

14th CDA BOARD MEETING FOR THE YEAR-2022 HELD ON 11-11-2022 03:00 at P.M & 14-11-2022 at 01:00 P.M

AGENDA ITEMS

S.No	Items	Presenter
1.	Confirmation of Minutes of 12 th and 13 th Board meetings-2022.	
2.	Revamping of Enforcement-Placement under P&D Wing.	Member (P&D)
3.	Allotment of plot for construction of Child Protection Centre in Islamabad.	Member (P&D)
4.	Allocation of Vacant land to the Federal Government Employees Housing Authority (FGEHA).	Member (P&D)
5.	Integration plan of Gandhara Heritage and Cultural centre with Citizen club Building F-9,Park, a Project by CDA.	Member (P&D)
6.	Request for allotment of land from CDA for Satellite Ground Station control facility and space projects of SUPARCO.	Member (P&D)
7.	Amendment in Clause 8.15 of SRO 1575 (I)/2019 Planning Parameters for CDA agro farms plots in /zone-IV and sector H-9, Islamabad. (Sub Division of Agro Farms and P&V Scheme).	Member (P&D)
8.	Approval of layout plan and building bye laws of Special Technology Zone Authority (STZA), Islamabad.	Member (P&D)
9.	Proposed Recruitment of Professional Town Planners / Officers in Planning Wing on Contract Basis and Engagement of Essential Staff on Internship Basis.	Member (P&D)
10.	Amendment in the ICT Zoning Regulation, 1992 (Zone-3)	Member (P&D)
11.	Establishment of Waste Transfer Station (WTS)- Implementation of Court Orders dated 04-08-2022 in Writ Petition No. 4337/2021 titled Naeem Zafar & Others versus Chairman CDA Islamabad & Others	Member Env't.
12.	Implementation of Court Orders dated 04-08-2022 in Writ Petition No. 4337/2021 titled Naeem Zafar & Others versus Chairman CDA Islamabad & Others	Member Env't.
13.	Consultancy for Development of Integrated Waste Management Plan for ICT.	Member (Env't)
14.	Restoration of property No.324, Sector F-11/1, Islamabad.	Member (Estate)
15.	Restoration of property No.26, Street No.32, Sector F-7/1, Islamabad.	Member (Estate)
16.	Delay in allotment of plot.	Member (Estate)
17.	Shifting/Relocation of DD-EM-I(East) and DD-Estate Affectees.	Member (Estate)
18.	Re-structuring of Directorate of Metro bus (Operations), CDA, Establishment of Directorate of Metro Bus (Infrastructure), CDA and Hiring of additional resources for smooth operations.	Member (Engg)
Additional Agenda Item		
1.	Approval of Auction of Plots -2022	Member Estate
Non Agenda Items		
NA-I	Proposed Re-Sizing of Commercial Plots in the Layout Plan of Margallah Markaz in Northern Strip of Sector E-11/3, titled "Margallah Markaz E-11" Islamabad	Member (P&D)
NA-II	Examination Of Enforceable Rights Of Highest Bidders In Plot 9,9-A Orchard Scheme, Murree Road, And Clarification On Board Decision On Non-Agenda Item 9292/1151/09/723/Bf 1,3 &5 -1-09 (To The Extent Of 9,9-A Orchard Scheme Murree Road, Islamabad) / Consideration Of The Applications Of Highest Bidders	Member Estate

13th BM
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14.1 CONFIRMATION OF MINUTES OF 12TH AND 13TH BOARD MEETINGS-2022.

The Board confirmed / endorsed the previous Board minutes / decisions of meetings (i.e. 12th & 13th Board Meetings -2022).

14.2 REVAMPING OF ENFORCEMENT-PLACEMENT UNDER P&D WING.11590/1403/BM/'2211,14-11-'22/14th**DECISION**

The Board approved the proposal of placing the Enforcement Directorate under Planning Wing in principle and directed to present the followings before the Board in its next meeting:-

- i. Detailed proposal of re-structuring of Enforcement Directorate with existing resources and manpower of the Authority. This may require input of HRD Directorate for the requisite manpower and MPO Directorate for pooling of existing machinery and equipment.
- ii. Organogram of the revamped enforcement directorates.
- iii. JDs and KPIs for each directorate.
- iv. Policy framework for the enforcement directorate under planning wing.

