



**CAPITAL DEVELOPMENT AUTHORITY
PLANNING WING
Directorate of Housing Societies**



No. CDA/PLW/HS(481)/2023/ 388

Islamabad, 8th September, 2025

The Administrator,
M/s Civilian Employees Cooperative Housing Society,
House No.18, Street No. 4, Block F,
Soan Gardens Housing Scheme, Islamabad.

Subject:- SHOW CAUSE NOTICE

UNDER SECTION 49-C, 46 & 46-B OF THE CDA ORDINANCE 1960, READ WITH, CLAUSE-5 (I) & (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".

[ILLEGAL CONVERSION OF PUBLIC AMENITY PLOTS, TRANSFERRED IN THE NAME OF CDA, IN "SOAN GARDEN HOUSING SCHEME", ZONE-5, ISLAMABAD, SPONSORED BY M/S CIVILIAN EMPLOYEES COOPERATIVE HOUSING SOCIETY]

Ref:- This office letters dated letter No. CDA/PLW/HS(481)/2023/339, dated 11-8-2025, regarding the subject matter.

It is informed that the Layout Plan (LOP) of the "Soan Garden Housing Scheme", Zone-5, Islamabad, over an area measuring 2,985 Kanals, sponsored by M/s Civilian Employees Cooperative Housing Society, was approved by CDA on 10-7-1994. No Objection Certificate (NOC) for Development of the Housing Scheme was issued by CDA, vide letter dated 09-8-2004, subject to conditions mentioned in the letter, including Transfer to land under Roads, Parks, Graveyard & Public Buildings in the name of CDA. The same were got Transferred vide Transfer Deed No. 998, dated 04-4-1995.

2. M/s Civilian Employees Cooperative Housing Society, being Sponsor of the Scheme, were required to complete certain conditions & formalities within prescribed timeframe as per the provisions of Modalities and Procedures, framed under ICT (Zoning) Regulation 1992, for Development of Private Housing Schemes in ICT. The Completion Period of the Scheme was 5 years, i.e. the Development of Infrastructure Works in the scheme were to be completed by 09-8-2009. However, M/s Civilian Employees Cooperative Housing Society have failed to obtain the Completion Certificate till date. Moreover, the NOC was cancelled/ withdrawn on 11-5-2017.

3. It has been observed with grave concern that various Violations of Approved Layout Plan have been made on site, and Illegally Converted the sites reserved for Parks, Graveyard & Public Buildings, Transferred in the Name of CDA, vide aforementioned Transfer Deeds, into other uses without prior Approval of CDA. The same was also shown to Management Committee during meeting in CDA, on Monday, 12-5-2025, in the office of Member (P&D), CDA.

4. The Summary of Violations of Approved LOP, already committed by M/s Civilian Employees Cooperative Housing Society, are as under:

Sr. No.	Approved Land uses (As per LOP)	Location	Block	Area (Kanal)	Land use (As per Site)
1.	Green	Street No. 4, 5	A	4.12	Residential Plots
2.	Green	Street No. 11	A	7.09	Residential Plots
3.	Park	Kohsar Road, Street No. 5	B	5.74	Area reduced and 2 residential plots have been created
4.	Park	Mehran Road, Street No. 10	B	4.54	Residential Plots
5.	Green	Street No. 11	B	2.89	Residential Plots
6.	Park	Soan Avenue	C	25.37	Commercial
7.	Play Ground	Street No. 1	C	4.58	School + Residential Plots
8.	Park	Street No. 4, 8 & 9	C	3.83	Residential Plots
9.	Park	Street No. 6	C	0.85	Residential Plots
10.	Green	Street No. 6	C	2.36	Masjid
11.	Green	Street No. 6	C	0.93	Residential Plots
12.	Green	Street No. 6	C	7.93	Residential Plots
13.	Green	Street No. 6 & 7	C	1.58	Residential Plots
14.	Green	Street No. 7 & 8	C	1.74	Residential Plots
15.	Park	Soan Avenue	D	11.86	Commercial
16.	Park	Street No. 2, 8 & 10	D	5.47	Residential Plots
17.	Green	Street No. 8 & 9	D	2.09	Residential Plots
18.	Park	Shalimar Road, Street No. 9	E	2.66	Residential Plots
19.	Park	Street No. 1	E	4.79	Residential Plots
20.	Park	Street No. 4, 5	F	5.30	Commercial
21.	Park	Street No. 8, 9, 10	F	3.41	Residential Plots
22.	Play Ground	Street No. 6	G	105.72	Residential Plots
23.	Yasmin Ladies Park	Yasmin Road	H	7.28	Residential Plots
24.	Green	Road No. 6	H	15.25	Residential Plots
25.	Green	Road No. 6, Street No. 8	H	1.00	Residential Plots
26.	Masjid	Street No. 9, 10	A	2.46	Commercial
27.	Jamia Masjid	Street No. 1, 2	B	11.10	Commercial
28.	Model College	Bolan Road	B	11.11	Residential Plots
29.	Masjid	Street No. 3	C	2.58	Residential Plots

