



**CAPITAL DEVELOPMENT AUTHORITY
PLANNING WING
Directorate of Regional Planning**



No.CDA/PLW/RP-2(13)/2018-2020-2022/ **77**

Islamabad, 16th March, 2026

Engr. Muhammad Saleem

Deputy Chief Executive,
M/s Bahria Town (Pvt.) Ltd.
Plot # 65, M-R Road, M-Commercial
Bahria Town Phase-8, Rawalpindi.

Subject:- **NOTICE FOR NON-FULFILMENT OF TERMS & CONDITIONS OF NOC FOR DEVELOPMENT OF BAHRIA ENCLAVE-I HOUSING SCHEME, SIMLY DAM ROAD, ZONE 4-C, ISLAMABAD, SPONSORED BY M/S BAHRIA TOWN (PVT.) LTD.**

AND ILLEGAL CONSTRUCTION OF ACCESS ROAD ON CDA LAND, CONSTRUCTION OF RESIDENTIAL & COMMERCIAL BUILDINGS ON CDA LAND, CONVERSION OF AMENITIES & PUBLIC BUILDINGS AREAS INTO OTHER LANDUSES IN VIOLATIONS OF APPROVED LAYOUT PLAN AND EXTENSION OF SCHEME WITHOUT APPROVAL FROM CDA

Ref:- Please refer to this office NOC letter No. CDA/PLW/RP-2(13)/2018-2020-2022/157, dated **08-4-2022**, regarding the subject matter.

I am directed to inform you that CDA approved the Layout Plan of Bahria Enclave-I Housing Scheme sponsored by M/s Bahria Town (Pvt.) Ltd [hereinafter referred to as **M/s BTPL**] on **29-12-2020** over an area measuring **12,543.11 Kanals** for **8,828 Residential Plots**. NOC for the Scheme was issued by CDA on **08-4-2022**, duly approved by the CDA Board in its meeting held on **01-3-2022**. This NOC was issued subject to the fulfillment of formalities under provisions of Modalities and Procedures, framed under ICT Zoning Regulations 1992, for the development of Private Housing Schemes in Zone-2&5 of ICT. The Completion Period of this Scheme is Six Years, and it has to be completed by **07-4-2026**.

2. M/s BTPL has carried out various Amendments/Changes in the Approved Layout Plan as well as extended the Scheme Area/Boundary without prior approval of the CDA. Thus, development of the Scheme at site in contradiction of the Approved Layout Plan and construction of buildings therein is clear violation of the CDA Ordinance 1960, ICT (Zoning) Regulation 1992, "Regulation for Planning and Development of Private Housing/ Farm Housing, Apartments/ Commercial Schemes/Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023, and ICT Building Control Regulations, 2020 (amended in 2023). Additionally, serious discrepancies in Green/Open Spaces, Amenities, & Public Building Areas of the Scheme have been observed, which is also a contradiction of the Planning Standards and Deviation from the Approved Layout Plan.

3. The Status of **Compliance/Fulfilment** of Terms & Conditions of NOC & Regulations, ibid, and Submission of the Documents, Plans & Fee, etc. by the Sponsors, is as under:

Sr. No.	Documents/Plans/ Fee	Reference	Submissi on Status	Misc./ Remarks
1.	Development of the scheme shall be in accordance with the Layout Plan, Services Design and Building Plan as approved by the Authority.	Para-1(i) of NOC	Not Complied	Extended Area/ boundary
2.	The Sponsor shall strictly confine the scheme within the approved area i.e., 12543.11 Kanals and no extension/ revision / amendment in the approved scheme shall be made prior to the approval of CDA.	Para-1(ii) of NOC	Not Complied	Extended Area/ Boundary
3.	The Revised Layout Plan of the scheme approved vide letter dated 29/12/2020, would be strictly followed and no change(s) shall be made in the approved Layout Plan.	Para-1(iii) of NOC	Not Complied	Land use violations observed
4.	The easement of nullah (s) and prominent land features, etc. shall be clearly identified and preserved as open spaces.	Para-1(iv) of NOC	Complied	-
5.	All Buildings to be constructed in the Scheme shall be subject to the CDA Building Regulations as may be amended, modified or substituted from time to time.	Para-1(v) of NOC	-	To be confirmed from BC (South) Dte, CDA.
6.	Sponsors of the scheme shall arrange, at their own cost, the entire development of the scheme without any obligation on the part of the Authority.	Para-1(vi) of NOC	-	Development period is valid till 07-4-2028
7.	The development of the scheme will be completed within six years, as per Engineering Designs and Specifications Vetted by 3rd Party. The services at site shall be maintained by the sponsors.	Para-1(vii) of NOC	-	Development period is valid till 07-4-2028
8.	The validity of the NOC shall automatically be deemed to have been withdrawn in case the sponsors do not complete at least 10% of development works within one year from the date of issuance of the NOC.	Para-1(viii) of NOC	-	Approx. 50% of Scheme area is developed
9.	The sponsors shall submit to the DDG (Planning) the detailed Work Schedule in respect of implementation of the scheme.	Para-1(ix) of NOC	Not Complied	
10.	Monthly Progress Report shall be submitted to the DDG (Planning) till the completion of the scheme.	Para-1(x) of NOC	Not Complied	
11.	The Scheme shall have Independent Water Supply and Primary Sewage Treatment System which will be arranged by the sponsors at their own cost.	Para-1(xi) of NOC	Not Developed	Land use Violations observed
12.	The provision of water supply will be sole responsibility of sponsors and CDA would assume no responsibility for the supply the water to the residents of the scheme.	Para-1(xii) of NOC	-	-
13.	The disposal of sewage shall be made through the trunk sewer which will terminate at a Sewerage Treatment Plant (STP) for primary treatment.	Para-1(xiii) of NOC	Not Developed	Land use Violations observed
14.	The sponsor shall strictly adhere to the clauses of the Mortgage Deed and Transfer Deed registered with Joint Sub-Registrar, ICT.	Para-1(xiv) of NOC	Not Complied	-
15.	The plots Mortgaged with the CDA by the Sponsors will be released after the Committee appointed by the CDA has certified that the development works have been completed as per the approved schedule, specifications and design.	Para-1(xv) of NOC	Not Complied	Mortgaged stands Plots Allotted

16.	The sponsor shall not allocate the plots mortgaged with the CDA to any one until the same are redeemed by the Authority in favor of the sponsors.	Para-1(xvi) of NOC	Not Complied	Mortgaged stands Plots Allotted
17.	The plots reserved for amenities and public buildings shall not be utilized by the sponsor for any other purposes other than prescribed in the approved layout plan.	Para-1(xvii) of NOC	Not Complied	Illegal Conversion of Amenities Plots made
18.	The area of Housing Scheme shall be demarcated on ground within one month.	Para-1(xviii) of NOC	Not Complied	-
19.	The Mortgaged and Transferred Land shall be clearly demarcated on ground and Display Boards installed in this regard for information of general Public.	Para-1(xix) of NOC	Not Complied	-
20.	The scheme shall be open for inspection to the CDA during the entire period of its execution.	Para-1(xx) of NOC	-	-
21.	The sponsors shall pay to CDA Rs.500/- per Kanal on account of Inspection/Monitoring expenses during the execution stage of the scheme.	Para-1(xxi) of NOC	Not Complied	Rs.6.271 to be deposited
22.	Possession of individual plots in the scheme shall not be handed over by the sponsor till the entire scheme is fully developed and completion certificate in this behalf has been obtained from the Authority.	Para-1(xxii) of NOC	Not Complied	-
23.	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 it is taken over by the Authority.	Para-1(xxiii) of NOC	-	-
24.	The Building Plans along with Structure Plans of the Buildings in the scheme prepared in accordance with the prevailing Planning Parameters and Building Regulations will be submitted to CDA for approval.	Para-1(xxiv) of NOC	-	-
25.	The land under Right of Way (ROW) will be procured and kept intact at site as per provisions of Master Plan.	Para-1(xxv) of NOC	-	-
26.	Undertaking on stamp paper duly attested by Notary Public shall be submitted to CDA within seven days from the date of issue of this NOC regarding acceptance of above listed terms and conditions.	Para-1(xxvi) of NOC	Complied	Affidavit No. A822754 dated 13-4-2022
27.	The sponsors will be bound to pay any outstanding dues/fee/penalty fee etc., failing which NOC will be cancelled without any further notice.	Para-1(xxvii) of NOC	Not Complied	Outstanding Dues/Fee/ Penalty fee, etc. amounting to Rs.53.44 million conveyed vide letter, dated 03-6-2025
28.	In case of violation of any of the above term(s), the NOC shall be liable to cancellation without any further notice.	Para-1(xxviii) of NOC	-	-
29.	Vetting of All Allotment/Transfer Letters from CDA	Clause 40(8) of the Regulations	Not Complied	-
30.	Payment of Record Maintenance Fee	Clause 40(10) of the Regulations	Not Complied	-

4. It is evident from the above detailed factual position that M/s BTPL have **Failed** to abide by the relevant provisions of the Regulations, *ibid*, LOPP Approval & NOC Letters.

