

# THE SINDH GOVERNMENT GAZETTE

KARACHI, MONDAY, APRIL 6, 2009

## PART-I SINDH KATCHI ABADIS AUTHORITY

### NOTIFICATION

Karachi, the 26<sup>th</sup> February, 2009

No.SKAA/DDM/NOT/2009.— In exercise of the powers conferred by section 41 of the Sind Katchi Abadis Act, 1987, (Sind Act No.II of 1987) and in suppression of all provisions of the directives and instructions issued in this behalf, the Sind Katchi Abadis Authority of the following Regulations:—

1. (1) These regulations may be called the "SKAA Low-Cost Housing Scheme Regulations 2008."

**Short title, and commencement and protection.**

(2) (i) They shall come into force at once.

(ii) Notwithstanding any thing contained in these Regulations, any low cost housing scheme launched by SKAA before commencing into force of these Regulations shall be deemed to have been made in accordance with these Regulations.

3. In these regulations, unless there is anything repugnant in the subject or context;

**Definition.**

- i. "Allocation" means reservation and handing over physical possession of a residential plot to an applicant for construction of a house for residential purposes;
- ii. "Amenity plot" means a plot reserved for park, garden, playground, graveyard, hospital, school, library, community center, mosque or such other purpose;
- iii. "Appendix" means a appendix to these regulations;

- iv. "Authority" means the Sindh Katchi Abadis Authority established under section 4 of SKA Act, 1987;
- v. "Commercial Plot" means, a plot reserved for commercial or commercial-cum-residential purposes;
- vi. "Field office" means the field office of Sindh Katchi Abadis Authority under whose jurisdiction a Low-cost Housing Scheme falls;
- vii. "Head of office" means head of the field office or any officer declared or designated as such by the Authority;
- viii. "Low-cost Housing Scheme" means a housing scheme sponsored by the Government of Sindh OR Sindh Katchi Abadis Authority for providing plots ranging 80 to 120 sq. yards to shelter-less persons for housing purposes either within boundaries of a notified Katchi Abadi or on the land purchased/acquired by the SKAA;
- ix. "Prescribed" means prescribed under these regulations;
- x. "Project area" means the area which falls within the demarcated boundary of a Low-cost Housing Scheme;
- xi. "Residential plot" means a plot to be used only for residential purpose;
- xii. "Director General" means the Director General of the Authority;
- xiii. "Scheme" means a low-cost housing or development scheme prepared by the Authority.

4. Subject to provision of these regulations, the Authority shall exercise such powers and perform such functions as may be necessary for carrying out the purpose of these regulations.

**Powers and functions of the Authority.**

5. The Authority may:

- i. Dispose off any land or other property vested in it by sale, lease, exchange or otherwise.
- ii. Authority may identify, acquire or purchase any suitable land from public or private sector for launching a low-cost housing scheme. Authority may also launch low cost housing scheme on the available open space/land within notified Katchi Abadis. The Governing Body shall be the authority to finalize the location and price of the land.
- iii. Undertake any work in pursuance of any scheme or otherwise entrusted to it or brought under its control.
- iv. Incur any expenditure for the purposes of carrying out these regulations.
- v. Restrict or prohibit by general or special order any change in use of land.
- vi. Cause any building, structure or installation to be dismantled or removed in due course of law.
- vii. Inspect any building under execution or about to be undertaken.
- viii. Establish committees to be known as the Allotment Advisory Committee and Monitoring & Coordination Committee for overseeing the process of allotment/allocation of plots and implementation of schemes.
- ix. Launch Low-cost Housing Scheme(s) anywhere in the province of Sindh either allotting plots to the target groups or low cost houses/building/flats as per available land and requirement.

6. The Director General may issue necessary instructions in matters, not in consistence with these regulations.

**Powers of the  
Director General.**

7. The Director General may seek cooperation of non-governmental organizations (NGOs) to facilitate the low-cost housing programme, where necessary.

8. The Director General may delegate to any officer of the Authority any of his powers, duties or functions under these regulations.

**Delegation of powers.**

9. Funds may be raised in any or all of the following ways:

**Fund for the Low-cost Housing Scheme.**

- i. By down payment in full or installments of cost of land.
- ii. By investing in term deposit under the provision of SKA Act, 1987.
- iii. By donation.
- iv. By contribution towards the cost of houses and land.
- v. Government funds/grants.

10. The funds raised by imposing rates, fees and other charges shall be spent on such services, works or projects and in such manner, as the Authority may direct.

11. The head of field office shall open and operate a separate account in respect of Low-cost Housing Scheme in a scheduled bank, for collection of cost of land, development, other charges and deposit of installments.

**Opening of bank account.**

12. Field office will take steps of setting up building material store in the project area to take care of regular supply of building materials.

**Functions of field office.**

13. Field office will negotiate and coordinate with concerned departments etc. for provision of utility services to the project area such as water supply, electricity, gas and other related services.

14. If required by the allottee, the field office will provide construction related advisory services.

15. Field office will demarcate the plots required to be handed over to the applicants.

16. Field office will maintain pre and post-lease land management record.

17. A scheme dividing the land in blocks and block in plots shall be prepared by the field office for approval of the advisory/working committee in the manner as may be prescribed by the Authority. **Preparation of Low-cost Housing and development schemes.**
18. There shall be prepared a general layout of the land to be disposed of. Such layout shall specify the purpose for which the land shall be used and the class of building, which shall be constructed on such land.
19. The field office shall prepare development scheme and cost estimates.
20. The development scheme shall be submitted to the SKAA, H.Q. for approval by the Departmental Development Working Committee (DDWC). **Approval of schemes.**
21. The head of the field office under whose jurisdiction the scheme falls shall supervise the implementation of the scheme, whereas Executive Engineer or Assistant Engineer will execute the scheme. **Supervision of scheme.**
22. No plot shall be disposed off except in accordance with provision of these regulations. **Disposal of plots.**
23. Residential plots in all Low-cost Housing Schemes of the Authority shall be reserved for shelter-less people of the province.
24. Size of residential plot shall be 80 to 120 sq. yards.
25. Not more than 10% of total plots in a scheme shall be reserved for commercial activities.
26. Not more than 5% of total plots in a scheme shall be allotted to low paid employees of SKAA—
- a) No SKAA employee shall be allotted plot in any other Low-cost Housing scheme, if he/she has already been allotted a plot in any scheme.
27. Different categories of plots, other than plots to be disposed of through public auction, shall be disposed off at the rates prescribed by the Authority. **Price of plot.**

28. For corner plots extra 25% of cost of plot shall be charged alongwith down payment.

29. No person whose wife/husband, minor child or other dependant own or has previously owned a residential house (including a flat) anywhere in the country shall be eligible to apply for allotment of residential plot nor shall a dependent of such a person be eligible to apply for the allotment of plot, in any Low-cost Housing Scheme of the Authority.

**Eligibility for allotment of plot.**

30. No allotment of residential plot in any Low-cost Housing Scheme of the Authority shall be made to any housing society, except Sindh Katchi Abadis Authority Employee Co-operative Housing Society.

**Allotment to hosing society.**

31. Application for residential plot meant for the general public shall be made in the form prescribed in Appendix-A of these regulations and shall be accompanied by an affidavit in the form prescribed in Appendix-B.

**Procedure for allotment of plot.**

32. Application for residential plot by an employee of SKAA shall be made in the form prescribed in Appendix-C of these regulations and shall be accompanied by an affidavit in the form prescribed in Appendix-B.

33. An application for allotment of plot shall be made in the form set out in appendix-A or C, as the case may be, and shall be presented to the head of the field office or an official authorized by him in this regard, alongwith following documents:

- i) CNIC.
- ii) Three recent photographs.
- iii) Certificates from area UC Nazim where the applicant was previously residing.
- iv) Affidavits on prescribed format to the effect that the applicant or any of his/her family members does not own any residential plot anywhere in Sindh province.
- v) Any other document deemed necessary by the Authority.

34. When an application for allotment of residential plot is made, the head of the field office shall, after careful examination of the contents of the application and making such inquiries as may be considered necessary, and on being satisfied that the applicant's family is really needy, shall allow issuance of demand note/Challan equal to 25% of the cost of land as down payment.

35. Applications made under clause 31 will first be scrutinized by the Allotment Advisory Committee in the light of report of the site incharge. The committee will submit its recommendations to head of the field office who will finally approve and sanction the allocation of residential plot after satisfying that the applicant with his family will construct a house on the allocated plot for permanent habitation in the scheme.

36. In case the number of applications made for allotment of plots exceeds the number of plots available, the allotment of the available plots shall be made by ballot to be conducted by the Allotment Advisory Committee.

**Allotment.**

37. The authority, within 15 days of the receipt of application shall inform the applicant about approval/rejection of his request.

38. Site incharge shall keep record of all payments/receipts

**Allocation of plot.**

(a) Allocation of plots shall be made strictly on first come first serve basis. The plot to be allocated shall be next and adjacent to the previously allocated plot.

(b) In case of reconstruction or remodeling of existing structure of a house/building/shop as per need, the building plan shall be approved by concerned authority after having NOC from SKAA.