30.	Fire Brigade	Soan Avenue	C	4.21	Residential Plots
31.	Masjid	Street No. 8 & 9	D	2.29	Commercial
32.	Primary School	Street No. 2	D	4.15	Commercial
33.	Health Centre	Soan Avenue	D	2.87	Commercial
34.	Tube well	Street No. 8	D	0.69	Residential
35.	Masjid	Street No. 4	E	1.33	Commercial + Small Masjid + OHWT
36.	Masjid	Shalimar Road, Street No. 4 & 5	F	5.63	Residential Plots
37.	Masjid	Street No. 9, 10	F	3.08	Residential Plots
38.	Amenities	Shalimar Road, Canal Road	F	21.00	Residential Plots
39.	Primary School	Blossom Road	F	12.55	Residential Plots
40.	High School	Street No. 12	F	13.32	Commercial + Small Masjid + OHWT
41.	College	Yasmin Road	H	10.00	Commercial
42.	S.T.P	Nargis Road	H	30.08	Residential Plots
43.	Graveyard	Street No. 4	G	59.99	Partially Vacant + Few Residential Plots

5. It was conveyed that the Honorable Islamabad High Court, Islamabad, in WPs. No. 2929, 2930, 2931, 2932, 2933, 2934 of 2013 & 4303 of 2012, ordered as under:

"Hence in view of above referred case laws, I am of the view that respondents have violated procedure provided in Modalities & Procedures framed under ICT (Zoning) Regulations, 1992 for Development of Private Housing Schemes in Zones Two & Five of Islamabad Capital Territory Zoning Plan as respondents are bound by their Undertaking submitted before the CDA as they will never convert, relocate or modify the Layout Plan without prior proper approval, even in this case they started conversion and at the same time they have submitted the Revised Layout Plan, hence, they have adopted Illegal Procedure as there is no concept of Ex-Post Facto Approval rather they have to get the Revised Layout Plan at the first instance and then start Relocation or Modification only in the larger interest of public if allowed by the CDA.

Even otherwise the respondent Society has violated the terms of its Undertaking which was submitted before CDA, respondents have developed monetary interest against the public at large, and all actions under the so-called modification, relocation are made against the public interest, Public Amenity plots cannot be changed for any purpose. Hence, the actions of relocation, modification of commercial plots or residential plots in violation of Approved Layout Plan are hereby declared Illegal".

The above Orders have been upheld by the Honorable Islamabad High Court, Islamabad in ICA No. 263-269/2016 and Supreme Court of Pakistan in CP No. 3221-3227/2016., and thus have attained Finality.

6. The Honorable Islamabad High Court Islamabad, in its Judgment in Writ Petition No. 1662/2018 titled Toquir Ahmad, MD Des Pardes vs CDA, dated 11-5-2018, Ordered as under:

"CDA Authorities are directed to visit all the Societies and Verify the Credential of All Utility Plots, Service Areas, Parking Lot, which belong to CDA under the Layout Plan (LOP) or under the NOC granted to the Society, and if it is found that any Illegal Structure has been raised on the Amenity Plots by the Society or any Third Party, they can proceed in accordance with Law without taking any exception and Director Building Control, CDA as well as Director Societies, CDA shall also issue Warning Notice to all the Societies and their Executive Bodies to comply with the CDA Bye-laws in Letter & Spirit."

7. Islamabad High Court, Islamabad, in its orders dated 26-5-2025, passed in WP No. 4043/2024, titled "Muhammad Anwar Ch. etc. vs CDA", has directed as under:

"15. In view of above, the instant Writ Petition No. 4043 of 2024 is Allowed. The impugned Revised Layout Plan dated 21-3-2023, passed by CDA is declared to be Illegal, without lawful authority and of No Legal Effect, and is hereby Set Aside. The respondents are directed to Restore the Layout Plan of CBR-ECHS Phase-1 to its Original Form as approved on 24-02-2007. The CDA is further directed to ensure that no amenity plots, green areas or public utility spaces are converted to residential commercial usage in violation of applicable laws and regulations, and that the rights of the residents are safeguarded in future with no order as to costs".

8. Islamabad High Court, Islamabad, in I.C.A. No. 289 of 2018, Muhammad Akbar Abbasi and others Versus Capital Development Authority through its Chairman and others:

6. The appellants are the allottees of plots / units allotted by the CECHS with respect to an area which does not form part of an approved layout plan. It is incumbent on a purchaser to satisfy himself that the plot / unit being purchased by him is within the limits of the layout plan duly approved by the CDA. It is also incumbent on a housing society not to sell plots or units which do not form part of an approved layout plan. In the event, the Regulator is to carry out the penal measure of demolition of structure made in violation of the approved layout plan, it is the housing society that would be liable to pay damages to the allottees.

7. We have gone through the impugned judgment dated 17.05.2018 passed by the learned Judge-in-Chambers with great interest and keenness and have been given no reason to interfere with the same. Consequently, the instant appeal is dismissed. There shall be no order as to costs.

