
CHAPTER - IVDECLARATION OF KATCHI ABADIS
AND ACQUISITION OF LAND

19. Declaration of Katchi Abadi. - (1) Subject to sub-sections (2), (3) and (4) and directions of Government, if any, the Authority may, after such enquiry as deemed fit, by notification in the official Gazette, declare any area or part thereof which is partially or wholly occupied unauthorisedly before the *[30th day of June, 1997] and continues to be occupied to be Katchi Abadi.

(2) No area which is owned by the Federal Government shall be declared as Katchi Abadi without obtaining consent of the Federal Government.

(3) No area owned by a private person or a cooperative society shall be declared as Katchi Abadi except with the consent of such person or society and the Katchi Abadi so declared shall be subject to such terms and conditions as may be agreed to between such person or, as the case may be, society and the Authority.

(4) Except as otherwise directed by Government, no area which is reserved for the purposes of roads, streets, water supply arrangements, sewerage or other conservancy arrangements, hospitals, schools, colleges, libraries, playgrounds, gardens, mosques, graveyards, railways, high tension lines, or such other purposes or is not safe from flood hazard, shall be declared to be a Katchi Abadi.

(5) Any area declared to be a Katchi Abadi shall, subject to the agreement referred to in sub-section (3), vest in the Authority.

(6) Where the Authority is of the opinion that the area referred to in sub-section (3) cannot be acquired by consent or agreement, the area may be acquired and compensation therefor be paid in accordance with the provisions contained in Chapter

•In section 19(1), substituted for "23rd day of March, 1985" by the Sindh Katchi Abadis (Arndt.) Act, 2009 (Sindh Act No. III of 2016), the Sind Govt Gaz., Extr., Pt. IV, P.No. 7, dt. 16th February, 2016.

IV of the Hyderabad Development Authority Act, 1976 which shall be deemed to have been modified for the purpose of this Act as follows : -

- (a) References to the Authority, its Chairman and Member shall respectively be construed as the references to the Authority constituted under this Act, its Chairman and Member;
- (b) The compensation for acquisition of the area shall be determined and award in that behalf shall be made by a Tribunal;
- (c) The Tribunal shall have all the powers of a Collector exercisable by him while determining the compensation or making award;
- (d) Reference to Collector in sections 44, 45 and 46 shall respectively be construed as reference to the Tribunal.

(7) Government may appoint any officer in BS-17 or 18 as Tribunal.

(8) Government may, by notification in the official Gazette, establish a Tribunal and specify the area in which such Tribunal shall exercise its jurisdiction.