It was also decided by the Board that the head of the Enforcement Directorates would be from Executive / Administration /Management cadre. Further, the proposed five directorates of enforcement also reduced to three directorates with composition of planning, building control and estate / land officers at the lower hierarchy. Moreover, following committee has been constituted for the purpose of execution of above decision:

- | | |
|--|-------------------------------|
| a. Member Finance, CDA | b. Member Administration, CDA |
| c. Member (P&D) CDA | d. Director Technical, CDA |
| e. One officer from Planning Wing, CDA | |

Action by: Member (P&D)

14.3 ALLOTMENT OF PLOT FOR CONSTRUCTION OF CHILD PROTECTION CENTRE IN ISLAMABAD.11591/1403/BM/'2211,14-11-'22/14th**DECISION**

The Board approved the proposal at para-06 of the summary with the direction that vertical rise of the proposed building for the centre with the requisite FAR while remaining within the Building Control Regulations-2020 may be allowed.

Action by: Member (P&D)

14.4 ALLOCATION OF VACANT LAND TO THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY (FGEHA).11592/1403/BM/'2211,14-11-'22/14th**DECISION**

The Board approved the proposal at para 06 of the summary to allocate 1011.11 sq. yards land to FGEHA. The Board also directed to adhere to the standard allotment document containing terms and conditions including termination /cancellation clause for all such cases in future.

Action by: Member (P&D)

Action by: Member (Estate)

14.5 INTEGRATION PLAN OF GANDHARA HERITAGE AND CULTURAL CENTRE WITH CITIZEN CLUB BUILDING F-9,PARK, A PROJECT BY CDA.11593/1403/BM/'2211,14-11-'22/14th**DECISION**

The Board approved the proposal contained in para-06 of the summary and decided to nominate following three non-serving members being prominent personalities:

- i. Professor Dr. Muhammad Ali (TI), V.C, QAU, Islamabad

- ii. Professor Iftikhar Husain Arif, Poet, Writer.
- iii. Mr. Nayyar Ali Dada, Architect

It has further been decided that necessary amendment may be made in the regulations by

- a) incorporating Secretary, National heritage & Cultural Division in the management.
- b) deletion of clause related to inclusion of diplomatic core representative.

Accordingly, notification of Management Committee may be got issued from Ministry of Interior.

Action by: Member (P&D)

14.6 REQUEST FOR ALLOTMENT OF LAND FROM CDA FOR SATELLITE GROUND STATION CONTROL FACILITY AND SPACE PROJECTS OF SUPARCO.

11594/1403/BM/'22
11,14-11-'22/14th

DECISION

Proposal contained in para-09 of the summary is approved regarding allotment of 10 Acre land to SUPARCO subject to the condition that approval of the honorable Prime Minister of Pakistan is mandatory, and accordingly a summary will be moved to the Prime Minister for approval.

Action by: Member (P&D)

14.7 AMENDMENT IN CLAUSE 8.15 OF SRO 1575 (I)/2019 PLANNING PARAMETERS FOR CDA AGRO FARMS PLOTS IN ZONE-IV AND SECTOR H-9, ISLAMABAD. (SUB DIVISION OF AGRO FARMS AND P&V SCHEME).

11595/1403/BM/'22
11,14-11-'22/14th

DECISION.

The Board decided that a report may be sought from the pending applicants (around 30 in numbers) about the record of agriculture produce of their farms and inspect their sites to check adherence of building by-laws and other regulations. The agenda was accordingly deferred.

Action by: Member (P&D)

14.8 REQUEST FOR APPROVAL OF LAYOUT PLAN OF SPECIAL TECHNOLOGY ZONE (STZ) ON LAND MEASURING 140 ACRES WITHIN THE NATIONAL INSTITUTE OF HEALTH (NIH) AREA, ISLAMABAD /APPROVAL OF LAYOUT PLAN AND BUILDING BYE LAWS OF SPECIAL TECHNOLOGY ZONE AUTHORITY (STZA), ISLAMABAD.