9. The Honorable Islamabad High Court (IHC), Islamabad, in Cr. Org. No. 73/2023, titled Muhammad Yameen vs Kamran Cheema. Has passed following Orders on 15-4-2025:

9. Therefore, in order to resolve this issue, it is hereby declared that the Secretary, Cooperative Societies Department, the Director (Housing Societies), CDA, and the Circle Registrar, Cooperative Societies Department, are obligated to verify that in future no plot shall be allotted beyond the approved LOP to any person in the society. Similarly, the Executive Committee of the society shall submit an undertaking before the CDA and the Cooperative Societies Department when applying for the approval of the LOP/NOC, affirming that they will only allot plots within the approved LOP and that subsequent conversion of any street or plot number is not permissible once it has been allotted, provisionally or otherwise as per map of the society. Furthermore, the society shall not incorporate any clause in the provisional or final allotment letter stating that "they are empowered to change the location or number of the plot," as the power for conversion of any plot or street number, or the shifting of the location of a plot, is not permissible once the LOP has been approved and the plots are earmarked.

10. The Honorable Islamabad High Court, Islamabad, in the **WP-2766/2019**, titled **Bahria Town (Pvt.) Ltd. Vs CDA**, Ordered on **26-9-2019**, as under:

4. On 30-8-2000, the CDA approved the layout plan for Bahria Town Scheme comprising Phase-II, III, V and VI (excluding Phase- II-E, IV and VI-E). at Mouza Kotha Kalan. Zone-5. Islamabad. On **23-11-2018**, the petitioner submitted an application to the C.D.A. for the approval of the **Revised Layout Plan** for the said scheme.

7. It was confirmed by the learned counsel for the petitioner that the development activity carried out by the petitioner with respect to the above-mentioned housing Schemes were in accordance with the Revised Layout Plans which had not been approved by the CDA. Thus far, I am of the view that the **petitioner's conduct in carrying out developmental activity in accordance with Revised Layout Plans which had not been approved by the CDA disentitles it from relief in the discretionary/equitable jurisdiction of this Court.**

8. In view of the above, the abovementioned **Writ Petitions are Dismissed**, with no order as to costs.

11. M/s Civilian Employees Cooperative Housing Society was directed, vide this Office Notice No. 339, dated **11-8-2025**, to get the all the plots of Public Amenities (Parks/ Play Grounds/ Open Spaces/ Public Buildings etc.), transferred in the name of CDA, be vacated, and restore it as per the **Approved Layout Plan**, and submit a **Compliance Report** in this regard, **within 10 days** of issuance of this Notice.

12. Further, the Directorate General of Federal Audit has framed **Audit Para 1.2.1, 1.2.2, 1.2.3 & 1.2.4** for the year **2007-08**. The Departmental Accounts Committee (DAC), headed by the Additional Secretary, Ministry of Interior, has discussed the Para on **12-8-2025**. This Audit Para will now be discussed in the Public Account Committee of the Parliament (PAC), scheduled to be held on **17-9-2025**.

13. 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 Civilian Employees Cooperative Housing Society are directed to:

- a. 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 7 days, without Excuse & Fail.
- b. CDA shall assume the Possession of Land/Plots Transferred to it and lying Vacant at site

14. The Following **Punitive Actions**, in addition of above, may also be initiated against you being **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**

15. You are also provided an Opportunity of **Personal Hearing**, in your Defense (if any), in the Office of the undersigned, during Working Hours, within 7 days.

16. This is issued without prejudice.

(IJAZ AHMAD SHEIKH)
Director Housing Societies

Distribution:-

1. **Dy. DG (Enforcement), CDA**

[It is requested to make necessary arrangements, on expiry of Notice period, for taking over of Vacant Land/Transferred to CDA and 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 EM-III & Building Control (South), CDA, with the approval of the Competent Authority, under Section 49-C of CDA Ordinance 1980, Clause 5(i) of ICT Zoning Regulations 1992, Clause-3(2) read with Schedule-II, Part-VI (223) 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 transferred in the name of CDA, with the approval of the Competent Authority, under the provisions of Section 49-C of CDA Ordinance 1980, 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 (copy attached)]

Copy to:-

- 1. Member (P&D), CDA
- 2. Deputy Commissioner, ICT/Registrar Co-operative Societies, Islamabad.
- 3. DG (Law), CDA
- 4. DG (Urban Planning), CDA
- 5. DG (Building & Housing Control), CDA
- 6. **Director Audit, CDA**
[w.r.t. Para 1.2.1, 1.2.2, 1.2.3 & 1.2.4 for the year 2007-08]
- 7. **Director (I.T), CDA**
[It is requested to Upload this Show Cause Notice on CDA Website for Awareness of the General Public & All Stakeholders]
- 8. Director Staff to the Chairman, CDA
- 9. DC, CDA/Sr. Special Magistrate, CDA
- 10. PS to Member (Estate), CDA
- 11. Master File

(MUHAMMAD MANSHA)
Dy. Director (HS)