

MINUTES OF THE BOARD MEETING HELD
ON THURSDAY, 18TH FEBRUARY 1971.

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Meeting of the Board of Capital Development
Authority was held on Thursday, the 18th February, 1971
at 9 A.M. in the Conference Room under the Presidentship
of Maj. General Bashir Ahmad, Chairman, CDA. Following
were present :-

1. Member (Tech)
2. Member (Admn)
3. F.A./Member
4. Director General Works
5. Secretary
6. Director Planning
7. Director Coord & M.A.
8. Director Public Relations
9. Director Audit & Accounts
10. Director Finance
11. Addl: Director Lands
12. Addl: Director Rehab:
13. S & P Officer
14. Asstt: Estate Officer
15. Asstt: Law Officer

Following decisions were taken :-

2307/415/71

12/86-Contd/71

1. Allotment of 25 acres site for the
Afzal Tibbia College in Islamabad

Dir Planning

Summary on the captioned item, containing a request from the Principal, Afzal Tibbia College, Rawalpindi, for allotment of 25 acres of land for setting up research institutes, hospital, laboratories, and pharmacy on the most modern pattern, was presented by the Director Planning. He suggested two sites. One is near the Jamia Alkhizar Institute, and the other in the area previously reserved for old University site. Since the antecedents of the applicant were not fully known in detail, the Board postponed the item with the following observations :-

- a) Full antecedents/particulars of the applicant should be obtained and placed before the Board.
- b) It is true that the area near the National Health Laboratories was reserved for institutions, like hospital etc., but due to the subsequent change in the plan and shifting of the hospital from N.H.L. to the urban sector

of Islamabad, it is very difficult that any institution of hospital type would successfully function in this area for want of rapid and cheap transport system. In fact this problem is being faced now by public for going to N.H.L. Thus the proper location would be in 'H' Sector in which case the requirements of land may have to be drastically curtailed because of the price of the land in this Sector. As such Director Planning will have to obtain the views of the party along with detailed particulars which would be equi distant from Islamabad and R'Pindi and would serve the people better.

23.8/4.15/71
7/3F - Govt/71

2. Review of awards by the Dy: Commissioner CDA under Section 36(3) of the CDA Ordinance 1960 -
The case of Revenue Estates Badia Qader Bux & Badia Rusmat Khan

1. Dir. Finance
2. Dir. AYA
3. Addl. Dir. Reh
4. " " Land
5. L.O.

Summary of this item
is also needed.

Summary on the captioned item was presented by the Addl: Director Lands. The awards of the villages Badia Qader Bux and Badia Rusmat Khan and Maira Sumbal Jaffar were given by the DC, CDA, who in case of Badia Qader Bux and Badia Rusmat Khan followed the price given by him in respect of village Chahan and ignored the average price prevalent in these two villages from the years 1954-58. The Commissioner, while deciding the appeals, enhanced the prices for Lapara, Lass and Maira quality of land. Inter alia he has asserted that CDA is estopped from agitating the price question because rates awarded by Mr. Niaz Ahmed, which were although reduced in review by Mr. Mohammad Shafi Zafar, remained intact as the reduced rates were not implemented under the orders of Central Government/CDA.

The examination of the entire case reveals that the Commissioner erred in arriving the aforesaid conclusion. It appears that the D.C., CDA, set a chain of wrong assessment. While giving awards in respect of land acquired in village Chahan, he rejected the average price of village Chahan and followed the price of some other village adjacent to it. Then, while giving the awards of Badia Qadar Bux and Badia Rusmat Khan, he rejected the average market price of these villages and followed the awarded price in village Chahan. The right course would have been either to rely on market price of

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the concerned village or of adjacent village. Awarded price could not be a base for assessment. The arguments advanced by the Commissioner in appeal are also untenable. In fact, mandatory provisions of law has not been followed. The non implementation of decision of Mr. Mohammad Shafi Zafar in which he reduced the price awarded by Mr. Niaz Ahmed and which could not be implemented due to directive of the Central Government, is not relevant in the present context. Thus the Board felt that it was a fit case for filing a review in the court of Commissioner.

Munawar