11596/1403/BM/'22
11,14-11-'22/14th

DECISION.

The Board approved the layout plan and building bye laws being in conformity with the regulations of CDA and decided that a summary be submitted to the Federal Government conveying complete details of buildings and part of the LOP situated in Zone-III to seek permission for utilization of land which is not in accordance with the prevailing regulations of Zone-III.

Action by: Member (P&D)

14.9 PROPOSED RECRUITMENT OF PROFESSIONAL TOWN PLANNERS / OFFICERS IN PLANNING WING ON CONTRACT BASIS AND ENGAGEMENT OF ESSENTIAL STAFF ON INTERNSHIP BASIS.

11597/1403/BM/'22
11,14-11-'22/14th

DECISION

The Board approved the proposal contained in para-03(i) of the summary subject to the condition that 08 Nos. of internship is in accordance with the need base instead of 'against the vacant posts' and that the internship would be on annual basis. The Board also

directed that the whole process of selection be done on competitive basis and that gender balance may be kept in view without compromising merit.

Action by: Member (P&D)

14.10 AMENDMENT IN THE ICT ZONING REGULATION, 1992 (ZONE-3).

DECISION

The Board deliberated the agenda in detail and following have been approved in principle:

1. The area notified as Margalla Hills National Park (MHNP) will be declared as Zone-3.
2. The un-acquired areas surrounded by MHNP mainly comprising of Shahdara, Talhar, Gokina, etc. will be declared as Zone-3A. This area will be acquired by CDA and made part of MHNP/Zone-3. The existing villages/settlements will be restricted and no further construction of any kind, will be allowed in these areas.
3. The area falling between MHNP and Sectors, in the North of Margalla Avenue up to Sector C-16, will be declared as Zone-1A. CDA will acquire the private land and prepare schemes in consonance with Zone-1 on newly acquired area along with previous CDA land. The existing villages/settlements will be restricted and no further construction on private land will be allowed.
4. The area falling between MHNP and Murree Road/Srinagr Highway will be declared as Zone-4E. The private sector will be allowed to prepare schemes in accordance with the Zoning Regulations of CDA and get approval from CDA. Further, CDA itself can prepare schemes on land already acquired by CDA. These sub-sets of zones have also been indicated on the map attached with the decision.

CDA Board further decided to constitute following Committee for preparing the Draft Zoning Regulations (uses and planning strategies) with names of village(s) and details of dwellers of all sub sets of the newly constituted Sub-zones:

1. Member (P&D), CDA Chairman of the Committee
2. Member Estate, CDA
3. Nayyar Ali Dada, Member CDA Board
4. Director General Environment, CDA
5. Director Technical to Chairman CDA
6. Director Master Plan, CDA.

The Committee can co-opt any other member.

The Committee will prepare its proposals within 15 days and present in CDA Board. After approval of the CDA Board, a Summary will be submitted to the Federal Cabinet, through Ministry of Interior, for decision. After decision of the Federal Cabinet, CDA Board will approve the Building Regulations of these Zones.

Action by: Member (P&D)

14.11 ESTABLISHMENT OF WASTE TRANSFER STATION (WTS)- IMPLEMENTATION OF COURT ORDERS DATED 04-08-2022 IN WRIT PETITION NO. 4337/2021 TITLED NAEEM ZAFAR & OTHERS VERSUS CHAIRMAN CDA ISLAMABAD & OTHERS.

11599/1403/BM/'22
11,14-11-'22/14th

DECISION

As detailed in the decision for agenda item No. 12, the Board has declared emergency to implement IHC directions given in W.P No. 4337/2021 dated 12-08-2022. Also, the Board deliberated the agenda at length and approved the proposal contained in para-06 of the summary. Furthermore, Director Technical has been nominated as focal person for expeditious processing/ implementation of the Board decision without delay.

Action by: Member (Envt).

