

**CONFIDENTIAL**

**CAPITAL DEVELOPMENT AUTHORITY**  
**(Directorate of Coordination)**

No.CDA-1225/BM-Coord/2012/

Islamabad Feb 2012.

**Subject:- MINUTES OF THE 3<sup>RD</sup> MEETING OF CDA BOARD FOR THE YEAR 2012.**

The 3<sup>rd</sup> meeting of the CDA Board for the year 2012 was convened on Wednesday, Thursday and Friday on 15, 16 and 17<sup>th</sup> February, 2012 at 1.00 P.M, 11.30 A.M and 3.00 P.M respectively in Conference Room of CDA Headquarters and Convention Centre, Islamabad with the Chairman, CDA presiding.

2. The following were in attendance:-

- 1) Engr. Farkhand Iqbal, **In Chair**  
Chairman, CDA.
- 2) Mr. Javaid Jehangir,  
F.A/ Member.
- 3) Mr. Shaukat Ali Mohmand,  
Member (Admin).
- 4) Mian Waheed-ud-Din,  
Member (Environment).
- 5) Mr. Khalid Mahmood Mirza,  
Member (Estate).
- 6) Mr. Abdul Aziz Qureshi,  
Member (P & D).

- 7) Mr. Sanaullah Aman,  
Member (Engineering).
- 8) Dr. Raja Mustafa Hyder,  
Secretary CDA Board.

3 The following officers were in attendance and participated:-

- 1) Mr. Ghulam Sarwar Sandhu,  
D.G (Planning), CDA.
- 2) Mr. Faisal Nisar Chaudhary,  
Director (Estate Management-I), CDA.
- 3) Mr. Waqar Ali Khan,  
Director (Estate Management-II), CDA.
- 4) Capt. (Retd) Farid-ud-Din,  
Director Lands & Rehabilitation, CDA.
- 5) Mr. Faisal Saeed Cheema,  
Dy. Financial Adviser-I, CDA.
- 6) Mr. Qasim Raza,  
Director (IT), CDA.

4. Mr. Manzar Javed Ali, Deputy Director (Dev), ICT, attended meeting on behalf of Chief Commissioner (ICT), Islamabad and Commissioner, Rawalpindi could not attend the meeting.

5. Meeting commenced with the recitation of “Holy Quran” by Dr. Raja Mustafa Hyder, Secretary CDA Board.

6. The following agenda items were taken up for discussion and following decisions were taken:

**6.1 PRESENTATION BY PLANNING WING ON**  
10098/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>  
**EXTENSION OF BLUE AREA, F-9 AND G-9.**

**DECISION**

D.G (Planning), gave a presentation on extension of Blue Area, F-9 & G-9. He highlighted the planning parameters and proposed design of the site in which FAR was 1:10 and maximum permissible area was 81000 square feet. The maximum permissible height was 220 feet with minimum set backs of 15 feet on either side of public sit out area and 10 feet towards CDA parking. The use of plot for the first 04 floors was for commercial activities / offices and the above was for apartments and offices. Parking was provided @ one car space for every 500 square feet covered area and no commercial activities were allowed for the approved 02 storey basement. The Board approved the above proposal in its entirety. The Chair also directed that a summary on utilization of land on Kuri Road should be brought forth by the concerned Wings in the next Board meeting.

**Action: Member (Planning)**  
**DG (Planning)**

**6.2** **PRESENTATION ON SITE SELECTION FOR WEEKLY BAZAR IN LIEU OF EXISTING SITE IN THE 11<sup>TH</sup> AVENUE.**  
10099/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>

**DECISION**

DG (Planning), gave a presentation on site selection for Weekly Bazar in lieu of existing site in the 11<sup>th</sup> Avenue. The Board examined the proposed site on the Kashmir Highway and directed that second direct link from Kashmir Highway is to be avoided on the left side of the plot. The site would be located at distance of 300 feet and 100 feet from the main road and service road respectively. The same was approved by the CDA Board in its entirety as per planning parameters laid down in the presentation. Furthermore, it was directed that a pedestrian bridge be planned to connect G-11 Sector to the Weekly Bazar site.

**Action: Member (P & D)**  
**Member (Engg)**  
**D.G (Planning)**

**6.3** **PRESENTATION ON LOW INCOME HOUSING SCHEME IN ZONE-IV.**  
10100/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>

**DECISION**

D.G (Planning), gave a presentation on the proposed site for Low Income Housing Scheme in Zone-IV and showed the proposed site on Power Point which was located approximately 03 Kilometers from Tramari Chowk. The Chair directed that

the scheme be executed on top priority basis and directed that Planning Wing, Directorate of Lands & Rehabilitation, Directorate of Enforcement and Land Survey Division should synchronize their efforts to ensure CDA's possession of the subject land and further directed that pickets be established in the area and uniformed personnel be provided for vigilance purposes. The Chair directed that D.G (Planning) simultaneously prepare a conceptual plan within 10 days which should be presented before the CDA Board for final approval. The Board also nominated Member (Estate) to oversee and coordinate the activities of the Land Survey Division, Tehsildar, Patwari to sort out any issues before they crop up as a hurdle for the Authority in implementation of the said scheme. The Chairman, CDA at this point remarked that successful people and organizations are those who listen and learn from their past mistakes. The Board further directed that adequate number of sites be planned for Schools, Guest Houses etc. so as to avoid problems which the CDA is facing in other Sectors. The Chair remarked that the above planning parameter is very important to decrease the menace of non-confirming use in the Capital City. The Board approved the proposed layout plan of the Low Income Housing Scheme with the above observations.

