

Sindh Urban State Land (Cancellation of Allotments, Conversions and Exchanges) Ordinance, 2000

SINDH URBAN STATE LAND (CANCELLATION OF ALLOTMENTS, CONVERSIONS AND EXCHANGES) ORDINANCE, 2000

An Ordinance to provide for cancellation of certain allotments, conversions or exchanges of Government land obtained or granted for residential, commercial or industrial purposes at the rates lower than the market value in violation of law or ban

Gazette of Sindh, Extraordinary, Part I, 3rd January, 2001

No. S.Legis. 1(3)/2001, dated 3-1-2001 –The following Ordinance made by the Governor of Sindh is hereby published for general information:

Preamble.—Whereas it is expedient to provide for cancellation of certain allotments, conversions or exchanges of Government land obtained or granted for residential, commercial or industrial purposes, at the rates lower than the market value in violation of law or ban from 1st January, 1985 and to provide for matters connected therewith or ancillary thereto;

And whereas, the Provincial Assembly stands suspended 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 is satisfied that circumstances exist which render it necessary to take immediate action;

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

1. Short title, extent and commencement.—(1) This Ordinance may be called the Sindh Urban State Land (Cancellation of Allotments, Conversions and Exchanges) Ordinance, 2000

(2) It shall come into force at once and shall be deemed to have come into force from the 1st day of January, 1985.

2. Definitions.—In this Ordinance, unless there is anything repugnant to subject or context:—

(i) "allotment" means allotment of Government land made by way of lease or grant, for residential, commercial or industrial purposes.

(ii) "committee" means the committee appointed under this Ordinance,

(iii) "conversion" means conversion of Government land for any purpose other than the purpose for which such land was allotted.

(iv) "exchange" means exchange of Government land with any other state land or other land. .

(v) "Government" means Government of Sindh.

(v-a) "Government land" includes the land vesting in Government or an autonomous body including a development authority established by law.

(vi) "market value" means the market value of Government land prevailing at the time of allotments, conversions or exchanges.

3. Cancellation of allotments, conversions and exchanges.- Notwithstanding anything contained in any law for the time being in force or any agreement or judgment or order of a Court but subject to other provisions of this Ordinance, the allotments, conversions or exchanges of Government land obtained or granted for residential, commercial or industrial purposes at the rates lower than the market value in or violation of law or ban, from 1st January, 1985, including the subsequent transaction in respect thereof shall stand cancelled.

4. Assessment of Loss.— (1) Government may appoint a committee for carrying out the purposes of this Ordinance.

(2) Where the committee, after making such enquiry as deemed fit, is satisfied that the allotments, conversions or exchanges of Government land are obtained or granted for residential, commercial or industrial purposes at the rates lower than the market value in violation of law or ban, it shall determine the amount of loss caused to Government and call upon the person concerned to pay such amount within the specified period.

5. Regularization of allotments, conversions and exchanges.—The allotments, conversions or exchanges made at the market value or in respect of which the amount determined under subsection (2) of section 4 has been paid and are free from all encumbrances shall be regularised.

6. Rules.— Government may make rules for carrying out the purposes of this Ordinance.