

THE COASTAL DEVELOPMENT AUTHORITY ACT, 1994.

[29TH November, 1994]

AN ACT to provide for development, improvement and beautification of the coastal areas of the Districts Thatta and Badin and to establish and Authority for such purpose.

WHEREAS it is expedient to provide for the development, improvement and beautification of the coastal areas of the Districts Thatta and Badin and to establish an Authority for such purpose;

Preamble.

It is hereby enacted as follows:—

**CHAPTER –I
PRELIMINARY**

1. (1) This Act may be called the ¹["Sindh Coastal Development Authority"] Act 1994.

Short title and commencement.

(2) It shall come into force at once.

(3) It extends to the coastal area.

2. In this Act unless there is anything repugnant to the subject or context—

Definitions.

(a) "Authority" means the Authority established under section 3;

(b) "Chairman" means the Chairman of the Governing Body;

²["(c) "coastal areas" means the coastal areas of the Districts Thatta, Sujawal and Badin as may be notified by Government;".]

³["(cc) "Director General" means the Director General of the Authority;".]

(d) "fund" means the fund of the Authority;

(e) "Governing Body" means the Governing Body constituted under section;

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

(g) "Master Plan" means a Plan prepared under this Act,

¹ An Act the words Substituted vide Sindh Act No. VIII of 2006 dated December 27, 2006.

² In Section 2, for clause (c) substituted vide Sindh Act No. XXIV of 2015 dated May 18, 2015.

³ In section 2, after clause (c), substituted vide Sindh Act No. VIII of 2006 dated December 27, 2006.

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- (h) "Member" means a member of the Governing Body;
- (i) "prescribed" means prescribed by rules or regulations made under this Act;
- (j) "rules and regulations" respectively means rules and regulations made under this Act;
- (k) "scheme" means a scheme prepared, undertaken or executed under this Act;

CHAPTER—II

**ESTABLISHMENT AND FUNCTIONS
OF THE AUTHORITY**

3. (1) There shall be established an Authority to be called the Coastal Development Authority for carrying out the purposes of this Act. **Establishment of the Authority.**

(2) The Authority shall be a body corporate, having perpetual succession and a common seal with power to acquire and hold property, both movable and immovable, and may, by the said same, sue and be sued.

(3) The Headquarter of the Authority shall be at Karachi or such other place in the coastal areas as Government may fix by notification.

4. (1) The general direction and administration of the Authority and its affairs shall vest in the Governing Body which may exercise all powers and do all acts things which may be exercised or done by the Authority. **Management**

(2) The governing body in discharging its functions shall act on sound principles of planning, Development operation, management and maintenance of coastal areas and shall be guided on questions of policy by such directions as Government may, from time to time, give.

(3) If any question arises as to whether any matter is a matter of policy or not, the decision of Government shall be final.

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5. ¹“(1) The Governing Body shall consist of the Chairman and the following members:- **Constitution of the Governing Body.**

(a) Secretaries of the following Departments of the Government:-

- (i) Planning and Development Department;
- (ii) Finance Department;
- (iii) Forest and Wildlife Department;
- (iv) Irrigation and Power Department;
- (v) Agriculture Department;
- (vi) Culture, Sports, Youth Affairs and Tourism Department;
- (vii) Local Government, Katchi Abadis and Spatial Development Department;
- (viii) Works and Services Department;
- (ix) Environment and Alternate Energy Department;
and
- (x) Livestock and Fisheries Department;

²“(b) Deputy Commissioners of Districts Thatta, Sujawal and Badin;

(c) three Members of the Provincial Assembly of Sindh one each from Districts Thatta, Sujawal and Badin to be nominated by the Chief Minister;”]

(d) two eminent persons of the Province to be nominate by the Chief Minister; and

(b) Director General who shall also be the Secretary of

¹ In section 5, for sub-section (1) substituted vide Sindh (Amendment) Act No.VIII of 2006 dated December 27, 2006.