**Action: Member (P & D)**  
**D.G (Planning)**  
**Director (L&R)**  
**Dir. (Enforcement)**  
**Dir. (Land Survey Div)**

**6.4** **PRESENTATION ON APPROVAL OF SITE FOR MEDIA CITY & APARTMENTS IN DIPLOMATIC ENCLAVE.**

10101/1225/BM/12  
15,16,17-02-'12/3<sup>RD</sup>

**DECISION**

D.G Planning), gave a presentation for approval of site for Media City apartments in Diplomatic Enclave. The Board approved the alternate site in Diplomatic Enclave instead of Diplomatic Enclave Extension. However, the Chairman, CDA remarked that Planning Wing should keep in mind the right of privacy of Diplomats' offices and residences in the area, and the height of the proposed structures should be curtailed and planned keeping in mind this point. D.G (Planning) showed in the presentation that the Media City building will comprise offices, studios, conference halls, shopping centre and other allied uses. The Board approved the proposal of Ground + 3 floors and maximum ground coverage of 50%. The Board also directed D.G (Planning) to keep the set backs at 100 feet instead of 50 feet in order to ensure privacy of Diplomats residing adjacent to the proposed site. The Board also directed that the architectural plan be prepared by the Architecture Directorate of Planning Design Wing and approved the proposal as presented by D.G (Planning) with the above observations.

**Action: Member (P & D)**  
**D.G (Planning)**

10102/1225/BM/12  
15,16,17-02-'12/3<sup>RD</sup>

**6.5 SETTLEMENT OF CLAIM LODGED BY MULTI PROFESSIONALS COOPERATIVE HOUSING SOCIETY (MPCHS) – NORTHERN STRIP SECTOR E-11**

Director Lands & Rehabilitation, explained to the Board that CDA Board vide its meeting held on 03-06-2011 constituted a Committee/Commission consisting of 08 members (04 members from CDA and 04 external members) headed by Mr.Haroon-ur-Rasheed, Advocate Supreme Court of Pakistan the then President Islamabad Bar Association Islamabad to ensure transparency and impartiality in adjudication of claim preferred by Multi Professionals Cooperative Housing Society (MPCHS) in the light of judgment of Supreme Court of Pakistan dated 15-04-2011, for an amount of Rs.2,036,275,028/- vide their letter No.MP/MC/JV/CDA-3/NS/2011 dated 06-05-2011.

The Commission/Committee deliberated itemwise on the claim submitted by MPCHS verifying the documents presented by MPCHS and declared that the an amount of Rs.875,647,750/- for Item No.1 is factually verifiable and therefore authentic. Similarly, the Commission also recommended a sum of Rs.18,109,021/- against Item No.2 as authentic and admissible. Details of amounts claimed by MPCHS and those recommended by the Commission are given as **Annex-I**. Against the total

claim of Rs.2,036,275,028/-, the Commission recommended an amount of Rs.1,656,423,883/- as verifiable from documentary evidence made available by MPCHS to the Commission. The above amount included Financial Charges for a sum of Rs.351,948,826/- detailed in sub para-3 of its recommendations required to be got verified by the well reputed firm of Chartered Accountants to assess whether the subject amount is payable **in view of best industry practices as well as applicable laws of Pakistan**. CDA members of the Commission/Committee viz: Mr.Asad Kiyani, Mr.Ghulam Sarwar Sandhu and Mr.Waqar Ali Khan recommended that verification of claim on account of vacation of possession of land viz: Item No.1 & 2 be referred to an independent well reputed audit firm as advised by the Planning Commission for audit.

CDA Board vide its decision dated 30-09-2011 accepted as under:

- i) The Board accepted recommendations of the Commission in respect of admissibility / verification of Financial Charges from well reputed Audit Firm of Chartered Accountants as per applicable laws of Pakistan. It was further decided that the Firm appointed for the purpose of audit related to vacation of possession of land as described, should also be asked to advise on the admissibility of Financial Charges. **Out of total of Rs.1,656,423,883/- that stand factually verified by**



**the Commission as having been spent by MPCHS,** the Board decided that the heftiest claim of expenditure on account of vacation of possession of land ought to be subjected to further financial scrutiny in order to ensure that there remains no possibility of any objection being raised in relation to such claim. Consequently, the Board decided that an amount of Rs.875,647,750/- (Item NO.1) out of total amount verified by the Commission should be referred to the Deputy Commissioner/Registrar Cooperative, ICT Islamabad with the request to appoint a well reputed Audit Firm of Chartered Accountants from the approved panel. The TORs for the audit of the amount on account of vacation of possession of land will be prepared by Member (Estate).

- ii) The Board decided that out of total amount of Rs.1,656,423,883/- verified by the Commission, claims in relation to actual development charges, payment in lieu of utilities and Govt. fees etc. backed by public record and vouchers for the amount of Rs.316,526,398/- million may be paid to MPCHS as recommended by the Commission.

In the meantime, MPCHS filed a Civil Suit NO.256/2011 against CDA in Islamabad High Court Islamabad for recovery of Rs.2.84 billion with compensation at 16% per annum from the date of decision dated 15-04-2011 of the Hon'ble Supreme Court of Pakistan in Suo Moto Case No.13/2009 till final disbursement of the entire amount and cost of proceedings. CDA Board approved the following Terms of Reference (TORs):-

- i) The Firm shall verify from the records, audit and certify for payment of the amount admissible to MPCHS under Item 1 of Annexure-I submitted by MPCHS entitled "Vacation 518 K – 09 M land and Built-Up Property (BUP)" against vacation of land.
- ii) Determine the admissibility of Financial Charges, its amount in view of best industry practices as well as applicable laws of Pakistan.
- iii) Time framework for the Audit is 06 weeks from the date of receipt of documents to the issuance of verification report.
- iv) Any further information/record required may be obtained from MPCHS or CDA.

