

**THE SINDH BUILDINGS CONTROL (AMENDMENT) ORDINANCE, 2001.**

**SINDH ORDINANCE NO.XXXVII OF 2001.**

[3<sup>rd</sup> December, 2001]

**An Ordinance** to amend the Sindh Building Control Ordinance, 1979.

**WHEREAS** it is expedient to amend the Sindh Buildings Control Ordinance, 1979 in the manner hereinafter appearing; **Preamble.**

**AND WHEREAS** the Provincial Assembly stands dissolved in pursuance of the Proclamation of the fourteenth day of October, 1999 and the Provisional Constitution Order No.1 of 1999;

**AND WHEREAS** the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action;

**NOW, THEREFORE,** in pursuance of the aforesaid Proclamation and the Provisional Constitutional Order read with Provisional Constitution (Amendment) Order No.9 of 1999, and in exercise of powers enabling him in that behalf, the Governor of Sindh is pleased to make and promulgate the following Ordinance :-

1. (1) This Ordinance may be called the Sindh Buildings Control (Amendment) Ordinance, 2001. **Short title and commencement.**

(2) It shall come into force on such date as the Government may specify by notification in the official Gazette.

2. In the Sindh Buildings Control Ordinance, 1979, in section 19— [Amendment of section 19 of Sindh Ordinance No.V of 1979.](#)

(i) for sub-section (1-A) including its proviso, the following subsection (1-A) and (1-B) shall be substituted which shall remain in force for a period of twelve months from the commencement of this Ordinance and thereafter the original sub-section (1-A) shall stand revived:-

“(1-A) The Authority or any person authorized by it in this behalf may compound an offence relating to building works of a building plan which was approved prior to the promulgation of the Sindh Building Control (Amendment) Ordinance 2001 on payment of the existing composition fee enhanced by fifty percent to three hundred percent for the different areas as categorized in the property valuation table issued by the Board of Revenue Sindh as mentioned in the Table below and other fees as prescribed, on production of a certificate of structural stability duly verified by the licenced structural Engineer on such terms and conditions as may be prescribed:

Provided that no offence shall be compounded in respect of a building constructed within  $\frac{3}{4}$  mile (1.2 km) radius of Quaid-e-Azam's Mausoleum above a podium level of 91 feet (27.72 m) from the mean sea level.

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EXPLANATION For the purpose of this subsection "building works" include excess covered area, violation of compulsory open spaces or height restriction.

**T A B L E**

for the areas mentioned in Category VI	50%
of the said valuation table.	
for the areas mentioned in Category V	75%
of the said valuation table.	
for the areas mentioned in Category IV	150%
of the said valuation table.	
for the areas mentioned in Category II & III	250%
of the said valuation table.	
for the areas mentioned in Category A1	300%
& 1 of the said valuation table.	

(1-B) Notwithstanding the provisions of subsection (1-A), no offence shall be compounded in respect of the buildings—

- (a) which have environmentally degrading activities such as manufacturing, storage of dangerous or inflammable materials, or cater to the service of transport sector until such activities are removed;
- (b) where parking; space is used for other purpose until such space is restored to its original purpose;
- (c) which have been constructed in violation of the reservation of road widening scheme or property line, or are in any hazardous use.";

(ii) after sub-section (1-B) substituted as aforesaid, the following new sub-section shall be added :-

"(1-C) The Authority or any person authorised by it in this behalf may compound any offence relating to the works commenced or carried out in violation of the regulations in respect of foot print, compulsory open space, excess covered area and projections of the building on payment .of the existing composition fee enhanced by four hundred percent and other fees, if the deviation does not exceed beyond twenty percent of the permissible limits on the terms and conditions, as prescribed by the Authority."