



Capital Development Authority
(Secretary CDA Board Office)

CONFIDENTIAL

No. CDA-1276/BM-SCB/2014/

Islamabad Oct , 2014

Subject: Minutes of 16th CDA Board Meeting for the Year 2014.

16th CDA Board meeting for the year 2014 was held on **October 14, 2014 (Tuesday) at 10:00 A.M**, in the Conference Room of CDA Headquarter, Executive Block No. V, Khayaban-e-Suhrawardy, Sector G-7/4, Islamabad.

2. Following attended the meeting:

- 1) Maroof Afzal, (In Chair)
Chairman, CDA
- 2) Sher Bahadar Arbab,
F.A/Member.
- 3) Waseem Ahmed Khan,
Member (P & D).
- 4) Shahid Sohail,
Member (Engineering).
- 5) S.M. Mustafain Kazmi
Member (Environment)
(Look after charge)
- 6) Muhammad Wishaq,
Secretary CDA Board.

3. Chief Commissioner ICT and Commissioner Rawalpindi as members of the Board could not attend the meeting. Nadia Saquib Director (Admin) as representative of Chief Commissioner ICT attended the meeting as observer. In addition to the Chairman/ Members, Deputy Director General(L&E) (for items No.1,2,3 & 4), DDG(Finance) (for Non Agenda item No.II) Deputy Director General-HRD (for item Non Agenda-I) attended the meeting. Meeting commenced with the recitation of "Holy Quran" by Mr. Muhammad Wishaq, Secretary CDA Board. Thereafter agenda items were taken up for discussion and the following decisions were made:-

16.1. ALLOTMENT OF PLOTS TO AFFECTEES IN I-12 IN LIEU OF I-14.

10505/1276/BM/'14

14-10-'14/16TH

DECISION

The Board principally approved allotment of alternate plots to affectees in sector I-12 subject to receipt of an affidavit by the affectee showing his/her willingness for allotment of alternate plot in I-12, as proposed in the above summary. The balloting for the plots will be done after finalization of equal number of plots.

Action By: DDG (L&E)

16.2 ALLOTMENT OF PLOTS TO THE AFFECTEES OF VILLAGE BHEKA SYEDAN.

10506/1276/BM/'14

14-10-'14/16TH

DECISION

The Board principally approved the proposals contained in the above summary

Action By: DDG (L&E)

16.3 ALLOTMENT OF PLOTS TO THE AFFECTEES OF VILLAGE BHADANA KHURD, SANGJANI IN I-10, I-11, MARGALLA TOWN, CHAK SHAHZAD.

10507/1276/BM/'14

14-10-'14/16TH

DECISION

The Board principally approved the proposals contained in the above summary.

Action By: DDG (L&E)

16.4 PLACEMENT OF CASE OF MR. SHAHID AHMED BEFORE CDA BOARD IN LIGHT OF WAFAQI MOHTASIB FINDINGS DATED 12-01-2014.FOR REGULARIZATION OF PLOT. # 323, G-11/3.

10508/1276/BM/'14

14-10-'14/16TH

DECISION

The Board did not approve the regularization of plot No.323, Sector G-11/3 in favour of Mr. Shahid Ahmed S/O Nisar Ahmed Malik.

Action By: DDG(L&E)

Director EM-I(West)

16.5 AUDIT PARA REGARDING COVERED AREA CHARGES IN RESPECT OF PLOT NO.13 (AVARI HOTEL), MARKAZ G-6, ISLAMABAD.

10509/1276/BM/'14

14-10-'14/16TH

DECISION

Deferred till next Board meeting..

**Action:- Member(P&D)
Director (BC)
DDG(Finance)**

NA-I **EX-POST FACTO APPROVAL REGARDING REQUISITIONING THE SERVICES OF OFFICER IN CDA ON DEPUTATION BASIS.**

510/1276/BM/'14
-10-'14/16TH

DECISION

Keeping in view the advice of the Law Directorate the Board approved the proposal at para 3(ii) of the summary to delegate the power of the Board conferred under clause 10-B of Revised Schedule of Financial & Administrative Powers, 2007 to Chairman, CDA for requisitioning the services of officers of BS-17 and above in CDA on deputation basis.

**Action By: Member (Admin)
DDG(HRD).**

NA-II **TRANSFER OF PUBLIC BUILDINGS AREA TO CDA, IN PRIVATE HOUSING SCHEMES.**

10511/1276/BM/'14
14-10-'14/16TH

DECISION

The Board approved the proposal regarding transfer of Public Building sites in Private Housing Schemes to CDA. Cases where NOC's already issued without transfer of public building sites, sponsors be directed to get the public Building sites transferred in favour of CDA. In case of failure to do the needful, NOC's previously issued be withdrawn after issuance of proper notice. However, withdrawal decision be taken at least at Member Planning Level.