In view of the above decision of CDA Board, Director (L&R) approached Deputy Commissioner/Registrar Cooperative, ICT Islamabad vide letter No.CDA/DLR/E-11/JV/2011/513 dated 25-11-2011 for appointment of a well reputed firm of Chartered Accountants from amongst those on their approved panel and also determine the fee payable to them which will be paid by CDA. Deputy Commissioner/Registrar Cooperative, ICT Islamabad returned the case stating that the Judgment of Hon'able Supreme Court of Pakistan did not entail any action by Cooperative Department as for appointment of auditors is concerned. CDA again vide its memo No.CDA/DLR/E-11/JV/2011/516 dated 28-11-2011 addressed to the Deputy Commissioner/Registrar

Cooperative, ICT Islamabad elaborated the earlier decision by CDA Board dated 30-09-2011 and requested to depute a well reputed firm of Chartered Accountants intimating that the Terms of Reference (TORs) remain the same as already intimated to them vide letter dated 25-11-2011.

Circle Registrar Cooperative Department, ICT Islamabad inviting a reference to CDA letter Nos.CDA/DLR/E-11/JV/2011/513 dated 25-11-2011 and CDA/DLR/E-11/JV/2011/516 dated 28-11-2011 appointed M/S Shoaib Asad & Co., Chartered Accountants, Suite No.9-A (3<sup>rd</sup> Floor), Imtiaz Plaza, 85-Shahrah-e-Quaid-e-Azam, Lahore and allocated the special audit of MPCHS Islamabad to verify the claim of the Society about Northern Strip Sector E-11, Islamabad, submitted to CDA Islamabad regarding Item No.1 (Vacation of land and BUP), Item No.2 (commission regarding vacation of land) and Item No.17 (Financial Charges). It was stated that audit shall be conducted strictly as per Cooperative Societies Act 1925 and Cooperative Societies Rule 1927 as well as his office letter No.762/CR/ICT/B dated 25-11-2011. The Auditors were further directed that they may complete the audit as early as possible and submit a report to CDA under intimation to Circle Registrar Cooperative Department, ICT Islamabad.

M/S Shoaib Asad & Co., Chartered Accountants vide their memo dated 10-12-2011 addressed to Director (L&R) CDA and President MPCHS confirmed their acceptance and understanding of this engagement at a professional fee of Rs.1,200,000/- plus out of pocket expenses. Letter dated 10-12-2011 was accepted by CDA as well as MPCHS.

The credentials of the Audit Firm were requested to be provided and vide letter dated 17-01-2012 and Circle Registrar ICT provided profile of M/s Shoaib Asad & Co.

### **Annex-II**

M/S Shoaib Asad & Co., Chartered Accountants vide their memo dated 13-12-2011 requested CDA to provide certain documents which were provided to them. They also demanded documents from MPCHS vide their letter dated 13-12-2011 which were provided to them and they thoroughly audited the same.

### **Report by Auditors**

M/S Shoaib Asad & Co., Chartered Accountants through their letter dated 21-11-2012 addressed to Director (L&R) CDA has submitted Assurance Report on documents submitted by MPCHS with its claim regarding Joint Venture on Northern Strip Sector E-11 with CDA, along

with their bill of Professional Charges and out of Pocket expenses for payment. Copy of the report is placed at **Annex-III**. The Chartered Accountants vide conclusion at the end of the report based on their examination of the records along with supporting documents made available to them and the legal opinion obtained by them concluded in respect of their scope of their work as follows:

- i) "The claim of MPCHS regarding vacation of land measuring 518 kanals & 09 marlas land is hereby verified to the extent of Rs.875,647,750/-".
- ii) "The claim of MPCHS in respect of commission paid is hereby verified to the extent of Rs.18,109,020/-".
- iii) "The Financial Charges claimed by MPCHS are admissible as per legal opinion obtained by us and in our opinion, as per best industry practices, we have worked out and recommend an amount of Rs.303,519,934/- in this respect from the dates of payment of expenditures by MPCHS till April 15, 2011".

The amounts verified and recommended by the Commission/Committee and verified by M/S Shoaib Asad & Co, Chartered Accountants are compared as under:-

<u>Item No.</u>	<u>Description</u>	<u>Recommendations of Committee/Commission</u>	<u>Recommendations of M/S Shoaib Asad &amp; Co, Chartered Accountants</u>
1.	Vacation of 518 K – 09 M land and Built-up Property (BUP).	Rs.875,647,750/-	Rs.875,647,750/-

2.	Commission paid to Mr.Rashid Mahmood Khan for vacation of 518 k – 09 M land.	Rs.18,109,021/-	Rs.18,109,020/-
17.	Add Financial Charges	Rs.351,948,826/-	Rs.303,519,934/-
	<b>SUB-TOTAL:</b>	<b>Rs.1,245,705,597/-</b>	<b>Rs.1,197,276,704/-</b>
16.	MPCHS Overheads, Service Charges, Admin Charges, Security Charges, Audit & Pensionary Charges @ 7.5% (less already paid).	<u>Rs.67,031,758/-</u>	<u>Rs.67,031,758/-</u>
	<b>GRAND TOTAL:</b>	<b>Rs.1,312,737,355/-</b>	<b>Rs.1,264,308,462/-</b>

MPCHS vide its letter No.MP/MC/JV/CDA-5/2012 dated 06-02-2012 insisted for payment of its claim immediately. The stay granted by the Hon'ble Islamabad High Court Islamabad regarding payment under head "vacation of land" vide Writ Petition No.2442/2011 filed by Mr.Anwar Aziz Khan & others against CDA & others has been dismissed by the Hon'ble Islamabad High Court Islamabad on 26-01-2012.