² In section 5, in sub-section (1) for clause (b) and (c) substituted vide Sindh Act No. XXIV of 2015 dated May 18, 2015.

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the Governing Body;”]

(2) The Governing Body may co-opt such other persons as its members as deemed appropriate.

(3) A non-official member shall hold office for a period of three years, unless he resigns or is removed earlier.

(4) Any person appointed in a casual vacancy in the office of non-official members shall hold office for the unexpired portion of the term of such vacancy.

(5) The Authority may allow such remuneration to the non-official members as it may determine.

¹“6 (1) The Minister for Planning & Development Department **Chairman.** shall be the Chairman.

(2) The Chairman and Members shall perform such duties and exercise such functions as are assigned to them under this Act.

(3) Where the Chairman is absent or is unable to perform the functions, the Additional Chief Secretary (Development) shall be the convenor of the Governing Body and shall perform all duties of the Chairman.”.]

²“6-A (1) Government shall appoint a person as Director General possessing such qualifications and on such terms and condition as it may determine.

(2) The Director General shall be the Chief Executive of the Authority.

(3) Subject to the provisions of this Act and rules and the general control of the Chairman, the Director General shall—

(a) exercise effective control over and be responsible for smooth functioning of the day to day affairs of the Authority;

(b) supervise the financial and executive administration of the Authority and perform functions assigned and exercise powers conferred on or delegated to him by

¹ Section 6 substituted vide Sindh Act No.VIII of 2006 dated December 27, 2996.

² After Section 6, insert a new section “6-A” vide Sindh Act No.VIII of 2006 dated December 27, 2996.

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or under this Act;

- (c) be responsible for instituting or contesting legal proceedings for and on behalf of the Authority and for matters incidental thereto;
- (d) be responsible for and have the authority for overseeing and implementing the orders of the Authority;
- (e) have powers to exercise administrative control over the personnel of the Authority.”]

7. Subject to the general or special directions of Government, **Functions**
the Authority shall—

(1) be responsible for overall development, improvement, beautification and co-ordination of the coastal areas.

(2) Be responsible for identification, coordination, execution of ¹["and monitoring"] development schemes/activities which shall comprise of the following provisions:—

- (a) drinking water facilities, communication system, electricity, drainage. Tourism and rural development works.
- (b) establishment of educational, technical, and professional institutions;
- (c) development of fisheries, livestock, horticulture, forest and agriculture;
- (d) local/foreign credits for the development of agriculture, livestock fisheries, industries and other allied economic activities.
- (e) development of marketing facilities;
- (f) construction of jetties and harbours;
- (g) upgradation and improvement of the socio—economic conditions of the inhabitants;
- (h) promotion of NGOs and co-ordination, in financial assistance for development schemes to uplift the area;
- (i) Organizing enterprenure development;
- (j) development of human and other resources in the area;

(3) act as coordinating agency of the Federal and Provincial Governments or any local authority or autonomous body;

(4) collaborate with the Federal or Provincial, public or private agencies engaged in development activities and

¹ In section 7, sub-section (2) the words substituted vide Sindh Act No.VIII of 2006 dated December 27, 2006.

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environmental protection;

(5) provide technical guidance including technical services and personnel for development or co-ordination of development activities;

(6) undertake the execution of such schemes entrusted to it by the Federal or Provincial Government;

(7) undertake research in developmental planning of various activities related to coastal areas;

(8) compile relevant literature on planning and development and distribute among the persons and agencies engaged or interested in developmental works;

(9) arrange and conduct training programmes and seminars on planning and development in related fields;

(10) assist and co-ordinate in the establishment of palm coconut oil plantation and arrange their extraction and refining;

(11) assist and co-ordinate in the development of fish harbours/ cummini/deep port at keti Bander and/or at any other feasible locations

(12) assist and coordinate in the establishment of oil refinery with provision of pipe lines for transportation of oil;

(13) perform such order functions as may be considered necessary for achieving the objectives of the Authority.

