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THE SINDH DISPOSAL OF PLOTS ORDINANCE, 1980

SINDH ORDINANCE NO. VII OF 1980

CONTENTS

Preamble
Sections

1. Short title and commencement.
2. Definitions.
3. Disposal of plots.
4. Size of residential plots.
5. Division and disposal of residential plots.
6. Disposal of plots by auction.
7. Eligibility.
8. Application for allotment.
9. Flat sites.
10. Disposal of Applications.
11. Supervision.
12. Commercial Plots.
13. Amenity/Public utility/Industrial Plots.
14. Rules.
15. Relaxation.

THE SINDH DISPOSAL OF PLOTS ORDINANCE, 1980

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[22nd April, 1980]

An Ordinance to regulate the disposal of residential plots and flat sites in the Province of Sindh.

Preamble.

WHEREAS it is expedient to regulate the disposal of residential plots and flat sites in the Province of Sindh.

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977 and the Laws (Continuance in Force) Order, 1977, the Governor of Sindh is pleased to make and promulgate the following Ordinance:—

Short title and commencement.

1. (1) This Ordinance may be called the Sindh Disposal of Plots Ordinance, 1980.

(2) This section shall come into force at once and the remaining provisions shall come into force in such area or areas on such date or dates as Government may by notification specify.

Definitions.

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

(a) "autonomous body" means an autonomous body under the control of Government and established under any law for the time being in force;

(b) "civil servant" means a civil servant as defined in the Sindh Civil Servants Act, 1973;

(c) "construction company" means a construction company, which is licensed as a builder under the Sindh Buildings Control Ordinance, 1979;

(d) "dependent" means the dependent wife or husband, as the case may be, and children including step children;

(e) "flat site" means a plot reserved for constructing residential or commercial flats in any scheme;

(f) "Government" means the Government of Sindh;

(g) "prescribed: means prescribed by rules;

THE SINDH DISPOSAL OF PLOTS ORDINANCE, 1980

SINDH ORDINANCE NO. VII OF 1980

(h) "professional" means a lawyer, journalist, architect, accountant, engineer, doctor including any other person declared as such by Government but excluding a civil servant, employee of an autonomous body or Federal Government employee;

(i) "residential plot" means a plot reserved for constructing residential building in any scheme;

(j) "scheme" means a housing scheme sponsored by Government a local authority or any other autonomous body for providing plots to the public for housing purposes;

(k) "Schedule" means the Schedule to this Ordinance;

(l) "shiftee" means a person required to be shifted from the land occupied by him.

Disposal of plots.

3. The disposal of plots under any law for the time being in force shall be subject to the provisions of this Ordinance and the procedure laid down in or under such law shall stand modified to the extent of the provisions of this Ordinance.

Size of residential plots.

4. No residential plot shall, as far as possible exceed one thousand square yards in area.

Division and disposal of residential plots.

5. (1) The residential plots not exceeding four hundred square yards shall be divided into the categories specified in the Schedule and be disposed of to the persons mentioned therein according to the reservations made for them in the said Schedule:

Provided that a marginal adjustment due to the situation of any plot upto ten percent of the area shall be permissible.

(2) The plots reserved for defence personnel under sub-section (1) shall be placed at the disposal of the General Headquarters for allotment to such persons and in such manner as it deems fit.

(3) Government may at any time modify the Schedule in any manner as it deems fit.

THE SINDH DISPOSAL OF PLOTS ORDINANCE, 1980

SINDH ORDINANCE NO. VII OF 1980

6. Unless otherwise directed by Government no residential plot exceeding four hundred square yards in area shall be disposed of except by auction. **Disposal of plots by auction.**

7. (1) No person shall be eligible to apply for a residential plot under section 5, if he or any of his dependents owns a residential plot, flat, or house in any district headquarter town in Pakistan. **Eligibility.**

(2) No civil servant or employee of an autonomous body or Federal Government employee who has less than fifteen years service as such at his credit or has retired from service by way of punishment, shall be eligible to apply against the quota reserved for such civil servant or employee under section 5.

8. No application for allotment of a residential plot shall be entertained unless— **Application for allotment.**

(i) it is accompanied by an affidavit to the effect that neither the applicant nor any of his dependents owns a residential plot, flat or house in any district headquarter town;

(ii) in the case of a civil servant or employee of an autonomous body or Federal Government employee, it is received through their respective heads of Departments or offices duly certified that he has fifteen years service at his credit;

(iii) in case of a retired civil servant, employee of an autonomous body or Federal Government employee, it is accompanied by a copy of retirement Order and an affidavit to the effect that he has not retired by way of punishment;

(iv) in the case of the professionals it is received through Departments or institutions specified by Government.

9. (1) Unless otherwise directed by Government upto fifty percent of the flat sites may be disposed in accordance with prescribed procedure on the reserved price to the— **Flat sites.**

(i) financially sound Construction Companies having experience in construction of flats with unblemished past, for construction of housing units of seven hundred square feet or below of covered

THE SINDH DISPOSAL OF PLOTS ORDINANCE, 1980

SINDH ORDINANCE NO. VII OF 1980

area for people of low income group specified by Government at a price predetermined by the authority appointed as such under the Sindh Buildings Control Ordinance, 1979;

(ii) Government or Semi Government Organizations mainly on the condition that such sites shall be utilized for housing their employees or for any other similar purpose but shall in no case be sublet.

(2) The flat sites remaining to be disposed of after allotment under sub-section (1) shall be disposed of by auction amongst the Construction Companies.

10. (1) If the number of applications for any category of plots exceeds the number of plots available, the plots in such category shall be allotted by ballot. **Disposal of Applications.**

(2) No person shall be allotted more than one plot.

11. The Karachi Development Authority and Hyderabad Development Authority in relation to the schemes sponsored by them and the District Housing Committees appointed by Government of Sindh in relation to other schemes, shall supervise the implementation of this Ordinance. **Supervision.**

12. Commercial plots will be disposed of by the District Housing Committees/Development Authorities through public auction only. **Commercial Plots.**

13. Amenity/public utility/Industrial plots will be disposed of by the District Housing Committees/Development Authorities in accordance with the rules prescribed in this behalf by Government. **Amenity/Public utility/Industrial Plots.**

14. Government may make rules for the purpose of giving effect to the provisions of this Ordinance. **Rules.**

15. Any provision contained in this Ordinance may be relaxed in any case if Government is satisfied that strict application thereof, would cause hardship in that case or is otherwise expedient. **Relaxation.**

THE SINDH DISPOSAL OF PLOTS ORDINANCE, 1980

SINDH ORDINANCE NO. VII OF 1980

SCHEDULE

(SEE SECTION 5)

The categories of residential plots and reservations in respect thereof.

1.	Residential plots upto 80 square yards:—		
	(a)	general public by ballot.	60%
	(b)	civil servants and employees of autonomous bodies upto Grade 10.	8%
	(c)	retired civil servants and retired employees of autonomous bodies upto grade 10 and their widows or orphans.	2%
	(d)	defence personnel.	5%
	(e)	on compassionate ground and cases of hardships approved by Government.	5%
	(f)	shiftees.	20%
2.	Residential plots of area exceeding 80 square yards but not exceeding 120 square yards:—		
	(a)	general public by ballot.	75%
	(b)	civil servants and employees of autonomous bodies from Grade 11 to Grade 16.	12 ½%
	(c)	retired civil servants and employees of autonomous bodies from Grade 11 to Grade 16 and their widows or orphans.	12 ½%
	(d)	Defence personnel.	5%
	(e)	Federal Government employees including retired employees of Federal Government upto Grade 16 and their widows or orphans.	5%
3.	Residential plots of area exceeding 120 square yards but not exceeding 400 square yards:—		
	(a)	general public by ballot.	65%

THE SINDH DISPOSAL OF PLOTS ORDINANCE, 1980

SINDH ORDINANCE NO. VII OF 1980

(b)	civil servants and employees of autonomous bodies (Grade 17 and above) and Judges of the High Court.	8%
(c)	retired civil servants and employees of autonomous bodies (Grade-17 and above) and their widows or orphans.	3%
(d)	Defence personnel.	5%
(e)	Federal Government employees including retired employees of Federal Government (Grade 17 and above) and their widows or orphans and Judges of the Supreme Court.	4%
(f)	Professionals.	8%
(g)	Outstanding sportsmen, artists, poets, authors and men of letters.	2%
(h)	Pakistanis living abroad, if they make the payment in foreign exchange.	5%