14.12 IMPLEMENTATION OF COURT ORDERS DATED 04-08-2022 IN WRIT PETITION NO. 4337/2021 TITLED NAEEM ZAFAR & OTHERS VERSUS CHAIRMAN CDA ISLAMABAD & OTHERS.

11600/1403/BM/'22
11,14-11-'22/14th

DECISION

The Board deliberated the agenda at length and approved the following two proposals as detailed in the presentation (attached) given to the Board:

1. In the wake of Islamabad High Court Order dated 12-8-2022 in Writ Petition Number 4337/2021 and subsequent hearing in the case on 4th October 2022, the Board is requested to declare an emergency in this instant case under PPRA Rule 42 (c) (v) for maximum period of Three Months w.e.f. 04-10-2022.
2. After that the matter will be taken forward in accordance with Clause # 4 (i) (a) (a) of Revised Schedule of Financial Powers, 2007.

Moreover, Board nominated Director Technical as focal person for expeditious processing/ implementation of the Board decision without delay.

Action by: Member (Env't)

14.13 CONSULTANCY FOR DEVELOPMENT OF INTEGRATED WASTE MANAGEMENT PLAN FOR ICT.

11601/1403/BM/'22
11,14-11-'22/14th

DECISION

The Board deliberated the agenda at length and observed that as emergency has already been declared vide Board decision 14.12, therefore, proposal at para-11 of the summary is approved. Moreover Board nominated Director Technical as focal person for expeditious processing/ implementation of the Board decision without delay.

Action by: Member (Env't)

14.14 RESTORATION OF PROPERTY NO.324, SECTOR F-11/1, ISLAMABAD.

11602/1403/BM/'22
11,14-11-'22/14th

DECISION

The Board approved the proposal at para-06 of the summary subject to the payment of dues as per the laid down procedures, including all dues, fines, recoveries etc to be paid within the cut-off date as determined by Estate Management Wing.

Action By: Member (Estate.)

14.15 RESTORATION OF PROPERTY NO.26, STREET NO.32, SECTOR F-7/1, ISLAMABAD.

11603/1403/BM/'22
11,14-11-'22/14th

DECISION

The Board approved the proposal at para-06 of the summary subject to the payment of dues as per the laid down procedures, including all dues, fines, recoveries etc, to be paid within the cut-off date as determined by Estate Management Wing.

Action By: Member (Estate.)

14.16 DELAY IN ALLOTMENT OF PLOT.

11604/1403/BM/'22
11,14-11-'22/14th

DECISION

The Board directed that annexure B of para-03 of the summary may be checked to ascertain whether the instant case was part of it or otherwise. Till the above information is received, the agenda is deferred.

Action By: Member (Estate.)

14.17 SHIFTING / RELOCATION OF DD-EM-I(EAST) AND DD-ESTATE AFFECTEES / IMPROVING PUBLIC SERVICE DELIVERY: RELOCATION/REDESIGNATION OF DEPUTY DIRECTOR EM-I EAST POSITION AS DEPUTY DIRECTOR ESTATE AFFECTEE-II.

11605/1403/BM/'22
11,14-11-'22/14th

DECISION

The Board approves the proposal in para-9 of the summary with the necessary instructions to the Estate Management Wing and Administration to undertake the Codal formalities, including the movement of DD EM-1 (East) and renaming it as DD Estate Affectees. The Board also agreed with the Summary that the necessary charge distribution is undertaken, keeping in mind the workload analysis of Estate Affectees and assigning any additional duties as assigned from time to time and duly notified.

Action By: Member (Estate.)

14.18 RE-STRUCTURING OF DIRECTORATE OF METRO BUS (OPERATIONS), CDA, ESTABLISHMENT OF DIRECTORATE OF METRO BUS (INFRASTRUCTURE), CDA AND HIRING OF ADDITIONAL RESOURCES FOR SMOOTH OPERATIONS..

DECISION

The agenda was not discussed as Member (Engineering) requested the Board that it may be presented in some future meeting.

Action By: Member (Engg.)