8. The Governing Body may, constitute committees such as financial, technical, executive for carrying out the purposes of this Act. **Constitution of Committees.**

9. The Governing Body shall meet at such place and time and in such manner and observe such rules of procedure as may be prescribed; provided that until the manner or procedure is prescribed the meeting shall be held as directed by the Chairman. **Meetings of the Governing Body.**

10. The Governing Body may be general or special order, delegate any of its powers, functions and duties, to the Chairman, member or any officer of the Authority. **Delegation of powers.**

11. For efficient performance of its functions, the Authority may appoint such officers, experts, consultants and employees on such terms and conditions as may be prescribed. **Appointment of officers staff etc.**

CHAPTER—III

MASTER PLAN AND SCHEMES

12. (1) The Authority shall, as soon as may be, prepare a Master Plan for development, improvement, expansion and beautification of such coastal areas that need to be developed, expanded and beautified and submit such plan to Government **Master plan**

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for approval.

(2) Government may approve the plan with or without Modification.

13. (1) The Authority shall prepare or cause to be prepared development schemes for the coastal areas or part thereof in such form and such manner as may be prescribed. **Schemes.**

(2) All schemes prepared by the Authority shall be submitted to Government for approval which may be approved with or without modification.

CHAPTER—IV

ACQUISITION OF PROPERTY

14. The Authority may, be purchase, lease or exchange, acquire any other movable or immovable property or any interest therein by entering into an agreement with party concerned. **Property.**

15. Where the Authority is of the opinion that any land needed for any scheme or other public purpose can not be acquired under section 14, such land may be acquired in accordance with the Hyderabad Development Authority Act, 1976 and any reference to the Hyderabad Development Authority in that Act shall be deemed to be a reference to the Authority.

CHAPTER—V

FINANCES

16. (1) There shall be a separate fund known as the Coastal Development Authority Fund which shall vest in the Authority. **Fund.**

(2) The Authority shall frame a scale of charges or fees to be levied for the use of facilities and services provided by it.

(3) The fund shall consist of—

(a) grants made by Government or local councils or any other donor agency.

(b) sale proceeds of movable or immovable properties of the Authority.

(c) all fees, receipts and charges received under this Act.

(d) all other sums receivable and loans obtained by the Authority.

17. (1) A statement of estimated receipts and expenditure for every financial year shall be prepared and submitted to **Budget.**

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Government in the manner as may be prescribed.

(2) Government may sanction the budget with or without modification.

18. (1) The account of the Authority shall maintained in such form and in such manner as may be prescribed. **Maintenance of accounts.**

(2) The accounts maintained under subsection (1) shall be audited by the Auditor General of Pakistan.

CHAPTER— VI

MISCELLANEOUS

19. The Authority shall, at the close of every calendar year, prepare a report of its activities during that year and submit such report of Government. **Annual Report.**

20. Any sum due to the Authority or wrongly paid by the Authority under this Act shall be recoverable as arrears of land revenue. **Recovery of dues.**

21. No Court shall have jurisdiction to grant any injunction or make any order or entertain any proceedings in relation to anything done or intended to be done under this Act. **Jurisdiction barred.**

22. No act done or proceedings taken or order passed under this Act shall be rendered invalid merely on the ground of any vacancy in the Governing Body or any committee or any defect in the constitution thereof. **Validation of proceedings**

23. No suit or legal proceedings shall lie against Government, Authority, or any other person in respect of anything done or intended to be done under this Act. **Indemnity.**

24. Government may make rules for carrying out the purposes of this Act. **Rules**

25. (1) Subject to the provisions of this Act and rule, the Authority may make regulations for carrying out the purposes of this Act. **Regulations**

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for—

(i) the meetings of the Authority and conduct of business in such meetings;

(ii) terms and conditions of service of officers and staff

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of the Authority.

(iii) any other matter required by the provisions of this Act, to the provided by regulations.

26. The coastal Development Authority Ordinance, 1994, **Repeal** is hereby repealed.

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