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ISLAMABAD, FRIDAY, MAY 2, 2025

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND JUSTICE

Islamabad, the 2nd May, 2025

F. No. 2(1)/2025-Pub—The following Ordinance Promulgated on 2nd May, 2025 by the President is hereby published for general information:-

_ ORDINANCE NO. II] Or 2025

AN

ORDINANCE

further to amend the Capital Development Authority Ordinance, 1960

WHEREAS it is expedient further to amend the Capital Development

Authority Ordinance, 1960 (XXII of 1960) in the manner and for the purposes hereinafter appearing;

(143)

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AND WHEREAS the Senate and National Assembly are not in session and the circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance;

1. Short title and commencement—{1) This Ordinance shall be called the Capital Development Authority (Amendment) Ordinance, 2025.

(2) It shall come into force at once.

2. Amendment of section 27, Ordinance XXIII of 1960.—In the Capital Development Authority Ordinance, 1960 (XXIII of 1960), herein after referred to as “the said Ordinance”, in section 27, in sub-section (2), the words “and the amount” shall be omitted.

3. Amendment of section 28, Ordinance XXIII of 1960.—In the said Ordinance, in section 28, the existing provision shall, be re-numbered as sub-section (1) of that section and after sub-section (1), as re-numbered hereinbefore, the following new sub-section (2) shall be added, namely:—

“(2) Notwithstanding anything contained in this Ordinance, where land includes a building or build up property, the Deputy Commissioner may issue two separate awards one for the land and another for the building or build up property.”.

4. Amendment of section 29, Ordinance XXIII of 1960.—In the said Ordinance, in section 29, for the words “the amount of which shall: be determined by the Deputy Commissioner who shall be guided by the provisions of section 30 and 31” the words, commas, full stop and figures “ in the form of monetary payment, land sharing, or any other form as may be determined by the Authority. The Deputy Commissioner shall announce the award and shall be guided by the provisions of section 30 and 31” shall be substituted.

5. Insertion of section 29A, Ordinance XXIII of 1960.—In the said Ordinance, after section 29, the following new section 29A shall be inserted, namely:—

“29A. Rehabilitation and resettlement benefits.- The pending cases for grant of rehabilitation and resettlement benefits in licu of any award of land and built-up property, pending on the 30th October, 2025 shall be governed and processed in accordance with the provisions of the applicable Rehabilitation Policy in force at the relevant time.”.

6. Amendment of section 30, Ordinance XXIII of 1960.—In the said Ordinance, in section 30,—

(a) in sub-section (1), the words “amount of” shall be omitted; and

(b) after sub-section (3), the following new sub-section shall be inserted, namely:—

(4) . Where compensation is provided through land sharing, rehabilitation benefits, resettlement benefits, or any other form as determined by the Authority, it shall ensure that the —

(a) allotted land is of equivalent value, utility and accessibility as the acquired land;

(b) rehabilitation and resettlement benefits are provided where required ensuring the restoration of livelihood and standard of living; and

(c) compensation package aligns with principles of equity ensuring that affected persons are not placed at a disadvantage due to the acquisition.”.

7. Amendment of section 32, Ordinance XXIII of 1960.—In the said Ordinance, in section 32, for the full stop, at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:—

“Provided that in case of a separate award for land and the buildings thereon, the land or the building, as the case may be, shall vest in the Authority free from all encumbrances upon the making of the respective award.”.

8. Substitution of section 32A, Ordinance XXIII of 1960.—In the said Ordinance, for section 32A, the following shall be substituted, namely:—

“32A, Additional Compensation—When the compensation is determined under section 29 and sub-sections (3) and (4) of section 30, is not paid, deposited or tendered with the Deputy Commissioner on or before taking possession of the land, the Deputy Commissioner shall, in addition to such compensation, pay additional compensation computed at the rate of eight per centum per annum on such compensation from the time of so taking the possession until it has been so paid or deposited.”.

9. Amendment of section 33A, Ordinance XXIII of 1960,.—In the said Ordinance, in section 33A, for sub-section (3), the following shall be substituted, namely:—

“(3) The Deputy Commissioner shall, after giving the person having | interest in the land an opportunity of being heard, determine the compensation | for the temporary occupation and use of the land at the rate at which it was rented | during the preceding agricultural year and, if it was not so rented, at such rate as he may consider fair and equitable, and make an award specifying the— ~

- (a) area and description of the land;
- (b) purpose and the period for which the land is required;
- (c) compensation and shares therein of the persons, if there be more than one, entitled thereto; and
- (d) mode of compensation.”.

10. Amendment of section 33B, Ordinance XXIII of 1960.—In the said Ordinance, in section 33B,—

in the head note, for the words, “Payment of compensation” the word “Compensation” shall be substituted;

- (a)
- (b) for sub-section (1) the following shall be substituted, namely:—

“(1) If any person entitled to the compensation under this Ordinance is a minor or of unsound mind or otherwise under a legal disability to receive and administer the compensation the Deputy Commissioner may, by order, direct that the compensation shall be made to the person applying for it on behalf of the person entitled thereto, if the Deputy Commissioner, after making such enquiry as he may deem fit, is satisfied that the person so applying is the proper person to receive and administer the compensation for the benefit of the person

entitled to compensation.”; and

- (c) for sub-section (3), the following shall be substituted, namely:—

“(3) Any compensation provided under sub-section (1) or sub-section (2) shall afford full indemnity to the Authority for the compensation made but shall not affect the liability of the person who has received the compensation to account therefore to the person

lawfully entitled thereto.”,

11. Amendment of section 36, Ordinance XXIII of 1960.—In the

said Ordinance, in section 36,—

(a) in sub-section (3), in the proviso, after “compensation” the comma and words “, rehabilitation and resettlement” shall be inserted; and

(b) for the words “amount paid”, the words “compensation awarded, shall be substituted.

ASIF ALI ZARDARI,
President.

RAJA NAEEM AKBAR,
Secretary.