He requested CDA Board to consider:

- i) The recommendations of M/S Shoaib Asad & Co, Chartered Accountants for an amount of Rs.1,264,308,462/- payable to MPCHS and
- ii) Rs 14,97,500/- as Professional Fee plus out of pocket expenses payable to M/S Shoaib Asad & Co., Chartered Accountants.

**DECISION**

F.A / Member, gave a brief overview to the CDA Board on the issues pertaining to MPCHS claim. He was assisted by Director Lands & Rehabilitation in presenting the background of the case. The CDA Board after examining the background of the case and the findings of the Commission and Audit, constituted for scrutinizing the claim of MPCHS, principally approved the MPCHS claim, subject to availability of funds.

**Action: Member (Estate)  
F.A / Member  
Director (L & R)**

**6.6 ROAD / STREET IN THE NAME OF EX-MINISTER  
SHAHBAZ BHATTI (LATE) IN SECTOR I-8,  
ISLAMABAD.**

10103/1225/BM/12  
15,16,17-02-'12/3<sup>RD</sup>

**DECISION**

Director General Planning, presented the summary pertaining to naming the of Road / Street in the name of Ex-Minister, Shahbaz Bhatti (Late) in Sector I-8, Islamabad. He informed the Board that personality of Mr. Shahbaz Bhatti, does not

fulfill the criteria as per laid down policy for the matter. The Board after examination of policy and the facts of the case did NOT approve the proposal as it did not meet the laid down criteria.

**Action: D.G (Planning)  
Director (TE&TP)**

**6.7 ALLOTMENT OF RESIDENTIAL PLOT IN LIEU OF ACQUIRED BUP IN SECTOR I-10.**

10104/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>

Director Lands & Rehabilitation, explained to the Board that the case pertains to allotment of residential plot to the legal heirs of Mst. Noor Jan W/o Noor Bukhsh an affectee of Village Chahan. As per Award of Village Chahan dated 06-03-1976, the built up property of Mst. Noor Jan W/o Noor Bukhsh was acquired and possession taken over by the CDA. The area falls in Sector H-10 (International Islamic University). The payment of compensation has been made to the legal heirs of the affectee. The affectee has not been issued E.C. Mst. Noor Jan W/o Noor Bukhsh has not been allotted any plot. Mst. Noor Jan W/o Noor Bukhsh has expired and following were determined as her only legal heirs by the Assistant Director (Land):-

- i) **Mr. Shahzad Munir S/o Noor Jan.**
- ii) **Mst. Motia Begum D/o Noor Jan.**
- iii) **Mst. Khaliq Bibi D/o Noor Jan.**
- iv) **Mst. Fuqraj Begum D/o Noor Jan.**
- v) **Mst. Gulshan Bibi D/o Noor Jan.**



According to the Award the affectee has lot 666 Sft BUP in acquisition to CDA. The affectees of Village Chahan whose BUP was acquired on 06-03-1976 were allotted residential plots in Sector I-10. The affectee is demanding that to meet the end of justice he may also be allotted plot in I-10 like other affectees of Chahan who have already allotted plots in Sector I-10 whereas the affectees of other Sectors are allotted plots in Sector I-14 & I-12.

In similar case CDA Board in its meeting held on 18-10-2010, has already allotted Plot No. 1275-N measuring 25 X 50 in Sector I-10/1, Islamabad to the affectee of same village, at par with the other affectees of this village who were allotted plots in Sector I-10.

### **DECISION**

Director Lands & Rehabilitation, presented the summary pertaining to allotment of residential plot in lieu of acquired BUP in Sector I-10 in the case of legal heirs of Mst. Noor Jan Wife of Noor Buksh, an affectee of Village Chahan. He informed the Board that in a similar case, the CDA Board in its meeting held on 18-10-2010 has already allotted Plot No. 1275-N measuring 25' X 50' in Sector I-10/1, Islamabad to an affectee of the same village at par with other affectees of the village who were also allotted plots in Sector I-10. The CDA Board on the analogy of the above approved the allotment of

residential plot to the legal heirs of Mst. Noor Jan W/o Noor Buksh, an affectee of Village Chahan in Sector I-10.

