

Capital Development Authority

Islamabad Capital Territory

(Zoning) Regulation 2005.

In exercise of the powers conferred by section 51 of the CDA Ordinance 1960 (XXII of 1960), read with section 11 thereof, the Capital Development Authority has been pleased to make the following Regulation as being expedient: -

CHAPTER- 1 PRELIMINARY

1. Short Title, Extent & Commencement.

(1) This Regulation may be called the Islamabad Capital Territory.

(Zoning) Regulation, 1992.

(2) It extends to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.

In this Regulation, unless there is anything repugnant in the subject or context:

(1) "Agro-Industries: means processing of agriculture produce;

(2) "Agro-oriented use" means uses related to the production of

agricultural products through cultivation/plantation;

(3) "Agro/Model Village" means an existing village meant to be upgraded or a new village established by the Authority to become a model for other villages;

(4) "Authority" means the Capital Development Authority constituted under section 4 of the CDA Ordinance, 1960, (xxii of 1960);

(5) "Community Farming: means an agro-oriented scheme organized on cooperative or community basis;

(6) "Scrutiny Fee"/"Service Charges" means a fee to be determined and levied by the Authority for services rendered;

(7) "Conservation/Preservation" means protection of an area from any alterations which may destroy or change its character;

(8) "Completion Certificate" means a certificate of completion of a house, group of houses, housing scheme, farming scheme developed in accordance with the prescribed rules and regulation, issued by the Authority;

(9) "Existing House" means a cluster of one or more habitable rooms fit form living and in existence before the coming into force of this Regulation;

(10) "Existing Village " means a village as enumerated/listed in the 1981-Census Report of Islamabad District;

(11) "Farming" Scheme: means a planned scheme for orchard or a vegetable farm and does not include poultry and livestock farming except for a limited number of animals as necessary for personal use or tillage;

(12) "Forest" means and includes all protected, reserved and

- designated forest, grass- land and range land;
- (13) "I.C.T." means the Islamabad Capital Territory as defined under the Capital Territory Local Government Ordinance 1979;
- (14) "Illegal Construction" means construction carried out without the permission of the Authority and in contravention of rules and regulations or any laws for the time being in force in the ICT;
- (15) "Individual Farm" means an agro-oriented farm of a minimum area of 2.5 acres;
- (16) "Layout Plan" means a detailed land use plan;
- (17) "Live-stock" means breeding and rearing of cattle, sheep, goat, horses, buffaloes, etc.;
- (18) "Main Body of village" means the main cluster of houses in a village as defined by the revenue record or as declared by the Authority;
- (19) "Master Plan" means the Master Plan of Islamabad Capital Territory;
- (20) "Native Resident" means an original inhabitant of a village who has an ancestral house there and is a registered voter of the same village;
- (21) "NOC" means no objection certificate issued by the Authority;
- (22) "PCATP" means Pakistan Council of Architects and Town Planners;
- (23) "Sectoral Area " means the urban body of the ICT comprising residential, institutional, industrial and other such sectors;
- (24) "Structure" includes temporary or permanent structure used for any purpose;
- (25) "Sub_Urban Centre" means a large sized central village meant to be upgraded as a focal point of services and facilities catering to social, cultural, business and trade requirements of the surrounding villages;
- (26) "Union Council" means a union council constituted under the Capital Territory Local Government Ordinance, 1979 (xxxix of 1979);
- (27) "Zone" means an area as specified in paragraph 3 of the Regulation.

CHAPTER-II ZONATION OF ICT

3. Delineation of Zones.

For the purpose of this Regulation the entire Islamabad Capital Territory shall be divided into the following five zones as delineated in the annexed Master Plan and specified below:-

1) Zone-1

This zone constitutes sectors upto the existing alignment of the G.T. road from the point of intersection of G.T. road with Shahrah-e-Kashmir to the point of the Nicolson Monument inclusive of sector H-14, H-15, H-16, H-17, I-14, I-15, I-16, I-17

2) Zone -2

The zone consists of an area bounded by G.T. road in the north & north east, north of Shahrah-e-Kashmir and Capital limits in the west, comprising residential sectors G-15 (part), G-16, G-17, F-15 (part), F-16, F-17, E-15 (part), E-16, E-17, D-16, D-17, C-17, AND B-17.

3) Zone –3

Margallah Hills National Park as notified under section 21 of the Islamabad Wild Life (Protection, Preservation, Conservation & Management) Ordinance. 1979, Other protected ranges, forest areas and un-acquired land falling between the Margallah Hills & north of Murree Road shall constitute this zone.

4) Zone-4

This zone comprises Islamabad Park and rural periphery wedged between Murree road towards north and Lehtrar road towards south and extending beyond Simly road upto the ICT limits in the north east. This zone excludes the part of Margallah Hills National Park and Rawal Lake.

5) Zone-5

This zone comprises areas falling south of Islamabad Park and extending upto outer limits of ICT towards south, south west and south east.

CHAPTER – III DEVELOPMENT CONTROL OF ZONES

Development Strategies of Zones.