**Action By: Member (Planning)
Director (Housing Societies)
Director(Regional Planning)**

NA-III **IMPROVEMENTS IN MODALITIES AND PROCEDURES FOR PLANNING AND DEVELOPMENT OF HOUSING SCHEME IN ISLAMABAD.**

10512/1276/BM/'14
14-10-'14/16TH

DECISION

The Board approved the proposed modification (column 4) with slight amendment indicated in bold as per following details:-

No	Reference /Clause/ Proposition	Ambiguity	Proposal	Rational
1.	2.	3.	4.	5.
	<p>Allocation of Open spaces/Play grounds in <u>the housing schemes.</u></p> <p>i) 8% of the scheme area is to be reserved for open spaces/Parks, for housing schemes in Zone 2 & 5 of Islamabad.</p> <p>ii) 15% of the scheme area is to be reserved for open spaces/Parks for housing schemes in Zone-4 of Islamabad. (open spaces in zone-4).</p>	<p>Sponsors also include incidental open areas i.e., areas alongside nullahs in the scheme to meet the required 8% land, instead of providing regular shaped open spaces/play grounds. The incidental/irregular shaped open spaces eat up the land meant for proper parks/play grounds.</p>	<p>i)-Minimum 6% area (for Zone 2 & 5) and 12% area (for Zone 4) shall be in the shape of regular parks/playgrounds.</p> <p>ii)-whereas 2% open space (for Zone 2 & 5) & 3% area (for Zone 4) can be accommodated along Nullah and incidental open spaces.</p> <p>iii)-The provision of 6% area in schemes planned in zone 2&5 and 13% in Zone-4 should include at least one multipurpose play ground (measuring 220' x 320').</p>	<p>To provide proper parks /playgrounds to the residents of the scheme for multiple recreational activities.</p>
	<p>RELEASE OF MORTGAGE PLOTS.</p> <p>Clause 3 of Mortgage Deed reads as under:-</p> <p>The Authority shall release the mortgaged plots in proportion to the development that may be completed by the sponsor proportionate to development executed at site as per following criteria:</p> <p>i- On completion of 10% of development works, 10 % of mortgaged plots will be released.</p> <p>ii- On completion of 20% of development works, another 10 % of mortgaged plots will be released.</p> <p>iii- On completion of 30% of development works, another 10 % of mortgaged plots will be released.</p> <p>iv- On completion of 40% of development works, another 10 % of mortgaged plots will be released.</p> <p>v- On completion of 50% of development works, another 10 % of mortgaged plots will be released.</p> <p>vi- On completion of 60% of development works, another 10 % of mortgaged plots will be released.</p> <p>vii- On completion of 70% of development works, another 10 % of mortgaged plots will be released.</p> <p>viii- On completion of 80% of</p>	<p>Clause 3 allows release of land proportionate to development</p> <p style="text-align: center;">whereas,</p> <p>clause 6(g) restricts its release till entire scheme is fully developed in accordance with the approved plan and design of services.</p>	<p>Clause 6(g) may be read as under:-</p> <p>That it shall keep the 20% (minimum) of the property mortgaged with the Authority as security till the entire scheme is fully developed in accordance with the approved plan and design of services.</p>	<p>The amendment in clause 6(g) is required to follow clause 3 of Mortgage Deed.</p>