39. The incharge of low cost housing scheme or any authorized officer shall hand over physical possession of plot and obtain proper acknowledgement of possession of the plot and shall maintain a record of the same in the register prescribed for the purpose.

40. Field office will issue provisional occupancy/allocation order to the applicant authorizing the person to whom allocation is made to raise construction on the plot.

41. The Authority shall have the right to cancel the occupancy rights of those applicants;

**Cancellation of plot.**

a) who fail to raise any construction on the plot within 90 days of taking over the physical possession.

b) who defaults in make payments for three months.

- c) who sublet the allotted plot to any other person.
- d) who obtain plot by submitting any forged/fictitious document.

42. However, no cancellation of plot shall be made otherwise than due course of law.

43. No construction or development activity of any kind shall be undertaken on the plot, in respect of which notice under clause 42 has already been issued, without prior approval of the authority in writing.

**Bar on construction on cancelled plot.**

44. Any structure built after the notice under clause 42 and without obtaining prior sanction of the Authority shall be removed without notice and at the cost of person responsible for raising such structure.

**Removal of structure.**

45. If any building is ordered to be removed/demolished under clause 46 no compensation shall be paid.

46. Such cancelled plots shall be re-allocated and handed over to new applicants as per provision of these regulations.

**Re-allotment of cancelled plot.**

47. The 99 years lease rights shall be granted by Authority against the allotted plots to such allottees;

**Grant of lease hold rights.**

- a) who have cleared all dues including cost of land and development charges.
- b) who has constructed the house on the allocated plot.
- c) who has started residing thereon.
- d) who has made payment of lease execution charges etc.

48. The amenity plot shall be disposed off to such person or body of persons or organization in such manner and on such terms and conditions as may be prescribed by the authority.

**Disposal of amenity plot.**

49. All amenity plots, including sites for school, other educational institutions, hospitals, maternity homes and worship places in all Low-cost Housing Schemes of the Authority will be allotted to deserving registered and charitable institutions.

50. Committee constituted by the Director General will scrutinize the cases of amenity plot(s) and submit its recommendations for allotment of such plot(s) to the Director General for approval.

51. The residential plot shall be used only for the purpose for constructing a residential house. However, any application for change in land use shall be approved by the Governing Body.

**Bar on change of land use.**

52. No amenity plot shall be converted to or utilized for any purpose other than the purpose for which it is reserved.

53. All commercial plots in all Low-cost Housing Schemes of the Authority will be disposed off by public auction.

**Disposal of commercial plot.**

54. The plots reserved for auction shall, after wide publicity in the leading newspaper, be disposed off by open public auction to be conducted by the Authority or any officer authorized in this behalf by the Authority on such terms and conditions as may be prescribed.

55. The acceptance of the highest bid shall be subject to the approval of the Authority.

56. The possession of the plot shall be delivered to the successful bidder after four weeks of the full payment of the bid money.

57. The disposal of land in contravention of these Regulations shall be void and building or structure, if any thereon shall be liable to be forfeited by SKAA without any compensation.

**Disposal of land to be void.**

58. (i) The change in land use of plot other than the purpose for which it was leased out shall rendered the plot cancelled by authority and entire amount paid and structure thereon shall deemed to have become the property of the Authority.

**Power to cancel the lease.**

(ii) Before taking action under sub clause (i) above, an opportunity is to be provided to the allottee giving 15 days notice, issued by the Authority.

(iii) Any person aggrieved with such a decision issued under clause (i) above, may prefer an appeal to the Director General within 15 days of the decision. The Director General shall hear the appeal, and pass such orders as he may consider appropriate. His orders shall be final and no appeal shall lie against the order.

59. (i) No commercial use of the plot shall be allowed which causes hazards to the life and environments. **Miscellaneous.**

(ii) The plot shall not be Bifurcated, sub-leased, sub-divided or amalgamated without prior approval of the Authority and subject to such terms and payments fixed by the Authority.

(iii) The said plot of land and the structure standing thereon shall be subject to all taxes, rates and charges at the time in force.

(iv) Every transfer of lease rights by the lessee in any manner shall be subject to the clearance of all outstanding dues including improvement charges in addition to all fees, rents, levies, taxes, whatsoever including the unpaid installments of improvement/lease money etc, if any, payable to the Authority at that time.

(v) On the expiry of the period of the lease, the lessors at its discretion shall renew the lease(s), under prevailing rules/regulations.

(vi) Field Director will issue NOC to the agencies concerned for provision of basic service(s) after observing codal formalities.

**AGHA SHAHABUDDIN**  
**Secretary to Government of Sindh.**