

SIND ACT NO. I OF 1976
THE SIND REGIONAL PLAN ORGANIZATION ACT, 1976

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[2nd January, 1976]

An Act to provide for establishment of an Organization for preparing Regional Plan for the Province of Sind.

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:-

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

**Short title,
commencement
and exemption.**

(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.

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

Definitions

(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 the Government of Sind;

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

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

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

(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.**

- ¹[****]²[(a)Chief Minister, Sind
Chairman]
- (b)Minister for Planning and Development Member
- (c)Regional Plan Commissioner, Planning Member
and Development Department,
Government of Sind.
- (d)Secretary, Finance Department, Member
Government of Sind.
- (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 Chairman³:

“Provided that no order of removal shall be passed unless the non-official member is given an opportunity of being heard.”]

¹ In section 4 under this amendment ÷ Marshal Law Administrator, Zone Cö were inserted against the ÷Chief Minister Sind÷ Substituted by Sindh Ordinance No. XI of 1978 (13.7.1978).

² Substituted by Sindh Act No. V of 1986 (25.10.1986).

³ Added by Sindh Ordinance No. LXII of 1984 (12.12.1984).

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5. The Organization may allow such remuneration, fees, allowances or other privilege 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 or 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 possession 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 the**
- (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;
 - (b) shall, unless otherwise directed by the Regional Plan Commissioner or the Organization, 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.
9. The Organization may constitute Committees such as Finance Committee, Technical Committee, Advisory Committee or such other Committee for carrying out the purpose of this Act. **Committees.**

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10. The Chairman may, by general or special orders, 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. **Delegation of powers.**

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

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

Utilization of Fund.

- (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;

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(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 subsection (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 an outside the Province for achievement of the goals set by the Organization;

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- (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.

16. The Organization shall have power –

Powers of the Organization.

- (a)¹[to acquire movable or immovable property by purchase or in accordance with the Land Acquisition Act, 1984;]
- (b) to dispose of any property vested in it;
- (c) to prepare or cause to be prepared a plan or scheme on requisition 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 relating 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

¹ Substituted by Sindh Ordinance No. LXII of 1984 (12.12.1984).

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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 implementing 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.

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 or before such date as may be prescribed. **Report of activities.**
18. Any sum due to the Organization shall be recoverable as arrears of land revenue. **Recovery of arrears.**
19. 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. **Courts jurisdiction barred.**
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. **Penalty.**
21. No suit or legal proceedings shall lie against Government, 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. **Indemnity.**
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 Organization 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.

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NOTE: -

¹The Sindh Regional Plan Repeal Act 2006.

¹ Under Sindh Regional Plan (Repeal) 2006 Sindh Act No. XIII of 2006 (22.12.2006).ö Sindh Regional Plan Organization Act No XIII of 1976 is here by repealed.