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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION

KARACHI, THE 29TH JANUARY, 2009

NO.PAS/Legis-B-13/2008- The Sindh Public Property (Removal of Encroachment) (Amendment) Bill, 2008 having been passed by the Provincial Assembly of Sindh on 1st December, 2008 and assented to by the Governor of Sindh on 18th December, 2008 is hereby published as an Act of the Legislature of Sindh.

**THE SINDH PUBLIC PROPERTY (REMOVAL OF ENCROACHMENT)
(AMENDMENT) ACT, 2008**

SINDH ACT NO: I OF 2009

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 29th January, 2009.)

AN
ACT

to further amend the Sind Public Property (Removal of Encroachment) Act, 1975.

WHEREAS it is expedient to further amend the Sind Preamble.

Public Property (Removal of Encroachment) Act, 1975, in the manner hereinafter appearing:

It is hereby enacted as follows: -

Short title and commencement.

1. (1) This Act may be called the Sindh Public Property (Removal of Encroachment) (Amendment) Act, 2008.

(2) It shall come into force at once.

Amendment of section 2 of Sind Act No.V of 1975.

2. In the Sind Public Property (Removal of Encroachment) Act, 1975, hereinafter called the said Act, in section 2, for clause (f), the following shall be substituted :-

"(f) "Council" means a Council as defined in the Sindh Local Government Ordinance, 2001."

Amendment of section 3 of Sind Act No.V of 1975.

3. Through out the Act, for the words "Local Council", the word "Council" shall be substituted.

Amendment of section 3 of Sind Act No.V of 1975.

4. In the said Act, in section 3, in sub-section (1), for the words "three days", the words "two days" shall be substituted.

Amendment of section 4 of Sind Act No.V of 1975.

5. In the said Act, in section 4, in sub-section (1), for the words "seven days", the words "three days" shall be substituted.

Amendment of section 5 of Sind Act No.V of 1975.

6. In the said Act, in section 5, in sub-section (1), for the words "seven days", the words "three days" shall be substituted.

7. In the said Act, in section 8, for sub-section (1), the following shall be substituted :-
- Amendment of section 8 of Sindh Act No.V of 1975.**
Penalty
- "(1) Any person responsible for encroachment, may be punished with imprisonment of either description for a term which may extend to five years but not less than one year and with fine which may extend to five lac rupees. "
8. In the said Act, after section 15, the following new section shall be inserted:-
- Insertion of section 15-A.**
- "15-A. Government may for the prevention of encroachment on public property and to enforce the provisions of the Act, establish an Anti-Encroachment Force in the prescribed manner."
- Establishment of Anti-Encroachment Force.**
9. In the said Act, after section 17, the following shall be added:-
- Addition of section 18 in the Sind Act No.V of 1975.**
- "18. The provisions of this Act shall have over-riding effect notwithstanding anything contained in any other law for time being in force."
- Act to over-ride other laws.**

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIRO
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH