

**GOVERNMENT OF SINDH
LANDUTILIZATION DEPARTMENT**

KARACHI DATED THE 15TH DECEMBER, 2005

NOTIFICATION

No.09-294-03-SOI/196. In exercise of the powers conferred by section 39 of the Colonization and Disposal of Government Lands Act, 1912, the Government of Sindh are pleased to make the following Rules:-

P R E L I M I N A R Y

1. (1) These rules may be called the Sindh Colonization and Disposal of Government Lands Rules, 2005. **Short title and commencement.**
 - (2) They shall come into force at once.
2. In these rules unless there is anything repugnant in the subject or context – **Definitions.**
 - (a) “Act” means the Colonization and Disposal of Government Lands Act, 1912;
 - (b) “form” means a form appended to these rules;
 - (c) “grant” means lease of land made under these rules;
 - (d) “Price Committee” means the District Price Committee appointed under rule 7;
 - (e) “Scrutiny Committee” means the scrutiny Committee appointed under rule 8; and
 - (f) “section” means a section of the Act.
3. The land of non-agricultural purposes shall be granted by the Government subject to the provisions of the Act, these rules and the Statement of Conditions issued under section 10 of the Act. **Authority for granting the land.**
4. No person shall, as a right, be entitled to the grant of land under these rules and Government shall have absolute discretion in selection of grantees. **Discretion in selection of grantees.**
5. (1) No land shall be granted within such limits of super highway National highway, roads, jails, railway lines, port or in any other area as may be notified by the Government. **Prohibited areas.**

(2) No land which is already reserved or is in use for any public purpose shall be granted without its relinquishment by the existing grantee.

6. The land for non-agricultural purposes shall be granted for a period not exceeding ninety nine years as may be fixed by the Government. **Period of Grant**

7. (1) There shall be appointed

Appointment of Price Committee and Scrutiny Committee.

(a) a Price Committee consisting of the Executive District Officer (Revenue), District Officer (Revenue), District Registrar, Deputy District Officer (Revenue), a representative of the Finance Department and two nominees of the Local Chamber of Commerce and Industries, one of them shall be from the real estate business to propose the market price;

(b) a Scrutiny Committee consisting of the Senior Member, Board of Revenue, Secretaries of the Land Utilization, Finance and the concerned Department of the Government, Chairman Investment Cell Chief Minister's Secretariat and two representative of Karachi Chamber of Commerce and Industry, one of them shall be from the real estate business to process the proposals of the Price Committee and grant of land and make recommendations to Government in this behalf.

(2) The Price Committee shall propose the market price in the District after taking into consideration.

(i). the price of land transferred in the same area for similar use during the last twelve months;

(ii). the valuation table notified under the Stamp Act, 1899 for the purpose of levy of stamp duty at the time of registration of a sale deed; and

(iii). such other modes as deemed fit to provide a fair basis for assessment of such price.

(3) The Price Committee shall submit its recommendations to the Scrutiny Committee which shall after such further enquiry as deemed fit submit its recommendations to Government for determination of market price.

(4) The market price determined under sub-rule (3) may be reviewed at least after every three years.

8. (1) Auction of land shall be held by the Executive District Officer(Revenue) after publication of auction notice in the leading English, Urdu and Sindh newspapers. **Procedure of auction of land.**

(2) The upset price shall fixed by the Land Utilization Department in consultation with the Finance Department but such price shall in no case be below the market price.

(3) The bidders shall deposit ten percent of the upset price in advance as security deposit.

(4) The successful bidder at the close of bidding shall deposit twenty five percent of the bid money including the security deposit on the day of auction or on the next day, failing which the security deposit shall stand forfeited to Government.

(5) The final bid shall be subject to the confirmation by the Government.

(6) On confirmation, the bidder shall deposit the remaining seventy five percent of the bid money within thirty days of communication of confirmation of the bid, failing which the twenty five percent amount deposited by him shall stand forfeited to Government.

9. (1) Applications for grant of land shall be submitted to Chief Executive of the Province who may require the Land Utilization Department for processing.

Procedure for grant of land

(2) The Land Utilization Department shall send such applications to the Executive District Officer (Revenue) to report the availability of the land with the site plan.

(3) On receiving the report under sub-rule(2), the Land Utilization Department shall convene a meeting of the Scrutiny Committee to consider the report and formulate the recommendations for submission to the Government.

10. Government may at any time resume the land granted on lease if the whole or any part thereof is required for public purposes on refund of the lease money deposited by the lessee and such additional sums as may be determined by the District Officer (Revenue) in accordance with the Land Acquisition Act for the improvement, if any. Made by the lessee on the land.

Resumption of grant for public purposes.

11. After the grantee has paid the lease money, a lease agreement shall be executed, stamped and registered by the lessee at his own cost.

Execution of Lease Agreement Deed.