

ABOLITION OF THE DISCRETIONARY QUOTAS IN HOUSING SCHEMES

ACT, 2013

ACT NO. XXI OF 2013

An Act to provide for the abolition of all discretionary quotas in housing schemes in the public sector

WHEREAS it is expedient to abolish all discretionary quotas in housing schemes in the public sector so that allotments therein are made in a fair, equitable and transparent manner;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Abolition of the Discretionary Quotas in Housing Schemes Act, 2013.

(2) It extends to Islamabad Capital Territory.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

- (a) "discretionary quota in housing schemes" means those plots in a housing scheme which are reserved or earmarked for allotment by a designated authority to persons selected by such authority on arbitrary or subjective considerations, whether or not any preliminary eligibility criteria have been specified for such allotment;
- (b) "housing scheme in the public sector" means any scheme for development and allotment through ballot, sale or other means of residential, commercial, amenity and other plots which is wholly or partially owned, controlled, managed or financed by any authority or body established by, or persons employed by, or receiving pension from, the Federal Government or any of its attached or subordinate department or agencies or state-owned enterprises, or in which any public funds are invested or properties are involved, directly or indirectly, or for which land is made available by the Government or compulsorily acquired under any law; and
- (c) "person" includes any individual, firm, company, body corporate or other entity.

3. Abolition of discretionary quotas.—(1) Notwithstanding anything contained in any law, rule, regulation, bye-law, memorandum or articles of association, plan,

policy, programme, project or scheme, whether or not approved by any authority, all discretionary quotas in any housing scheme in the public sector shall stand abolished with immediate effect:

Provide that nothing contained herein shall apply to allotment of plots, in accordance with transparent rules, to widows or to persons in the service of Pakistan who become permanently disabled, or to legal heirs of such persons who die, in the discharge of their duties or performance of their functions.

(2) The plots released from the discretionary quotas abolished under sub-section (1) shall be allotted in a fair, equitable and transparent manner alongwith all other plots in the housing scheme.

4. Act to override all other laws etc.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, rule, regulation, bye-law, memorandum or articles of association, agreement, contract, decree, order or any other instrument whatsoever for the time being in force.