

THE '[KHYBER PAKHTUNKHWA] PROVINCIAL URBAN DEVELOPMENT
BOARD (DISSOLUTION) ORDINANCE, 2002.

*[KHYBER PAKHTUN KHWA] ORDINANCE NO. XVI OF 2002.

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'Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

THE '[KHYBER PAKHTUNKHWA] PROVINCIAL URBAN DEVELOPMENT
BOARD (DISSOLUTION) ORDINANCE, 2002.

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[14May, 2002]

AN

ORDINANCE

to provide for the dissolution of the Provincial Urban
Development Board, 3/Khyber Pakhtunkhwa].

WHEREAS it is expedient to provide for the dissolution of the Provincial Urban
Development Board, '[Khyber Pakhtunkhwa], established under section 3 of the *[Khyber
Pakhtunkhwa] Urban Planning Ordinance, 1978 ('[Khyber Pakhtunkhwa] Ord. No. IV of
1978);

AND WHEREAS the Governor of the [Khyber Pakhtunkhwa] is satisfied that
circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the
fourteenth day of October, 1999, as amended upto date, and the Provisional Constitution
Order No. | of 1999, as amended up to date, read with Article 4 of the Provisional
Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him
in that behalf, the Governor of the '[Khyber Pakhtunkhwa] is pleased to make and
promulgate the following Ordinance;

1. Short title and commencement.—_(1) This Ordinance may be called the °[Khyber
Pakhtunkhwa] Urban Development Board (Dissolution) Ordinance, 2002.

(2) — It shall come into force on the appointed day.

2. Definitions.— In this Ordinance, unless the context otherwise requires,-

(a) "appointed day" means the 1"day of May, 2002, or such other date as

Government may, be notification in the Official Gazette, specify;

(b) "Board" means the Provincial Urban Development Board established
under section 3 of the Ordinance;

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(c) "District Government" means a District Government established under the '[Khyber Pakhtunkhwa] Local Government Ordinance, 2001 [Khyber Pakhtunkhwa] Ord. No. XIV of 2001);

(d) "Government" means the Government of the {Khyber Pakhtunkhwa};

Pakhtunkhwa];

(e) "Governor" means the Governor of the "[Khyber Pakhtunkhwa]; and

(f) "Ordinance" or "repealed Ordinance" means the *[Khyber

Pakhtunkhwa]Urban Planning Ordinance, 1978 (°[Khyber Pakhtunkhwa]Ord. No. IV of 1978).

3. Dissolution and repeal.—On the appointed day the Board shall stand dissolved, and as a corollary thereof, the Ordinance shall stand repealed.

4. Consequential responsibilities —Consequent upon the repeal of the Ordinance, the District Government of the District concerned shall be responsible to deal with the subject-matters of the Board so dissolved in accordance with the provisions contained in section 182 of the '[Khyber Pakhtunkhwa] Local Government Ordinance, 2001 (*[Khyber Pakhtunkhwa] Ord. XIV of 2001):

Provided that the assets and liabilities of the Peshawar Development Authority, a Local Area Authority created under section 15 of the repealed Ordinance, shall stand transferred to, and be the assets and liabilities of, the Department created under sub-section (3) of section 54 of the *[Khyber Pakhtunkhwa] Local Government Ordinance, 2001 ((°[Khyber Pakhtunkhwa] Ord. No. XIV of 2001), and all functions, powers, duties and responsibilities of the defunct Peshawar Development Authority, with effect from the appointed day, notwithstanding anything to the contrary contained in the said section, shall-be exercised, performed and owned by the said Department.

5. Transfer _of assets_and liabilities—(1) Notwithstanding anything to the contrary

contained in the repealed Ordinance, or in any law, agreement or contract for the time being in force, but subject to the provisions of section 4, the Governor may, at any time before the appointed day, by order direct that any business, project, undertaking or property (movable or immovable) of the Board, shall be transferred to Government on such date in such manner and to such extent as may be specified in the order, and the business, project,

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undertaking and property, if any, so transferred shall vest in Government and shall be disposed of in such manner as may be prescribed by rules made under this Ordinance.

(2) Government may set up a committee, consisting of such members as deemed appropriate which will be responsible to resolve the difficulty, if any, arising out of the dissolution of the Board and make recommendations for appropriate action.

(3) Government may appoint one or more officers and staff members, who shall be responsible for carrying out the action in consequence of the dissolution of the Board and to take necessary steps in that behalf.

6. Employees of the Board.— The employees of the Board shall be dealt with in accordance with the terms and conditions of their appointment under the Board.

5. Supplemental _payers.—Without prejudice to the provisions of this Ordinance the Governor may, in such manner as he may consider necessary or expedient, provide for the removal of difficulties arising out of, or in connection with, the dissolution of the Board or for effectively carrying out the purposes of this Ordinance.

Peshawar, Lt. Gen. (Rtd.) IFTIKHAR HUSSAIN SHAH
dated the Governor of the '[Khyber Pakhtunkhwa]
15" January, 2002.

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