The development of land in the zones shall be subject to the following conditions:

A. Un-acquired Sectoral Areas:

In these areas of Zone-1,

- (i) land shall be acquired under a phased program and developed by the Authority in accordance with the land use pattern spelled out in the Master plan;
- (ii) no sale/ purchase of land which entails change in land use shall be allowed;

- (iii) no construction of houses or buildings shall be allowed. However, repair of old houses and expansion of existing houses may be allowed by the Authority to the native residents subject to the conditions that the site is located within the main body of the village. The covered area of such construction shall not exceed 1000 Square feet including expansion and such permission shall not in any way impede the right of the Authority to acquire the property whenever needed and
- (iv) no private scheme of any kind whatsoever shall be allowed, except in sector E-11, Schemes in E-11 will regulated according to the provisions applicable to schemes in Zone-2

B. Un-acquired portion of Right-of-Way of Khyaban-I-Sir Syed:

In this zone,

- (i) Change of land use will be allowed only for commercial/residential purposes provided it is undertaken in the form of a planned scheme after approval of the Authority for a sizable area of not less than 1.25 acres,
- (ii) Permission for such schemes shall be granted subject to the following conditions:
 - (a) the scheme shall be prepared by a qualified Town Planner registered with PCATP.
 - (b) No access will be made to or from Khyaban-I-Sir Syed without the permission of the Authority .
 - (c) A clear strip of 20 ft. width will be left green along the Khyaban-e-Sir Syed to enable the Authority to merge it with the cross section of the Khyaban-e-Sir Syed for plantation.
 - (d) Development of the scheme shall be in accordance with the layout plan and services plan approved by the Authority.

- (e) Sponsors of such schemes shall arrange at their own cost the entire development of the scheme without any obligating on the part of the authority.
- (f) All land reservations made for roads and other services in such schemes shall belong to the Authority after completion.
- (g) The sponsor shall deposit with the Authority as security hundred percent (100%) estimated total cost of development of the scheme or shall mortgage thirty percent (30%) of the saleable area in lieu thereof till a completion certificates is obtained by the sponsors from the Authority in respect of the scheme:
- (h) No possession of individual plots in the scheme shall be handed over by the sponsor till the entire scheme is fully developed and completion certificate in this respect is obtained from the authority.
- (i) All buildings to be constructed in the area will be subject to the Islamabad Building Regulation, 1963, and the Islamabad Residential Sectors Zoning Regulation, 1985 and their plans got approved from the authority prior to the start of construction
- (j) The scheme shall be maintained after completion and allotment by the sponsors or by an association to be formed by the allottees will such time it is taken over by the Authority
- (k) All such permissions shall be subject to payment of Scrutiny fee/Service charges as determined and levied by the Authority from time to time and without prejudice to the

right of the authority to acquire land in public interest.

2. Zone-2:

In this zone.

- (a) private sector will be allowed to purchase/acquire land and develop residential schemes in accordance with the pattern of residential sectors planned in zone 1:
- (b) permission for such schemes shall be granted by the authority subject to the following conditions, namely.
 - (i) the minimum size of such residential scheme shall not be less than 200 acres;
 - (ii) the scheme shall be prepared by a qualified town planner registered with PCATP;
 - (iii) the boundaries of the schemes shall conform to the configuration of a standard Sector inclusive of right-of-way of principal inter-sector roads as per provision of Master Plan of Islamabad;
 - (iv) development of the scheme shall be in accordance with the layout plan, services plan as building plan as approved by the Authority
 - (v) sponsors of such schemes shall arrange, at their own

Cost, the entire development

Authority

- (vi) all land reservations made schemes shall belong to the Authority
- (vii) The sponsor shall deposit with percent (100%) estimated total cost shall mortgage thirty percent (30%) (a completion certificate is obtained by respect of the scheme;
- (viii) The scheme shall have indepe

sewerage treatment system which will be at the cost;

- (ix) Possession of individual plots over by the sponsor till the entire completion certificate in this behalf has been issued;
- (x) After completion and allotment by the sponsors or by an association till such time it is taken over by the Authority;
- (xi) All such permissions shall be subject to the payment of Fee/Service charges as determined at that time, and without prejudice to the land in public interest;
- (xii) The Islamabad Building Regulation, 1974 shall apply to all residential schemes.

- (a) No private residential farming orchard poultry or other agricultural activities shall be permitted in this zone.

(3) Zone-3:

In this zone.

- (b) no change in land-use will be permissible except for conservation, preservation, afforestation and recreation and are covered by the Islamabad Building Regulation, 1974;
- (c) no sale/purchase of land which entails change in land-use shall be permitted;
- (d) some of the existing rural settlements, being covered by the Islamabad Building Regulation, 1974, shall be under controlled program to cater for the basic needs of the population. These rural settlements shall be in accordance with the provisions of the Islamabad Building Regulation, 1974. These rural settlements would not be allowed to expand beyond the existing boundaries;
- (e) no residential scheme can be floated in this zone.