5. Further, **190.55 Kanals** land in the form of residential and commercial plots as 20% of the Saleable Area was **Mortgaged with CDA** through Registered Deed, dated **06-4-2022**, in the aforementioned Scheme. Similarly, **6,692.96 Kanals** land under Roads/ Streets, Parks/Open Spaces, Graveyards & Public Buildings, etc. in Layout Plan of the said Scheme was **Transferred to CDA**, through Registered Deed, dated **13-10-2022**. Therefore, the same Lands, belonging to CDA, must be earmarked on the Approved Layout Plan and submitted to this Office, within **10 days**.

6. Moreover, M/s BTPL vide Undertaking, dated 01-2-2012, agreed to construct Two Link Roads, of which 3.5 Km Link Road [Jinnah Avenue] from Kuri Model Village has not been developed to date. Additionally, M/s BTPL has Encroached upon valuable CDA land planned and designated for the Kuri Model Village Scheme, which has not been vacated to date. The Access Road from Old Kuri Road to the Scheme is Illegally Constructed on CDA Land, needs Immediate Demolition.

7. Therefore, under the provisions of Section 49-C, 46 & 46-B of the CDA Ordinance 1960 [Demolition/Removal of Work/Structure/Building and Stoppage of Use of Land in Contravention of the Approved Layout Plan], read with, Clause-5 (1) & (iii) of the ICT (Zoning) Regulation, 1992 and Clauses 40-42 of "the Regulation for Planning and Development of Private Housing/Farm Housing, Apartments/Commercial Schemes/ Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023, framed under ICT Zoning Regulations, 1992", M/s Bahria Town (Pvt) Ltd. are directed to:

- a. Immediately Comply, in letter & spirit, all the Terms & Conditions of LOP & NOC and submit Compliance Report in **10 days**.
- b. Deposit All Outstanding Fee, Fine, Penalty, etc. as aforementioned in **7 days**.
- c. Remove, demolish or alter the building, structure or work, or stop the use of the land and, in so doing, may use such force including police force as may be necessary and may also recover the cost therefor from the person responsible for the erection, construction or use of the building, structure, work or land in contravention of the provisions as aforesaid, reading the Buildings constructed on the Land/Plots Transferred to CDA, in **10 days**, without Excuse & Fail.
- d. Remove/Demolish **Illegally Constructed Residential & Commercial Buildings** on CDA Land, in **30 days**
- e. Remove/Demolish **Illegally Constructed Access Road** on CDA Land from Old Kuri Road to the Scheme in **15 days**
- f. Submit, for Approval to CDA, the Layout Plan of **Illegal Extension** of the Scheme, in **15 days**

8. The following **Punitive Actions**, in addition of above, may also be initiated against you, being the **Defaulting Sponsor**:

- a. The Case may be referred to the Investigating Agencies like **NAB, FIA**.
- b. The Access to the Scheme may be **Blocked**.
- c. **Suspension** of Approval of Building Plans of your Scheme by CDA.
- d. **Sale of Mortgaged Plots** with CDA (even along with superstructures, if illegally allotted & built), for Development of your Defaulting Scheme

- e. **Sealing** of your Society Offices & Site Offices
 - f. **Suspension** of Processing/Approval of All Other Cases of M/s BTPL in CDA, being defaulting Sponsor
 - g. **Assumption of Possession**, along with Superstructures, of Land/Plots Constructed on CDA Land
 - h. **Demolition of Illegal Development** of Scheme in Extension & in Violation of Approved LOP
9. You are also provided an Opportunity of **Personal Hearing**, in your Defense (if any), in the Office of the undersigned, during Working Hours, within **10 days**.
10. This is issued without prejudice.

(IJAZ AHMAD SHEIKH)
DG (Spatial Planning)

Distribution:-

1. **Dy. DG (Enforcement), CDA**
[It is requested to make necessary arrangements, for demolition/removal of buildings/structures constructed in violations of Approved LOP on the Land/Plots earmarked for Amenity/Public Building Areas, in co-ordination of this Office, Directorates of HS (M&E), EM-III & Building Control (South), CDA, with the approval of the Competent Authority, under Section 49-C of CDA Ordinance 1960, Clause 5(i) of ICT Zoning Regulations 1992, Clause-3(2) read with Schedule-II, Part-VI (2&3) of CDA Conduct of Business Regulation, 1985].
2. **Director Building Control (South), CDA**
[It is requested to initiate action for demolition/removal of the Illegal buildings/ structures constructed, in violations of Approved LOP on the Land/Plots earmarked for Amenity/Public Building Areas, with the approval of the Competent Authority, under the provisions of Section 49-C of CDA Ordinance 1960, the Pakistan Capital Regulation (MLR) 1982, Clause 5(i) ICT Zoning Regulation 1992 and relevant Clauses of Islamabad Capital Territory Building Control Regulation 2020 (amended in 2023)].
3. **Director Housing (Monitoring & Evaluation), CDA**
[It is requested to proceed further in compliance of the Job Description Notified by Member (P&D), CDA, vide No. CDA/PS/M(P&D)/2023/9034, dated 10-8-2023, on the directions of CDA Board.
4. **Director EM-III, CDA**
[It is requested to proceed further in compliance of CDA Board Decision, dated 08-4-20205]
5. **Director (RP), CDA**
[He is directed to peruse the matter venously, take stern action and submit Compliance Report, accordingly]

