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[AS INTRODUCED IN THE SENATE]

A

BILL

further to amend the Capital Development Authority Ordinance, 1960

WHEREAS it is expedient further to amend the Capital Development Authority Ordinance, 1960 (XXIII of 1960) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Capital Development Authority (Amendment) Act, 2022.

(2) It shall come into force at once.

2. Amendment of section 14, Ordinance XXIII of 1960.-In the Capital Development Authority Ordinance, 1960 (Ordinance XXIII of 1960), hereinafter referred to as the said Ordinance, the existing section 14, shall be re-numbered as sub-section (1) of section 14, and thereafter, in section 14 amended as aforesaid, the following new sub-sections shall be added, namely:-

"(2) All schemes under section 12, section 13 or under any other provision of this Ordinance shall be completed within such pre-determined time period which is reasonably required for execution and completion of such schemes.

(3) Failure to complete and execute schemes in the pre-determined time period, without just and plausible reasons, shall be a criminal breach of trust within the meaning of section 405 of the Pakistan Penal Code for which liability shall be fixed on those responsible for the failure and penal action shall be taken against them according to law."

3. Amendment of section 17, Ordinance XXIII of 1960.- In the said Ordinance, in section 17, after sub-section (2), the following new sub-section shall be added, namely:-

"(3) The provisions of sub-sections (2) and (3) of section 14 shall mutatis mutandis apply to schemes which are to be executed under this section."

4. Amendment of section 19, Ordinance XXIII of 1960.- In the said Ordinance, the existing section 19 shall be re-numbered as sub-section (1) of section 19, and thereafter, in section 19, amended as aforesaid, the following new sub-section shall be added, namely:-

"(2) Any amendment or modification in a scheme under sub-section (1) shall not confer any right on the Authority or the Federal Government to extend, without just and plausible reasons, the pre-determined time period necessary for execution and completion of the schemes."

STATEMENT OF OBJECT AND REASONS

The Capital Development Authority (CDA) was constituted and was entrusted with the development of the Islamabad Capital Territory through the Capital Development Authority Ordinance, 1960. The CDA is the prime authority which is planning and executing developmental schemes in the Islamabad Capital Territory. Unfortunately in executing developmental schemes, CDA generally fails to complete developmental schemes within a reasonable time. It takes years and years for its developmental schemes, especially in developing new sectors. This on one side causes loss to state exchequer by increasing the cost of developmental schemes and on the other side it causes frustration to those who want to have their abode or business activities in the area. Through this amendment, it will be binding on CDA and other executing agencies including the Federal Government to execute and implement the developmental schemes in a pre-determined time period. In this way the loss to state exchequer as well as frustration to the public due to delay in the developmental schemes will be eradicated.

The Bill has been designed to achieve the aforesaid objectives.

**SENATOR FAWZIA ARSHAD
MEMBER-IN-CHARGE**