**Action: Member (Estate)  
Director (L&R)**

**6.8 TRANSFER OF SHARE – PLOT NO. A-16, P&V SCHEME NO. II, PARK ROAD, CHAK SHAHZAD, ISLAMABAD. (WAFaqI MOHTASIB CASE).**

10105/1225/BM/12  
15,16,17-02-'12/3<sup>RD</sup>

Director Estate Management-II, explained to the Board that It is submitted that plot No. A-16, measuring 2.72 acres, P&V Scheme No.II, Park Road, Chakshahzad. Islamabad was jointly allotted in the names of Five Co-allottee viz ( I ) Majeed Hassan Naqvi. ( 2 ) Khurshid Hassan Naqvi (3) Feroza Tehsin Naqvi (4) Mrs. Farhat Qaseem Naqvi (5) Mrs. Rahat Takeen Naqvi Sons / daughter of Syed Ahmed Hassan Naqvi. Out of five co-allottee Mst. Syeda Feroza Tehsin Naqvi and Mrs Rahat Taskeen Naqvi, Co-allottees applied for issuance of NDC for transfer of their shares. Their case for transfer could not be admitted at OWO Dte. in the light of clause 9 of chapter 6 of CDA Property Manual with the observation that “ **if one of the co-allottee wants to transfer his share all the other co-allottees shall have to surrender their original transfer letter so that revised letter are issued to them.**”

The impediment in this case are that a joint letter was in the names of five co-allottee. Out of these five co-allottee one Mr. Majeed ul Hassan Naqvi has expired. The original allotment / transfer letter is said to with the son of late Majeed ul Hassan

Naqvi, who is not co-operating with the other co-allottees. He is not surrendering the said letter and thus holding the other co-sharers hostage.

The effected co-allottees lodged a complaint in the Honourable Wafaqi Mohtasib under Compliant No. H/8258/2010 dated 7-10-2010 for the redressal of their grievance the Advisor of the Wafaqi Mohtasib, Syed Yaseen Ahmed has advised as under:-

“It was decided by the consensus of all above participation that prescribing such a condition in case of transfer of all shares in an Agro Farm Scheme which was beyond the control of such buyer, was against the fundamental principal of justice and fairplay and required to be reviewed by the CDA Board. “ it was, therefore, agreed that the Estate Management Directorate of the CDA would prepare a detail working paper of this case for CDA, highlighting the genuineness of complainant’s hardship case viz-a-viz Clause 31 of Chapter 6 of the CDA property Manual and proposition of adopting the procedure of transfer of commercial property shares as contained in clause 9-10 of Chapter 6 of CDA property Manual in case of transfer of shares / ownership in Agro Farm case of else any other appropriate solution which the CDA Board may deem appropriate in the interest of justice and fair-play the matter”

Keeping in view the above, he proposed following options for consideration of CDA Board:-

- i). the allottee of Agro Farms may be treated under Clause 9-10 of Chapter 6 of property Manual i.e “ **A jointly owned property can be transferred by one of the co-allottee to the extent of his share without consent other co-allottee**” as per practice in vogue in commercial property.

**OR**

- ii) Approval may be accorded for transfer of share of MST. Syeda Faroza Naqvi and Mrs. Rahat Tehseen Naqvi Co-allottee of plots No. A-16, P&V Scheme No. II, Park Road, Chakshehzad, Islamabad as a Special Case. In case this proposal is accepted then the case may be admitted by OWO on the basis of “Ownership Certificate” that would be issued by DEM-II. However, this being an exception, “ Ownership Certificate” would not be considered as an alternative to Allotment Letter in other cases.

### **DECISION**

Director Estate Management-II, presented the case pertaining to transfer of share of Plot No. A-16, P&V Scheme No. II, Park Road, Chak Shahzad, Islamabad. The Board after hearing the synopsis of the case as presented by Director Estate Management-II and examining the observations of the Wafaqi Mohtasib on the matter and directed that the original old allotment letter in possession of one of the Co-allottees namely S/o Mr. Majeed-ul-Hasan Naqvi, be cancelled and a new allotment letter be issued to all the Co-allottees of the above mentioned property to notify their title in the said property. The

Board further directed that an amendment be made in the CDA Property Manual to notify that in future all title holders of a given property be issued separate allotment letters for facilitation of verification of their title.

**Action: Member (Estate)  
Director (EM-I)  
Director (EM-II)**

**6.9 RESTORATION OF ALLOTMENT OF PLOT NO. 39-40, INDUSTRIAL TRIANGLE KAHUTA ROAD, ISLAMABAD. (WAFaqI MOHTASIB CASE).**

10106/1225/BM/12  
15,16,17-02-'12/3<sup>RD</sup>

Director Estate Management-II, explained as under:-

- Plot No.39-40, I.T.K Road. Islamabad was allotted to Mr. Kamal Ahmed Artist on 25.05.83 @ Rs. 36,300/- per acre comes to Rs. 50,000/- and the total premium was paid by him.
- Due to late completion of the building i.e. 03-11-93 an amount of Rs. 2, 86,773/75 on account of extension charges was imposed.
- Notice and show cause notices were issued but the allottee did not make the payment of extension charges, so the plot was cancelled on 18-03-1998.
- Meanwhile, Mr. Kamal expired on 05-09-94 and Mr. Javed Iqbal, his son requested for transfer of plot in the names of legal heirs. He also submitted the document for transfer in the names of legal heirs on 24-06-1996.
- He was also liable to pay the balance outstanding dues extension charges. AGR and delayed etc Rs. 3, 08,455/-. The CDA board decided on 29-06-1998 to restore the allotment subject to payment of balance outstanding in three, two monthly installments.

