



No. CDA/PLW/HS(862)/2025/359

Islamabad, 22nd August, 2025

✓ **Mr. Wajid Naseem Sahi,**
Secretary, Federal Employees Co-operative Housing Society (FECHS),
Main Commercial, Street No. 9, Society Plaza, Near Post Office,
Korang Town, Rawalpindi

Subject:- SHOW CAUSE NOTICE FOR ILLEGAL CONVERSION OF PUBLIC AMENITY PLOTS, TRANSFERRED IN THE NAME OF CDA, IN "JINNAH GARDENS-I HOUSING SCHEME," ZONE-5, ISLAMABAD, SPONSORED BY M/S FEDERAL EMPLOYEES CO-OPERATIVE HOUSING SOCIETY

Ref:-

- This Office Notices, dated 23-5-2023 & 10-6-2025,
- Your reply vide letter No. FECHS/CDA/PLW/HS(862)/2025/01, dated 13-6-2025, regarding the subject matter.

It is informed that Layout Plan (LOP) of the "Jinnah Gardens-I Housing Scheme", Zone-5, Islamabad, over an area measuring **2,548 Kanals**, sponsored by M/s Federal Employees Co-operative Housing Society (FECHS), was approved by CDA on **09-4-2011**, subject to conditions given in the Approval Letter, which were required to be completed within prescribed timeframe. Accordingly, the land under Roads, Parks, Graveyard & Public Buildings were Transferred in the name of CDA vide **Transfer Deed Nos. 8634 & 14313, dated 08-6-2006 & 16-11-2011**.

2. M/s FECHS were served with Notices, Final Notice & Show Cause Notices, to fulfill the Terms and Conditions of Layout Plan approval letter dated 09-4-2011, but M/s FECHS failed to fulfill the Terms & Conditions for obtaining NOC for start of Development Works of said scheme. Therefore, the Layout Plan of the said scheme was **Cancelled/ Withdrawn**, vide letter dated **14-9-2018**.

3. However, it was observed with grave concern and viewed seriously that M/s FECHS has violated the Approved Layout Plan 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 details of **Illegal Conversions** are as under:

Sr. No.	Land Uses as per Approved LOP	Location	Block	Area (Kanal)	Land Uses on the Ground
1.	Park	Street No. 5-A	A	8.84	Residential
2.	Play Ground	Street No. 5-A&6-A	A	4.07	Residential
3.	Green Area	Street No. 6&8	A	11.67	Residential
4.	Open Space	Street No. 10-A	A	3.22	Residential
5.	Open Space	Street No. 12-A	A	4.91	Residential
6.	Open Space	Street No. 15-A	A	2.36	Residential

7.	Open Space	Street No. 15-A	A	0.88	Residential
8.	Park	Street No. 18 & 24	B	27.26	Residential
9.	Public Park	Iqbal Avenue (Street No. 36&38)	C	13.46	Residential
10.	Open Space	Street No. 49	C	1.02	Residential
11.	Green Area	Street No. 50-A	C	13.13	Masjid
12.	Park	Street No. 65&66	D	1.05	Residential
13.	Green Area	Street No. 202	D	23.50	Residential
14.	Open Space	-	D	31.50	Capital Enclave
15.	Park	Street No. 67&68	D	4.63	Residential
16.	Park	Street No. 5	E	5.40	Marquee
17.	Masjid	Street No. 29	C	0.91	Residential
18.	Masjid	Street No. 62&63	D	1.95	Residential
19.	Masjid	Street No. 197	D	1.38	Capital Enclave Housing Scheme
20.	Community Centre	Street No. 67	D	8.13	Residential
21.	School	Street No. 6&8	A	3.52	Residential
22.	School	Street No. 62&63	D	6.61	Residential
23.	School	Street No. 184& 186	D	8.06	Residential
24.	Hospital	Street No. 11	B	8.21	Residential
25.	Hospital	Street No. 198	D	6.53	Capital Enclave
26.	Over Head Tank	Street No. 16	E	0.72	OHWT + Residential
27.	S.T.P.	Street No. 34	C	6.60	Residential
28.	Graveyard	-	D	57.40	Capital Enclave

4. It was conveyed that the Honorable Islamabad High Court, Islamabad, at Para-8 of the Judgment 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.

5. M/s FECHS was directed, vide this Office Notice No. 239, dated **10-6-2025**, to get the all the plots of Public Amenities (Parks/ Play Grounds/ Open Spaces/ Public Buildings etc.) 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. It was informed that In case of Failure to do so, CDA will Retrieve/Take Over the Land/Plots Transferred in the name of CDA, along with Buildings/Superstructures, Illegally Allotted & Built. But, You had done nothing to remove the Irregularities.

6. M/s FECHS, replied aforementioned Notice vide letter dated 13-6-2025. However, it is made clear that said Reply is not based on facts and had not been accepted by CDA.

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 FECHS 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

8. 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. **Sealing** of your Society Offices & Site Offices

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 **7 days**.

10. This is issued on the instructions of the **Director General (UP), CDA**

11. This is issued without prejudice.

(IJAZ AHMAD SHEIKH)
Director Housing Societies

22/8/25

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. **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 made on the land Transferred in the name of CDA, in co-ordination of this Office, Directorates of EM-III & Building Control (South), CDA, with the approval of the Competent Authority].
6. **Director Building Control (South), CDA**
[It is requested to initiate action for demolition/removal of the Illegal buildings/ structures constructed, without any Approval on Land/Plots Transferred to CDA, with the approval of the Competent Authority].
7. **Director EM-III, CDA**
[It is requested to make arrangements to take possession of Land/Plots Transferred to CDA, with the approval of the Competent Authority].
8. DC, CDA/Sr. Special Magistrate, CDA
9. Director Staff to the Chairman, CDA
10. Additional Deputy Commissioner (Revenue) [ADCR], Islamabad
11. P. S. to Member (Estate), CDA
12. Master File

(MUHAMMAD MANSHA)
Dy. Director (HS)