Add-I APPROVAL OF AUCTION OF PLOTS -2022/PRINCIPAL APPROVAL FOR AUCTION OF 87 COMMERCIAL + RESIDENTIAL PLOTS + ADMINISTRATIVE ACTIONS TO BE TAKEN FOR CONVENING.

11606/1403/BM/'22
11,14-11-'22/14th

DECISION:

1. The Board approved the 57 properties/plots below for the forthcoming auction. A breakup of each type is given in the following paras. The Executive Summary is mentioned in Table 2:

Table 2: Summary of the Nature of Properties along with their numbers

S. No	Nature of Properties	Number of Properties
1.	Markaz	6
2.	Blue Area	4
3.	E-11 Northern Strip	3
4.	Apartments + Flats	1
5.	Agro Farms	10
6.	Hotel Plots	1
7.	Industrial Plots	2
8.	Hospital	2
9.	Petrol Pumps	4

10.	Park Enclave Commercial	4
11.	Park Enclave Residential	12
12.	Class-III Shopping Center	7
13.	School Plots (E-11)	1
Total		57

2. The list of the approved properties for auction is as follows:

a. Markaz

S. No.	Plot No.	Sector	Size (Sq. Yds)	Category
1.	40-C	G-9 Markaz	733.33	Commercial
2.	33-B	F-11 Markaz	750.00	Commercial
3.	1-A	I-14 Markaz	1200	Commercial
4.	1-B	I-14 Markaz	1200	Commercial
5.	53-E	I-8 Markaz	1200	Commercial
6.	53-D	I-8 Markaz	888.88	Commercial

b. Blue Area

S. No.	Plot No.	Location	Size (Sq. Yds)	Category	Floor Area Ratio (FAR)
1.	62	Blue Area, F-7/G-7	185x288 5920.00	Commercial	1:10
2.	21-A	Blue Area F9/G9	4511.11	Commercial	1:9
3.	2	Blue Area F9/G9	611.11	Commercial	1:5
4.	13	Blue Area F9/G9	611.11	Commercial	1:5

c. E-11 Northern Strip

S. No.	Plot No.	Location	Size (Sq. Yds)	Category	Floor Area Ratio (FAR)
1	Block-B	E-11 Northern Strip	200 * 110	Corporate offices	1:5
2	N-4	E-11 Northern Strip	120 *120	Commercial	1:5
3	S-18	E-11 Northern Strip	80 * 110	Commercial	1:5

d. Apartments + Economy Flats

S. No.	Plot No. and Location	Size (Sq. Yds)	Category	Floor Area Ratio (FAR)	Status of the Plot
1.	3-H, G-10 Markaz	2146.66	Economy Flats	1:4	Plot Clear

e. Agro Farms

S. No.	Plot No.	Sector/Scheme	Size (in Acres)	Category
1.	37-C	Murree Road	2.50 Acres	Orchard
2.	39-A	Murree Road	3.0 Acres	Orchard
3.	39-B	Murree Road	2.50 Acres	Orchard
4.	49	Murree Road	3.0 Acres	Orchard
5.	84	Murree Road	2.50 Acres	Orchard
6.	9	Murree Road	2.50 Acres	Orchard
7.	9-A	Murree Road	2.50 Acres	Orchard
8.	24-A	Sehana extension	2.50 Acres	P&V

9.	3	Tarlai extension	2.50 Acres	P&V
10.	4	Tarlai extension	2.50 Acres	P&V

f. Hotel Plots

S. No.	Plot No. and Sector/Scheme	Size (Sq. Yds)	Category	Floor Area Ratio
1	1, E-11 Northern Strip	13389.60	Hotel	1:6

g. Industrial Plots

S. No.	Plot No. and Sector/Scheme	Size (Sq. Yds)	Category
1	138,I-9 Industrial Area (in front of Dry Port)	3000	Industrial
2	139, I-9 Industrial Area (in front of Dry Port)	3000	Industrial

h. Hospital Plots

S. No.	Plot No. and Sector/Scheme	Size (Sq. Yds)	Floor Area Ratio (FAR)
1	37, G-11 Markaz	3733.33	1:5
2	28, D-12 Markaz	2311.10	1:5