- The original allottee / lessee Mr. Kamal Ahmed, Artist was died on 05-09-1994. on the request of legal heirs for transfer of the said plots they were to remit an amount of Rs. 3,07,366/- which were outstanding against them on account of extension charges. It is pointed out the price of the plot had been paid by the lessee. The allotment was cancelled due to non construction / payment of extension charges hold on restoration plot balance premium was demanded on 15-09-98 whereas nothing was due on account of price of the plot which also been confirmed sccount section. In fact dues other than premium were outstanding whereas restoration case was processed showing / intimating the due in account of premium erroneously.
- Restoration of allotment was issued on 15-09-98. He paid nothing and also not provided demanded document; therefore after issuance of notices, the restoration of allotment letter was cancelled on 09-03-2002.
- The widow of deceased filed a complaint with Wafaqi Mohtasib for restoration of plot, against which the Advisor of Wafaqi Mohtasib recommended on 22-09-2010 as under:-
  - i. “The complaint would pay upto date outstanding charges of Rs. 2,06, 323/- against her industrial plot No. 39-40 within a weeks time. Upon receipt of pay order for this payment from the complainant, the agency would submit the case of complainant to the competent authority for its approval for issuance of restoration letter, and
  - ii. Compliance report of the above recommendation shall be submitted to the Wafaqi Mohtasib Sectt. Within 15 days after the compliance deposit the pay order of above amount (Annex-A)”.
- As the complainant has deposited the total outstanding dues including restoration charges on 27-09-2010 according to the recommendation of Wafaqi Mohtasib dated 22-09-10, therefore, he placed the case before CDA Board for

consideration / accord of approval to restore the allotment of plot No. 39-40, Industrial Triangle Kahuta Road, Islamabad according to the recommendation of the Wafaqi Wafaqi Mohtasib.

### **DECISION**

Director Estate Management-II, presented the facts of case in respect to restoration of allotment of Plot No. 39-40, Industrial Triangle, Kahuta Road, Islamabad. The Board approved the restoration of allotment of Plot No. 39-40, Industrial Triangle, Kahuta Road, Islamabad, in line with the recommendations of the Wafaqi Mohtasib, after fulfillment of necessary codal formalities.

**Action: Director (E.M-II)**

### **6.10 WALK IN BIRDS AVIARY AT LAKE VIEW PARK.**

10107/1225/BM/12  
15,16,17-02-'12/3<sup>RD</sup>

Dy. Director General (Environment-I), explained to the Board that Walk-in-aviary is under construction at Rawal Lake View Park under the supervision of Special Project Directorate, CDA which is near to completion. During the presentation to the Chairman, CDA on 24-10-2009, it was decided that TORs for out sourcing the running, maintenance and operation of Walk-in-Aviary be prepared.

Accordingly TORs prepared and were approved by the Member (Environment). Technical & Financial Bids for out sourcing the Walk-in-Aviary were invited through press. Out

of five firms following three firms were technically qualified by the Evaluation Committee.

- i). M/S Blue Mask, Builders & Environment Developers, 60-C-I, M.M. Alam road, Gulberg-III, Lahore.
- ii). M/S Tameer International, 48-K, Model Town, Lahore.
- iii). M/S.. ASK Karobar, Mazzanine Floor, Rajpoot Plaza, Block-53, Fazal-e-Haq road, Blue area, Islamabad.

Financial bids of 03 technically qualified firms were opened by the Evaluation Committee comprising of Member Environment, Director General Environment, Dy. Director General Environment-II, Director Zoo & Wildlife, Deputy Financial Advisor-I, Director Environment Protection, and Consultant Zoo.

M/S. ASK Karobar, Islamabad offered the highest bid i.e.

1.	First Year	=	Free (Grace period)
2.	2 <sup>nd</sup> Year	=	Rs. 2556000/-
3.	3 <sup>rd</sup> Year	=	Rs. 2684000/-
4.	4 <sup>th</sup> Year	=	Rs. 2818000/-
5.	5 <sup>th</sup> Year	=	Rs. 2960000/-

(The firm will also deposit 10% as Security on taking of possession of the site).



The Chairman, CDA has approved highest bid after evaluation by the Accounts Officer, Environment-I, Deputy Financial Advisor-II, F/A Member. Member Environment, CDA.

Draft agreement prepared in the light of TORs has been vetted by Law Directorate / Legal Advisor.

He placed the Agreement for out sourcing the Walk-in-Aviary (running maintenance & operation) at Lake View Park before the CDA Board for consideration and approval.

### **DECISION**

DDG (Environment-I), presented the summary pertaining to out-sourcing of the Walk-in-Aviary located at Lake View Park, Islamabad. The Board approved the Agreement to out-source the Aviary to the highest bidder, namely M/S ASK KAROBAR. The remaining civil work was to be executed by the Special Projects Directorate but could not be completed due to default of the Contractor. The Chair directed Member Engineering that before out-sourcing the Walk-in-Aviary pending works be completed by the civil works contractor as per the approved PC-I. However, if the present civil works contractor is still not willing to complete the balance work then the remaining civil works be quantified and verified as per the approved PC-I and then approval be given to ASK KAROBAR for completion of the balance work. Written consent of M/s ASK KAROBAR be taken in writing for the same.

**Action: Member (Environment)  
Member (Engineering)  
DDG (Environment-I)  
Director Zoo & Wildlife**

**6.11 RESTORATION OF PLOT NO. 489-A, I-8/2, ISLAMABAD.**  
10108/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>

**DECISION**

Director Estate Management-I, presented the summary pertaining to restoration of Plot No. 489-A, I-8/2, Islamabad. The Board after hearing the observations noted that the plot has been restored many a times and therefore, directed that before the matter is decided, the original allottee be summoned in the next Board meeting in order to enable the Board to decide the matter once and for all.