Copy to:-

1. Member (P&D), CDA
2. **Deputy Commissioner, ICT, Islamabad**
[It is requested to issue necessary directions to concerned **Magistrate** in compliance of Para-21 (iii) of the Islamabad High Court Judgment in ICAs Nos. 83/2017, 84/2017, 20/2018 & 21/2018, dated 12-7-2018, which reads as under:
"Chief Commissioner, Deputy Commissioner, Inspector General of Police, SSP Islamabad, concerned SHO, and Magistrates are directly responsible for compliance of CDA By-laws as well as directions referred in this Judgment".

Computer Dte. CDA
By. No. 562
Dated: 18.11.2016

3. S.S. P. Islamabad

[It is requested to issue necessary directions to concerned SHO in compliance of Para-21 (iii) of the Islamabad High Court Judgment in ICAs Nos. 83/2017, 84/2017, 20/2018 & 21/2018, dated 12-7-2018, which reads as under:

"Chief Commissioner, Deputy Commissioner, Inspector General of Police, SSP Islamabad, concerned SHO, and Magistrates are directly responsible for compliance of CDA By-laws as well as directions referred in this Judgment"

4. Registrar Co-operative Societies, ICT, Islamabad.

[It is requested to initiate action against Sponsors of this and all such Violations of Approved Layout Plan, under the provisions of Co-operative Societies Act 1927 and Rules & Byelaws framed there under. Further, it is requested to pass Standing Orders that Sponsors of All Private Housing Schemes can only Transfer Plots/ Buildings, which are strictly in accordance with the Approved Layout of the Schemes and Not Mortgaged with CDA, in larger Public Interest].

5. Chief Executive, Islamabad Electric Supply Company (IESCO), Islamabad

[It is requested that Service Connections may be provided strictly in accordance with the Approved Layout Plan and Sanctioned Building Plans by CDA in this Scheme and all such like Schemes. Clause-40(13) of the "Regulation for Planning and Development of Private Housing/Farm Housing, Apartments/Commercial Schemes/Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023" is referred]

6. General Manager, Sui Northern Gas Pipelines Limited (SNGPL), Islamabad

[It is requested that Service Connections may be provided strictly in accordance with the Approved Layout Plan and Sanctioned Building Plans by CDA in this Scheme and all such like Schemes. Clause-40(13) of the Regulations, *ibid*, is referred].

7. Director Press Information Department (PID), Near Zero Point, Mauve Sector G-7/4, Islamabad

[It is requested will not allow to publish advertisement of any Private Housing/Farm Housing Scheme/Vertical Housing Project/Commercial Scheme/Standalone Commercial Project within ICT, without approval of CDA. PEMRA/PTA may block all Websites of Private Housing/Farm Housing Schemes/Vertical Housing Project/ Commercial Schemes/Standalone Commercial Projects launched before approval of Layout Plans/Building Plans of the Schemes/Projects, from the CDA, Clause-40(14) of the Regulations, *ibid*, is referred].

8. DG (Law), CDA

9. DG (Urban Planning), CDA,

10. DG (Building & Housing Control), CDA

11. Director Co-ordination, CDA

→ 12. Director (I.T), CDA

[It is requested to Upload this Show Cause Notice on CDA Website for Awareness of the General Public & All Stakeholders]

13. Director Staff to the Chairman, CDA

14. Additional Deputy Commissioner (Revenue) [ADCR],
ICT Administration, Islamabad

15. DC, CDA/Sr. Special Magistrate, CDA

16. Joint Registrar of Companies,

Securities & Exchange Commission of Pakistan, (Companies Registration Office), State life Building, 1st Floor Blue Area, Islamabad

✓ 17. Mr. Muhamad Mansha, Dy. Director-II (HS), CDA

[He is directed to strictly comply with the above Judgement, especially Para-20 [c], and submit Compliance Report in this Office, within **30 days**, without Excuse & Fail].

18. Master File

(ABDUL KHAN)
Dy. Director-III (RP)