. Budget

14. (1) The accounts of the Organization shall be maintained and audited in such manner as may be prescribed. Account and Audit.

(2) A statement of the accounts duly audited under sub-section (1) shall be placed before the Organization for its scrutiny and a copy of the statement shall be furnished to Government as soon as may be after the end of every financial year.

15. Subject to the general or special directions of Government, the functions of the Organization shall be— Functions of the Organization.

- (i) to act as an Agency for preparing a comprehensive Regional Plan or Plans for the Province or any part thereof;
- (ii) to provide information, advice and consultancy services relating to Regional Plan, and matters connected therewith to Government Departments and Agencies;
- (iii) to carry out and promote research, surveys, studies, seminars and experiments in the field of development planning and related social problems pertaining to the Province;
- (iv) to procure requisite personnel, funds and equipment and mobilize other resources in and outside the Province for achievement of the goals set by the Organization;
- (v) to provide facilities for professional training in Regional Planning and related fields, in and outside the Province;
- (vi) to co-operate with Government, non-Government, International and Inter Provincial Agencies in all such activities which may lead to the attainment of the objectives of the Organization;
- (vii) to undertake other activities which may be incidental and conducive to the attainment of the objectives of the Organization.

Powers of the
Organization.

16. The Organization shall have power—

- Subs. see slip-1*
 (a) to acquire ~~movable or immovable property;~~
 (b) to dispose of any property vested in it;
 (c) to prepare or cause to be prepared a plan or scheme on re-
 quisition of any Government Department or Agency or on
 its own initiative;
 (d) to incur expenditure for carrying out the purposes of this Act;
 (e) to procure necessary equipment for its proper functioning;
 (f) to enter into and perform contracts as it may consider necessary;
 (g) to establish field offices, centres and institutions;
 (h) to require any Government Department or Agency to furnish
 any information, record, report or plan or other material relat-
 ing to any matter under this Act;
 (i) to make inspection of any project or such other work of any
 Government Department or Agency, under execution or about
 to be undertaken for the purpose of collecting any data;
 (j) to require any public or private agency concerned with any
 development project, programme or scheme to obtain its prior
 permission for undertaking any specified action in respect of
 such project, programme or scheme for the purpose of imple-
 menting any Regional Plan;
 (k) to direct or as the case may be, advise any public or private
 agency concerned with any development project, programme
 or scheme to do or omit to do anything in relation to such
 project, programme or scheme and hold consultation with
 and seek advice and assistance from such agency;
 (l) to discharge any other functions assigned to it by Government.

Report of
activities.

17. The Organization shall at the close of every year prepare a report
 of its activities during that year and submit such report to Government in
 such form and on or before such date as may be prescribed.

Recovery of
arrears.

18. Any sum due to the Organization shall be recoverable as arrears
 of land revenue.

Courts juris-
diction
barred.

19. No Court shall have jurisdiction to grant any injunction or make
 any order or entertain any proceedings in relation to anything done or intend-
 ed to be done under this Act.

Penalty.

20. Government may prescribe penalty of fine upto five hundred
 rupees for contravention of any order or direction issued under this Act
 or rules thereunder.

1. Subs. by Sind ord. LXII of 1984, S. 3.

21. No suit or legal proceedings shall lie against Government, Indemnity.
Organization or any of its officers or employees or Government Department or Agency or any public or private Agency in respect of anything done or intended to be done under this Act.

22. (1) Government may make rules for the purpose of giving effect to the provisions of this Act. Power to make rules and regulations.

(2) Subject to the provisions of this Act, and the rules framed thereunder, the Organisation may, by notification in the official Gazette, and with previous approval in writing of Government, make regulations for carrying out the purposes of this Act.

By order of the Speaker,
Provincial Assembly of Sind.

WALI MUHAMMAD BALOCH,
Secretary,
Provincial Assembly of Sind.