**Action: Director (E.M-I)**

**NON-AGENDA ITEMS**

**(I) ALLOCATION OF SITE OPPOSITE TO THE MARKAZ IN DIPLOMATIC ENCLAVE FOR CONSTRUCTION OF RESIDENTIAL APARTMENTS.**  
10109/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>

**DECISION**

Director General Planning, presented a proposal pertaining to allocation of sites opposite to the Markaz in Diplomatic Enclave for construction of residential apartments. He proposed that the sites be auctioned for residential / commercial development. The Chairman, CDA, remarked that Shopping Malls / Offices should also be included in the apartments and further directed that the F.A.R of the subject

site should be 1:3 with a covered area of 160,000 Sq.ft . The Board gave approval to construct one Block on the planning parameters as determined by Planning Wing subject to final approval of the competent Authority. It was further decided that a Brochure be prepared after completion of necessary planning and codal formalities so that the site can be floated for auction. F.A / Member, however, pointed out that before approval of the same financial implications and feasibility of the project be worked out by the Planning & Finance Wings, so that there are no hurdles at the time of implementation.

**Action: Member (P&D)  
F.A / Member  
D.G (Planning)  
Director (P.R)**

**(II) HALF YEAR FINANCIAL OVERVIEW OF CDA AND PROJECTED FINANCIAL POSITION.**

10110/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>

**DECISION**

Member (Finance), presented the half yearly financial overview of CDA and projected financial position till June, 2012. He was assisted in his presentation by Director (IT) and Deputy Financial Adviser-I. The Worthy Member (Finance) stated that on 31-12-2011, CDA had only 6.5 Crore Rupees in its kitty. He highlighted the need to sensitize Revenue Generating Wings of CDA to be more pro-active in collection of revenues and specially requested that Estate Wing and Directorate of Municipal Administration synchronize their

efforts in collaboration with Finance Wing to make revenue generation more speedy and a reality. The Chair, directed that a strategy be made to recover CDA's outstanding Rupees 03.00 Billion liability stuck in various administrative and legal loop holes. He further directed that responsibility be pinpointed on relevant Directorates so as to ensure implementation of his directives. The Chairman, further remarked that high profile cases should be brought to the Chairman, CDA's notice by Director Estate Management-II in collaboration with Director General (Law) and their report should identify the status, litigation reasons and proposed future strategy for resolving the cases which will have a major impact on CDA's financial health. The Chair, further directed that a policy pertaining to cancellation and restoration of plots be implemented as per Bye-laws and directed relevant Wings of CDA to formulate a strategy in order to streamline the steps involved in processing of cases falling in these categories. Chairman, CDA, directed that after 03 reminders, properties cancelled be taken over by the Authority, after which the allottee should be given his refund after necessary deductions as per the codal formalities involved in the matter. The Chair further directed that non-issuance of completion certificates for residential towers causes loss in transfer fee and directed the relevant Wings to make a policy for regularization of these properties to bring the general public into the Revenue Net of CDA. He stated that people friendly rules be made by Building Control directorate in order to facilitate general public and increase revenue. Lastly, the

Chairman, CDA, directed that a strategy / policy be brought forth for under construction plots. F.A / Member, further went on in its presentation to say that he is expecting approximately 2.8 Billion Rupees from the sale of land which includes the 07 commercial plots recently auctioned. The Chairman, again remarked that revenue collection be sped up. Member (Estate), interjected at this point to add that unnecessary litigation is also causing delay. The Chairman, CDA, asked the Board Members for a proposal on how to rectify this position, Member (Estate), proposed that an internal meeting be convened comprising Member (Estate), F.A / Member, Member (Planning & Design), DDG (Building Control), Director Estate Management-I & II, under the helm of Chairman, CDA to brainstorm on the matter. The Chairman, CDA, remarked that since CDA has Municipality rights, it is the relevant body for transfer of titles. He stated that due to lack of issuance of completion certificates and flaws in the transfer policy, many cases are out of CDA's ambit. He directed that the transfer policy and issuance of completion certificates policy be revised as soon as possible and directed Member (P & D) to take the lead in this matter. Member (Environment), brought to the notice of the CDA Board the menace of non-conforming use to which the Chairman, remarked that the whole matter is an issue of supply a demand. F.A / Member, in his concluding remarks stated that Rupees 2.7 Billion are the pending liabilities of the Authority and the non-developmental expenditure of the Authority is Rs. 4.5 Billion. The Chair, at this point stated that

the first line of action would be a 3<sup>rd</sup> auction by the Authority followed by strategy on how to speedup collection of revenue and lastly a strategy be evolved for managing the Authority's expenditure. F.A / Member, further went on to appeal to the CDA Board to cut indiscriminate hiring of daily wages staff as the same is an immense burden on the Authority's exchequer. He further stated in his views that the CDA Board does not have the power to give approval for daily wages employees of BPS-17 and above. The Worthy Member, further proposed that a mechanism be got approved for engaging such staff in future in consultation with Finance Division and Establishment Division, Government of Pakistan. F.A / Member, further proposed a meeting with Member Administration and concerned officials to prepare a policy statement on **how the Board will justify its previous approvals in this regard.** Lastly the F.A / Member, highlighted the cash flow expenditure scheme and stated that he does not see the organization flourishing after 02 years. He remarked that the Authority's earning is Rs. 5.1 Billion, whereas the total expenditure is 12.8 Billion and there is a financial deficit of approximately 7.5 Billion and asked the Board for suggestions on **how to fill this gap.** The Chairman, CDA again directed that a policy for ending litigation be evolved to retrieve funds stuck in the pipe line of mega projects. He directed, Member (P & D) and Member (Estate) to make a Committee to take stock of the situation and also streamline the pending issues related

to completion certificates, transfer of properties, restorations and cancellations etc.