No	Reference /Clause/ Proposition	Ambiguity	Proposal	Rational
1.	2.	3.	4.	5.
	<p>development works, another 10 % of mortgaged plots will be released.</p> <p>ix- On completion of 100% of development works, remaining 20 % of mortgaged plots will be released.</p> <p>However, Clause 6(g) reads as under:-</p> <p>That it shall keep the property mortgaged with the Authority as security till the entire scheme is fully developed in accordance with the approved plan and design of services.</p>			
	<p>PENALTY REGARDING LATE TRANSFER OF <u>LAND</u>.</p> <p>Clause No.11 of CDA's Board Decision taken in Meeting held on 17-01-2012 is reproduced as under.</p> <p><i>"Penalty be imposed @ Rs.300/kanal per 3 months for late transfer of land allocated for Roads, Parks/PlayGround/ Open Spaces/Nullahs, Amenities"</i></p>	<p>While processing late transfer of land In some cases fee was charged on whole area of the scheme and in other cases fee was charged on actual area to be transferred i.e., area under Roads/Parks/Play Grounds, Amenities, Graveyards, etc.</p>	<p>Penalty may be imposed only on area which is liable to be transferred in the name of CDA.</p>	<p>If penalty is imposed on whole scheme area it will also include residual commercial, residential area etc which is not justifiable. Further more, it is a periodic fee which is imposed every three months therefore it is not justified to impose on whole scheme area.</p>
	<p>PENALTY REGARDING LATE MORTGAGE OF <u>LAND</u>.</p> <p>Clause No.12 of CDA's Board Decision taken in Meeting held on 17-01-2012 reproduced as under:-</p> <p><i>"Penalty be imposed @ Rs.300/kanal per 3 months for late mortgage of saleable area"</i></p>	<p>The decision is silent about area for which penalty is to be imposed i.e.,</p> <p>i)-Total area of scheme or ii)-Total saleable area of the scheme or iii)- 20% of the saleable area which is to be mortgaged.</p>	<p>Penalty may be imposed for proportionate area which is liable to be mortgaged in the name of CDA i.e., 20% of saleable area.</p>	<p>This is a regular fee imposed every after 3 months therefore it is not justified to impose it on total scheme area.</p>
	<p><u>Restoration of Layout Plan/NOC</u></p> <p>Due to non compliance to the terms and conditions of Layout Plan Approval (by the sponsors of the scheme), CDA withdraws the Layout Plan approval of the scheme. At a later stage, sponsors of the scheme request for restoration of previous approval, but prevailing regulations are silent about this important issue.</p>	<p>Over the period of time there might be some changes in land ownership and possession information, which might not hold good for reprocessing of approval of the scheme area.</p>	<p>The Layout Plan may be restored subject to fulfilment of following formalities:</p> <p>i)- Fresh verification of latest revenue papers and Public Notice regarding revenue record to call objections. ii)- Payment of fresh scrutiny fee for processing of restoration of the layout plan . iii)- Submission of undertaking by the</p>	<p>Since authority issues public notices regarding with drawl of Layout plan, therefore the revenue papers may be got verified through public notices. Subsequent to</p>

No	Reference /Clause/ Proposition	Ambiguity	Proposal	Rational
1.	2.	3.	4.	5.
			sponsors that all codal formalities will be completed within three month from restoration of Layout Plan of the scheme. If sponsor fails to complete the formalities within this time, the layout plan approval will be withdrawn without any further notice.	verification of revenue papers, fee/penalties may be recovered for processing of restoration of layout plan.
	<p><u>Change in the name of a Housing Scheme.</u> Whether the request for change of name of Housing Scheme be accepted after issuance of NOC. If yes what should be the precautionary measures.</p>	Modalities and Procedures are silent about this situation.	<p>For processing the request for change of name, the sponsors of the scheme will have to furnish the requisite documents advised by Law Dte (Office of the CDA's Legal Advisor) for further vetting. The documents will comprise the following:</p> <ul style="list-style-type: none"> i) Affidavits/undertaking/indemnity bonds by new management of company regarding security of money/liabilities interest/protection of allottees. ii) Disputes/liabilities, interest, litigation etc of the allottees/stake holders, if any may be settled. iii) Public notices may be issued in various daily newspapers, media and website of CDA as well. iv) Company resolution passed regarding the change of name of the Project. v) Original resolution passed regarding change of name of the company. vi) Memorandum of association of company regarding change of name of the project. vii) Sponsors to undertake regarding liabilities and assets of the housing scheme before and after the change of name of the scheme. <p>2. Subsequent to vetting/clearance from Law Dte (LA Office, CDA) following formalities shall be completed in order to formally complete the procedure for change of name of layout plan of the scheme.</p> <ul style="list-style-type: none"> I) Revised mortgage and transfer deeds with the new name in favour of CDA. II) Public Notices by CDA regarding detail of saleable area 	

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1.	2.	3.	4.	5.
			<p>at the disposal of sponsors for marketing.</p> <p>III) Receipt of scrutiny fee for processing the change of name (double the prevailing scrutiny fee of layout plan of the scheme).</p> <p>IV) In case NOC have been issued then with change of Name NOC will again require approval of CDA Board.</p> <p>V) Any other condition can be imposed to safeguard the interest of the allottees.</p>	

**Action By: Member (Planning)
Director (Housing Societies)
Director(Regional Planning)**

The meeting concluded with a word of thanks to and from the Chair.