B. Un-acquired Area

- (a) Use of land subservient to agriculture shall be remitted so as to retain the present agricultural character of the Area.
- (b) No agro industry, live-stock, poultry or other agricultural activities shall be allowed in this zone.
- (c) Subject to grant of NOC by the Authority, schemes for orchards/vegetable farms by private developers would be permissible provided the size of such orchard/vegetable farm is not less than 20 kanals (2.5 Acres). In such schemes, a farm house having a total covered area not exceeding 2,250 sq. ft. shall be allowed per orchard/vegetable farm of an area of about 20 kanals. The schemes of cluster housing and community farming under which houses and farms cluster under one unified scheme would also be permitted provided the criteria of one house with covered area of 2,250 Sq. ft. per farm land of about 20 kanals.

Kanals (2.5 acre) is maintained. The area of such a Scheme shall not be less than 50 acres and its lay out and development specifications shall be subject to approval of the Authority and a completion certificate in respect there of shall have to be obtained from the Authority.

(d) It shall be mandatory that the farm house or any other construction within the farm is located at a minimum distance of 100 feet from the edge of right-of-way of the road/street.

(e) All the buildings to be constructed in the zone shall be subject to the Islamabad Building Regulation, 1963, and the Islamabad Residential Sectors Zoning Regulation, 1985.

(f) All such permissions shall be subject to payment of Scrutiny Fee/service charges on account of appraisal of the proposals as determined and levied by the Authority from time to time, and without prejudice to the right of the Authority to acquire the land in Public interest.

(g) No private housing scheme shall be permissible. However, repair of old houses and expansion of existing houses may be allowed by the Authority to the native residents subject to the conditions that the site is located within the main body of the village as defined in the revenue record. The covered area of such construction shall not exceed 1000 square feet including expansion and such permission shall not in any way impede the right of the Authority to acquire the property when-ever needed. All such requests shall be routed through the concerned Union Council.

(h) No construction of houses and expansion of settlements shall be allowed in the areas adjoining all water bodies, lakes and reservoirs. The extent of such areas shall be determined after proper hydrological surveys and will be notified.

(5) Zone-5:

In this Zone,

(a) the existing urban sprawl will be organized into a planned urban development and housing scheme will be encouraged;

(b) a broad outline development plan shall be prepared by the Authority in whose context the schemes shall be considered for approval.

The minimum area of such a scheme shall not be less than 100 acres;

(c) the detailed lay-out plan and development specifications of the scheme shall be subject to the approval of the Authority;

(d) the schemes shall have their independent accesses and roads, water supply and primary sewerage treatment systems to be developed by the sponsors at their own cost and expense;

(e) the possession of individual plots in the scheme shall not be handed over to allottees until the land is fully developed by the sponsors and completion certificate in this regard obtained from the Authority.

(f) all land reservations made for roads and utilities in such schemes shall belong to the Authority:

(g) the sponsors shall deposit with the Authority as security hundred percent (100%) estimated total cost of development of the scheme or shall mortgage thirty percent (30%) of the saleable area in lieu thereof till a completion certificate is obtained by the sponsors from the Authority in respect of the scheme:

(h) all the buildings to be constructed in the zone shall be subject to the Islamabad Building Regulation, 1963, and Islamabad Residential sectors Zoning Regulation, 1985.

(i) After completion and allotment, the scheme shall be maintained by the sponsors or by an association of the allottees, as the case may be till such time the scheme is taken over by the Authority.

(j) all such permission shall be subject to payment of Scrutiny Fee/Service charges as determined and levied by the Authority from time to time, and without prejudice to the right of the Authority to acquire the land in public interest.

(k) Individual construction not falling within the scheme approved by the Authority will not be permissible. However, repair of old houses and expansion of existing houses may be allowed once by the Authority to the native residents subject to the conditions that the site is located within the limits of the main body of the village. The covered area of such construction shall not exceed 1000 sq. feet including expansion and such permission shall not in any way impede the

right of the Authority to acquire the property wherever needed in the public interest, such requests shall be routed through the concerned Union council.

CHAPTER-IV PENALTIES FOR VIOLATIONS

5. Any person, group of persons, organization, etc. if found violating any provision of this Regulation shall be liable to be proceeded against as under: -

(i) The offending structure made in violation of the provisions of this Regulation, the Islamabad Building Regulation, 1963, or the Islamabad Residential Sectors Zoning Regulation, 1985, shall be liable to demolition in accordance with section 49-C of the CDA Ordinance, 1960, unless regularized by the Authority on the payment of compounding fee as may be fixed by the Authority from time to time.

(ii) NOC/permission given by the Authority to any person, group of persons, organization, etc, for a scheme shall be liable to be cancelled.

(iii) Any person, group of persons, organization, etc. found guilty of violating any of the provisions of the Regulation of who or which without lawful excuse fails or refuses to comply with any direction or order issued by the Authority in this behalf may be proceeded against under section 46 and 46-B of the CDA Ordinance, 1960, in addition to action under clauses (i) and (ii) above.

6. DELEGATION OF POWERS FOR CONTROL.

The Authority may, be general or special order delegate any of its powers under this Regulation to any of its officers either by designation or by name.

(SECRETARY) CDA