**Action: Member (Admin)**  
**F.A / Member**  
**Member (P & D)**  
**Member (Estate)**  
**DDG (B.C)**  
**Director (E.M-I)**  
**Director (E.M-II)**

**(III) VACATION OF SECTOR D-12 FROM THE AFFECTEES OF VILLAGE SERI SERAL FALLING IN SERVICE ROAD WEST AND SUB-SECTOR D-12/3 & 4.**

10111/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>

Director Lands & Rehabilitation explained to the Board that the Award of Service Road west of Sub-Sector D-12/3-4 was announced on 14-04-2010. Subsequent, case for no legal remedy was forwarded which was approved by the competent authority vide approval dated 07-05-2010. According to said award 321 affectees are entitled for rehabilitation benefits as per CDA policy. On 22-11-2011 at a meeting was held under the chairmanship of Chairman, CDA in convention Center where land issues of Sector D-12 were discussed. The worthy Chairman emphasized on exigency and importance of retrieval of possession of said Sector. It is pertinent to mention that immediate retrieval of possession is very important as water pipe line linking Shah Allah Ditta to I-16 is passing through this area. Moreover, allottees are also requesting for physical possession of their plots.

In pursuance of the direction of worthy Chairman and Member (Estate), the undersigned held a number of meetings with the affectees of village Seri Seral to discuss the strategy to demolish the remaining built up structures and to ensure physical possession of the pocket under adverse possession. The affecttees are demanding for rehabilitation benefits as per award dated 14-04-2010. it is also important to mention that many affecttees have already handed over possession in the said area and are suffering because of the few people who have not handed over possession to CDA.

In the light of facts mentioned above, he requested that approval may be sought from competent authority for allotment of plots of Affecttees of BUP award dated 14-10-2010.

He placed the case before the CDA Board for consideration

### **DECISION**

Director Lands & Rehabilitation, presented the summary pertaining to the vacation of Sector D-12 from the affectees of Village Seri Seral falling in Service Road (West) and Sub-Sector D-12/3&4. The Board after deliberating on the matter, approved the allotment of 321 plots to the affectees of the BUP Award dated 14-10-2010 and further directed that the matter be processed expeditiously.

**Action: Member (Estate)  
Director (L&R)**



**(IV) RESTORATION OF PLOT NO. 407, MARGALLA TOWN**  
**(PHASE-II), ISLAMABAD.**  
10112/1225/BM/'12  
15,16,17-02-'12/3<sup>RD</sup>

**DECISION**

Director Estate Management-I, presented the facts of the case before the CDA Board. F.A/Member, raised a point of order that Non-agenda summaries should not be included in Board meetings as the Board does not get time to study the facts of a given case. Member Engineering, also concurred with F/A Member's views. The, CDA Board decided to pend the matter for the time being.

**Action: Member (Estate)**  
**F.A / Member**  
**Director (E.M-I)**

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

**3<sup>RD</sup> BOARD MEETING FOR THE YEAR-2012****HELD ON 15<sup>TH</sup> & 16<sup>TH</sup> FEBRUARY, 2012****(DRAFT MINUTES)****AGENDA ITEMS**

<b>Sr. #</b>	<b>Items of Agenda</b>	<b>Presenter</b>	<b>Page No</b>
1.	Presentation by Planning Wing on extension of Blue Area, F-9 and G-9. <b>(Discussed).</b>	DG (Planning)	03
2.	Presentation on site selection for Weekly Bazar in lieu of existing site in the 11 <sup>th</sup> Avenue. <b>(Discussed).</b>	DG (Planning)	04
3.	Preparations on Low Income Housing Scheme in Zone-IV. <b>(Discussed).</b>	DG (Planning)	04
4.	Presentation on approval of site for Media City & Apartments in Diplomatic Enclave. <b>(Discussed).</b>	DG (Planning)	06
5.	Issues pertaining to MPCHS.	Finance & Estate Wings	07
6.	Road / Street in the name of Ex. Minister Shahbaz Bhatti (Late) in Sector I-8, Islamabad.	D.G (Planning)	15
7.	Allotment of residential plot in lieu of acquired BUP in Sector I-10.	Director (L&R)	16
8.	Transfer of share – Plot No. A-16, P&V Scheme-II, Park Road, Chak Shahzad, Islamabad. <b>(Wafaqi Mohtasib Case).</b>	Director (E.M-II)	18
9.	Restoration of allotment of Plot No. 39-40, Industrial Triangle, Kahuta Road, Islamabad. <b>(Wafaqi Mohtasib Case).</b>	Director (E.M-II)	21
10.	Walk in Birds Aviary at Lake View Park.	DDG (Envt-I)	23
11.	Restoration of Plot No. 489-A, I-8/2, Islamabad.	Director (E.M-I)	26

**NON - AGENDA ITEM**

<b>Sr. #</b>	<b>Subject</b>	<b>Presenter</b>	<b>Page No</b>
I.	Allocation of site opposite to the Markaz in Diplomatic Enclave for construction of residential apartments.	D.G (Planning)	26
II.	Half year financial overview of CDA and projected financial position.	F.A / Member	27
III.	Vacation of Sector D-12 from the affectees of Village Seri Seral falling in Service Road (West) and Sub-Sector D-12/3 & 4.	Director (L & R)	31
IV.	Restoration of Plot No. 407, Margalla Town (Phase-II), Islamabad.	Director (EM-I)	33