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AN  
ACT

*to provide for the establishment of the Peshawar Development Authority.*

WHEREAS, it is expedient to establish the Peshawar Development Authority for the development of the Authority area and better management and development in order to improve the quality of life within the Authority area, establish an integrated metropolitan and regional development approach and a continuing process of planning and development, to ensure optimum utilization of resources, economical and effective utilization of land and to evolve policies and programs relating to the improvement of the environment of housing, industrial development, traffic, transportation, health, education, water supply, sewerage, drainage, solid waste disposal and matters connected therewith and incidental thereto;

It is hereby enacted as follows:

CHAPTER-I  
PRELIMINARY

1. Short title, extent and commencement.---(1) This Act may be called the Peshawar Development Authority Act, 2017.

(2) It shall extend to the Authority area.

(3) It shall come into force at once.

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

(a) "Authority" means the Peshawar Development Authority, established under section 3 of this Act;

(b) "Authority area" means such area of Peshawar Division, as Government may notify from time to time, where the Authority has jurisdiction under this Act;

(c) "Chairman" means the Chairman of the Authority;

(d) "Director-General" means the Director-General of the Authority;

(e) "Government" means the Government of the Khyber Pakhtunkhwa;

(f) "Government agency" includes-

(i) a division, department, bureau, section, commission, board, office or unit of Government;

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- (ii) a local council established under the Khyber Pakhtunkhwa Local Government Act, 2013 (Act No. XXVIII of 2013); and
- (iii) a developmental or any other public authority, company or corporation, owned or controlled by the Government or a local government;

(g) "green area" means any space, notified by Government as green area, which is required to be kept green including a notified play ground other than a public parks or green belts;

(h) "green belt" means an area, notified by Government as green belt other than a public park, which is kept as an open space in any locality or area either in pursuance of a development plan or otherwise;

(i) "land" includes earth, water and air, above, below or on the surface and any improvements in the structure customarily regarded as land and benefits arising out of land and things attached to earth or permanently fastened to earth;

(j) "master plan" means the traditional method for presenting a set of land usage, allocation and control measures in the form of a map or in graphical form and is supported by written statement of goals and objectives, strategy, financial implications and policies for planning and development for an area and includes a structure plan, an outline development plan, a spatial plan, peri-urban structure plan and a metropolitan plan;

(k) "member" means a member of the Authority and includes its Chairman;

(l) "prescribed" means prescribed by rules or regulations;

(m) "public park" means and includes an open space, reserved for use, recreation and entertainment of public duly notified by Government from time to time as public park;

(n) "regulations" mean regulations made under this Act;

(o) "rules" mean rules made under this Act; and

(p) "scheme" means a planning scheme, a development scheme or a project, approved for urban development, redevelopment or renewal and includes master planning, larger area plan, areas specified and notified for specific use, traffic control plans, classification and reclassification plans or zoning scheme carried out within the territorial limits of the Authority.

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**CHAPTER II**  
**PESHAWAR DEVELOPMENT AUTHORITY**

3. **Establishment of the Authority.**--- (1) As soon as after the commencement of this Act, Government shall, by notification in the official Gazette, establish an Authority to be known as the Peshawar Development Authority.

(2) The Authority shall be a body corporate having perpetual succession and a common seal, with powers, subject to the provisions of this Act, to acquire, hold and transfer the property, both movable and immovable, and may by its name sue and be sued.

(3) The head office of the Authority shall be at Peshawar; provided that the Authority may establish sub-offices within the Authority area for managing its affairs.

4. **Constitution of the Authority.**---(1) The Authority shall consist of the following:

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|-----|---|----------------|
| (a) | the Chief Minister, Khyber Pakhtunkhwa;   | Chairman.      |
| (b) | Minister for Local Government, Elections and Rural Development, Khyber Pakhtunkhwa;   | Vice-Chairman. |
| (c) | a Member of the Provincial Assembly from District Peshawar, to be nominated by the Speaker of the Provincial Assembly;                    | Member.        |
| (d) | Nazim, City District Government, or if no City District Government exists, then the Administrator of Peshawar, as notified by Government; | Member.        |
| (e) | Secretary to Government, Planning and Development Department;   | Member.        |
| (f) | Secretary to Government, Finance Department;  | Member.        |
| (g) | Secretary to Government, Local Government, Elections and Rural Development Department;  | Member.        |
| (h) | Secretary to Government, Forest, Environment and Wildlife Department;   | Member.        |
| (i) | Commissioner, Peshawar Division; and  | Member.        |

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