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Re

_ THE BALOCHISTAN GAZETTE

PUBLISHED BY AUTHORITY

NO. Tt QUETTA THURSDAY OCTOBER _ 30. 2003.

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

—_ eS ERI AL ASSEMBLY SECRETARIAT,

NOTIFICATION,

Dated Quetta, the 30" October, 2003.

No. PAB/Legis: V(7)/2003. The Balochistan Coastal Development Authority Bill, 2003 having been passed by the Provincial Assembly of Balochistan' on 11" October, 2003 and assented to by the Governor of Balochistan. is hereby published as an Act of the Provincial Assembly.

The Balochistan Coastal Development Authority(Amendment) Act, 2003
(Balochistan Act No. VII of 2003)

(First published after having received the assent of the Governor of Balochistan in the Balochistan Gazette (Extra Ordinary) dated 27" October, 2003).

AN
ACT

further to amend the Balochistan Coastal Development Authority Act, 1998(1 of 1998).

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Short title and

commencement.

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Amendment of
Section 3 of
Act I of 1998.

Amendment of
'Section 5 of

Act I of 1998.

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WHEREAS. it is expedient further to amend the Balochistan Coastal Development Authority Act. 1998. in' the manner hereinafter appearing;

It is hereby enacted as follows:-

1. (1) This Act may be called the Balochistan Coastal Development Authority (Amendment) Act. 2003.

(2) It shall come into force at once.

ae In the Balochistan Coastal Development Act, 1998, in sub-

section (3) of section 3; the full stop appearing at the end shall be

substituted by a comma and thereafter the words "and its sub offices at such places as considered, suitable by the Authority" shall - be inserted.

3. In the said Act, for citvanciies (1) of Section 5, the following shall be substituted:-

"(1) The Governing Body shall consist-of the Chairman. . The Chief Minister Balochistan shall act as the ex-officio Chairman of the Governing Body of the Authority oom the following members:-

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

(i) Additional Chief Secretary (Development), Planning and Development Department.

(ii) Finance Department.

(iii) Environment, Wildlife, Livestock, Forest and Tourism Department.

(iv): Fisheries Department.

(v) irrigation and Power Department.

(vi) Education, Literacy and Non- —
Education, Culture, Sports and Youth Affairs
Department. rs

Amendment of

Section 7 of
Act 1b of 1998.

Amendment of

Section 9 of
Act 1 of 1998.

(vii) Local Government. Rural Development and
Agrovilles Department.

(viii) Public Health Engineering Department.

(ix) Communication and Works Department.

(b) Nazim Gawadar District.

(c) Nazim Lasbela District.

(d) Two Members of the Provincial Assembly from the
coastal areas to be nominated by the Chief Minister
of Balochistan. :

(e) Two qualified persons of the repute on 'Coastal

Affairs to be nominated by the Chief Minister of
Balochistan.

(ft) Director General, Balochistan Coastal Development
Authority.

4. In the said Act. after clause (15) of Section 7, the following

new clause shall be inserted.

“(16) Formulate and implement policies and plans for the
purpose of developing. establishing and maintaining its coastal area
and waters along Balochistan Coast and includes facilitation,
identification, planning or any other purpose permitted by the law.”

5. In the said Act. section 9 shall be numbered as sub-section
(1) of that section and after sub-section (1), as so numbered. the
following new sub-section shall be added:-

(2) The meeting of the Governing Body shall be
presided over by the Chairman, in his absence by senior
most member attending the meeting.

(3) One third of the total number of members shall
constitute a quorum decision by the Governing Body.

Amendment of
Section 11 of
Act 1 of 1998.

Insertion of new
Section 16-A
and 16-B in
Act-1 of 1998.

Insertion of new
Section in Act-1
of 1998.

(4) The member shall have reasonable notice of the time and place of the meeting and the matters on which a decision by the Governing Body shall -be taken in such meeting. .

-(5) The majority of its members present shall take the decision of the Governing Body, and in case of tie, the member presiding the meeting shall have casting vote.

(6) All the decisions of the Governing Body shall be taken in writing.”

6. In the said Act, in section 11. for the word “Authority” the wards “Director General of the Authority” shall be substituted.

he In the said Act, after section 16, the following new sections shall be inserted, namely:-

“16-A Levy of fee, cess, charges, taxes

(1) There shall be levied, charged and collected call fee from all out station vessels/boats/launches per trip to ports/beaches/harbors/ anchorages along the Balochistan Coast at such rates as the Government may by notification in the Official Gazette fix from time to time.

' (2) Non landing fee or extra non landing fee shall be levied and

charged form all those fishing trawlers who are desirous of fishing in the Specified Areas of Balochistan coast at such rates as the Government may by notification in the Official Gazette fix from time to time.

(3) The fees or charges shall be collected and deposited in the funds in terms of section 16 of the Act. and accounted for as provided in section 18 of the said Act.

| 16-B Bar of suit in Civil Court.—No suit shall be lie in any court

to set aside or modify any assessment. levy or collection of fee,

charges, cess, duty or tax made under this Act and the Rules.

8. In the said Act, after section 20, the following new sections shall be inserted, anemely:-

“21. Indemnity; No suit or legal proceedings shall lie against the Government and officials or any person in respect of any thing which is done or intended to be done in good faith under this Act or any rule made there-under. =

22. Power to make Rules. The Authority with the prior approval of Government may by notification in the Official Gazette om rules for carrying into effect the purposes of this Act.

23. Public Servants. Yhe Chairman, the Director' General, members, officers and officials of the Authority shall, when acting or purporting to act in pursuance of any of the provisions of this Act be deemed to be public servants within the meaning of the Pakistan Penal Code, 1860 (Act XLV of 1860).

Muhammad Khan Mengal,
'Secretary,
Provincial Assembly of Balochistan.