

(3)

CAPITAL DEVELOPMENT AUTHORITY  
(Coordination Directorate)

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Minutes of the meeting  
of C.D.A. Board.

The Board meeting was held on Sunday the 26th August, 1990 at 10 A.M. in the Conference Room of the Capital Development Authority. The following attended:-

- |  |     |                                       |             |
|--|-----|---------------------------------------|-------------|
|  | 1.  | Chairman                              | - In chair. |
|  | 2.  | FA/Member                             |             |
|  | 3.  | Member Administration.                |             |
|  | 4.  | Member Engineering.                   |             |
|  | 5.  | Member Planning.                      |             |
|  | 6.  | Secretary CDA.                        |             |
|  | 7.  | Director Rehabilitation and Lands..   |             |
|  | 8.  | Director Audit and Accounts.          |             |
|  | 9.  | Director Public Relations.            |             |
|  | 10. | Law Officer(Litigation).              |             |
|  | 11. | CDA Counsel.                          |             |
|  | 12. | Accounts Officer(Audit) Reh. & Lands. |             |

*Pl. also  
indicate  
their names*

// Mr. Javedh Bulki,  
chief Comm., Islamabad  
& Comm., R.P. Indus  
could not attend &  
sent their regrets.

// The following attended  
were also present during  
the meeting:

2. The meeting started with the recitation from the Holy Quran. The Board considered the Summary on the Agenda. Brief account of the discussion and the decisions taken is as follows:-

Acquisition of lands/build up property and  
payment of compensation thereof.

a. The Director Re-habilitation and Lands

explained the contents of the Summary. During discussion on item(a) regarding payment of compensation on the basis of General Price Indices, it was explained that Commissioner CDA's award under reference had been submitted on file to the Board and payment was made after approval. ~~On enquiry from the Chairman the method of~~ application of Indices formula for calculation of compensation was explained by the Director Rehabilitation & Lands. The Chairman however, desired that the details as to how these calculations are done should be shown to him in Office by the Director Reh & Lands.

*Director Lands stated*  
~~It was felt~~ that payment on the basis of General Price Indices was not in accordance with the provisions in the CDA Ordinance. ~~If, however,~~ <sup>however</sup> ~~payment had been~~ <sup>made</sup> due to court decision, ~~action for~~ <sup>on this basis.</sup> ~~amendment in the CDA Ordinance should have been taken immediately.~~ It is, therefore, necessary that the law should be amended to validate these payments and the amendment should have retrospective <sup>e</sup> ~~affect~~ to cover the payments already made. ~~It was explained by~~ <sup>explained</sup> the Law Officer that action for amendment of ~~Section 2(k)~~ <sup>and some other sections</sup> had been initiated

<sup>a</sup> long time ago, ~~and during processing of the~~  
~~case a large number of amendments have been~~  
~~proposed.~~ The case <sup>also</sup> ultimately was considered  
by the Cabinet in its meeting on 4.6.1990,  
when all <sup>proposed</sup> amendments were approved except  
Section 2(k) relating to 'market value'. In  
this regard the Cabinet directed that Land  
Acquisition Act 1894 should be extended  
to the Islamabad Capital Territory. CDA has  
explained to the Cabinet Division that  
the decision will create difficulties, and  
has requested for its re-consideration.  
~~The Cabinet Division in response has asked~~  
~~for a Summary.~~

After taking into consideration all  
aspects of the case, it was decided that  
the <sup>a</sup> Summary ~~asked for by the Cabinet Division~~  
should be immediately prepared by the  
Director Reh. & Lands, in consultation with  
the Law Officer (Litigation) and the CDA Counsel,  
highlighting the issues involved and <sup>sent it</sup>  
to the Cabinet Division <sup>for placing it before the Cabinet</sup> for re-consideration,  
~~of the Cabinet decision.~~ The Summary should  
include a separate, but short, paragraph  
requesting that the payments already made,  
since 1982 on the basis of Indices formula,  
should be regularized with a view to avoid/settle



audit objections. A request for issue of the amendment in the shape of Ordinance should also be made in the Summary. The Director Reh. & Lands was directed to submit the Summary by Wednesday the 29th August, 1990.

*During discussion, it was pointed out that*  
b. Since Deputy Commissioner's action allowing compensation for the period between the announcement of the award and the date of appeal, amounted to undue over payment and was not in order, the CDA should have gone in appeal against those decisions. The Chairman desired that a comprehensive position should be explained to him as to why the award was not challenged in the Court and also indicating the names of the Officers (D.C. CDA) who awarded compensation, indicating the amount so paid. In this regard the Director Reh. & Lands was directed to submit comprehensive position to the Chairman by 15th September, 1990 positively.

- c. Regarding the change of classification of land the CDA Counsel explained the background of the case with particular reference to the cases affected by the Rawal Dam canals.

It was stated that the CDA had gone in writ against certain decisions, and the matter was also referred to the Law Ministry. The change in the classification of land had been accepted in accordance with the advice given by the Law Ministry.

After some discussion it was decided that for future acquisition the Islamabad Revenue Office should be requested to keep the ~~Registered~~<sup>of</sup> Haqdaran Zamin upto-date, so that the classification of lands at the time<sup>of</sup> acquisition is available.

3. The minutes of the meeting as recorded above may kindly be seen for favour of confirmation before these are circulated to all concerned for taking further action called for on their part.

*Ajaz A. Khan*  
( AJAZ A. KHAN )  
Secretary  
August 27, 1990.

Chairman.

4. *Approved*

*Spdy.*

*27/8/90*

5. Please issue.

*Ajaz A. Khan*  
*28/8/90.*

ACD-I *SP*  
*28/8/90* (D.A. (Coord)).

Date ... 28/8/90  
27/8/90  
Coord ...