i. Park Enclave Commercial

S. No	Plot No.	Sector/Scheme	Size (Sq. Yds)	Floor Area Ratio (FAR)
1.	5	Park Enclave, Phase-I	533.33	1:5
2.	6	Park Enclave, Phase-I	533.33	1:5
3.	9	Park Enclave, Phase-II Park Road	1155.55	1:5
4.	10	Park Enclave, Phase-II Park Road	1155.55	1:5

j. Petrol Pumps

S. No	Plot No.	Sector / Scheme	Size (Sq. Yds)	Category	Floor Area Ratio (FAR)
1.	29	D-12 Markaz	2222.22	Filling Station/ Petrol Pump	Ground +1
2.	Petrol Pump	H-9 near Bazar	2222.22	Filling Station/ Petrol Pump	Ground +1
3.	Petrol Pump	E-10/F-10	2500	Filling Station/ Petrol Pump	Ground +1
4.	Petrol Pump	G-9/2	1588.88	Filling Station/ Petrol Pump	Ground +1

k. Class-III Shopping Center

S. No.	Plot No.	Sector/Scheme	Size (Sq. Yds)	Floor Area Ratio
1.	9	Bazar No. 11, G-11/3	60x80	1:3 LG+G+01
2.	2-C	Bazar No. 3, I-11/2	30x40	1:3

				LG+G+01
3.	2-A	Bazar No. 3, D-12/3	30x40	1:3 LG+G+01
4.	13	Bazar No. 4, D-12/4	30x40	1:3 LG+G+01
5.	5-B	SC. No. 9, I-14/3	30 X 40	1:3 LG+G+01
6.	3-E	SC No. 10, I-14/4	30x40	1:3 LG+G+01
7.	9	SC No. 4, G-10/3	30x40	1:3 LG+G+01

1. School Plot (E-11)

S. No.	Size (Sq. Yds)
1.	6.16 anals

m. Park Enclave Residential

a. Park Enclave-1 and Extension

S. No.	Plot No.	Size (Sq. Yds)
1.	525-N	500 Sqyds.
2.	248	500 Sqyds.
3.	525-J	500 Sqyds.
4.	525-K	500 Sqyds.
5.	525-L	500 Sqyds.
6.	525-H	500 Sqyds.
7.	525-R	500 Sqyds.
8.	131-B	500 Sqyds.
9.	187-A	500 Sqyds

b. Park Enclave-II

S. No	Plot No.	Location	Size (Sq. Yds)
1.	01	Main Boulevard	717.50 Sq.yds
2.	283	Main Boulevard	650 Sq.yds
3.	298	Main Boulevard	670 Sq.yds

3. **Approval of funds for the Auction:** The Board also approved the 20 million estimated budget for preparing the brochure, marketing campaign and other avenues. A detailed breakdown of the estimated expenditure will be shared with Finance for funds allocation. The Board also directed completing the necessary rules, regulations and Codal formalities to expend the allocated funds.

4. **Approval of the Auction Committee:** Board, as per Clause 14 of the Islamabad Land Disposal Regulations, 2005, approved the Auction Committee, whose composition is as follows:

- | | | |
|------|--------------------------------|------------------------------|
| i. | FA/ Member, CDA. | (Chairman Auction Committee) |
| ii. | Member (Estate), CDA | (Member) |
| iii. | Member (Planning & Design) | (Member) |
| iv. | DG (Law), CDA. | (Member) |
| v. | Director, Estate Management-II | (Secretary / Convener) |
| vi. | DFA-II (Finance Wing), CDA | (Member) |

- vii. Director (Public Relations), CDA (Member)
- viii. Director (Urban Planning), CDA (Member)
- ix. Director (Regional Planning), CDA (Member)
- x. Dy. Director (Finance Wing), CDA (Member)

5. The Board also directed that the proceedings of the Auction will be live recorded for record purposes. The Directorate of Security will maintain the live recording of the auction.

6. **Development of Brochure and terms and conditions of the auction:** The Board asked Member Estate to develop the auction brochure and develop with the terms and conditions of the auction in line with the previous auction wherein necessary changes be ensured to create citizen-friendly terms and conditions (in line with the Authority's existing rules, regulations and Codal formalities). The Draft Brochure, terms and conditions and the proposed dates are presented to the Board for approval.

7. **E-11 Northern Strip:** In line with the non-Agenda item of the change in E-11 layout, the subject plots in E-11 will only be included in the Brochure after the completion of necessary legal undertakings by the Planning Wing. The outcome of the legal undertakings of the Planning Wing in connection with the E-11 Northern Strip layout plan will be presented to the Board along with a draft brochure. Member Estate is to consult with Member Planning and Design over the subject matter.

8. **Floor Area Ratio:** The Floor Area Ratio (FAR) will be issued/confirmed by Planning Wing in line with Building Control Regulations 2020 and allied Codal formalities.

9. The Board also approved the incorporation of the 9,9-A Orchard Scheme into the forthcoming auction after extensive consultation in the allied non-Agenda item about Agro-farms.

Action By: Member (Estate)

NA-1 PROPOSED RE-SIZING OF COMMERCIAL PLOTS IN THE LAYOUT PLAN OF MARGALLAH MARKAZIN NORTHERN STRIP OF SECTOR E-11/3, TITLED "MARGALLAH MARKAZ E-11" ISLAMABAD.

11607/1403/BM/22
11,14-11-'22/14th

DECISION

The proposal for resizing of commercial plots of Markaz E-11 as detailed in the attached annexure was unanimously agreed by the Board.

Action By: Member (P&D)

NA-II EXAMINATION OF ENFORCEABLE RIGHTS OF HIGHEST BIDDERS IN PLOT 9,9-A ORCHARD SCHEME, MURREE ROAD, AND CLARIFICATION ON BOARD DECISION ON NON-AGENDA ITEM 9292/1151/09/723/BF 1,3 &5 -1-09 (TO THE EXTENT OF 9,9-A ORCHARD SCHEME MURREE ROAD, ISLAMABAD) / CONSIDERATION OF THE APPLICATIONS OF HIGHEST BIDDERS

11608/1403/BM/22
11,14-11-'22/14th

DECISION

The Board decided the following:

- a. The Board Decision 9292/1151/09/723/BF 1,3 &5 -1-09 contrasts with the Auction Brochure's Terms and Conditions, thereby creating a legal dichotomy to implement the decision after a lapse of 13 years. The earlier Board decision should have explained the contrast to the Auction Brochure Terms and conditions. Moreover, no changes to the initial terms and conditions were made in the Board decision. Any changes at a later stage

are post-bid / post-auction changes contrary to the spirit of rules, regulations and Codal formalities.

b. The successful bidders of Plot No. 9 and 9-A Orchard Scheme have, at their request, withdrawn their 25 per cent of the bid amount, thereby absolving themselves of any legal responsibility or obligation. Both the bidders have failed to claim an enforceable right. The enforceable right arises only when the bid is accepted, and the full purchased money is deposited. In this instant case, both the highest bidders have withdrawn 25 per cent of the amount, thereby creating a legal impediment to proceeding further.

c. The settled legal position that a bid made at auction is merely like an offer, which does not of itself give rise to any rights, as such an offer is always subject to acceptance of the bid through the issuance of a Provisional offer letter, bid acceptance letter and allied legal formalities attached with the completion of auction proceedings. The Board decision dilutes and re-tailors the original terms and conditions of the Auction Brochure, which cannot be changed in a post-Auction process.

2. Considering the position mentioned earlier, the then-highest bidders have no legal claim to the properties, i.e., Plot No. 9 and 9-A Orchard Scheme, Murree Road, Islamabad. Estate Management Wing, through the concerned formation, is to convey the decision of the Board to the "then highest bidders" in continuation of their earlier letters. Both the plots rest in the Authority and are to be made available for future auctions based on prevailing market conditions, economic dynamics etc.

4. The Board also decided to include the subject two Plots in the forthcoming auction in December 2022/ January 2023.

Action By: Member (Estate)

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

