

MINUTES OF BOARD MEETING HELD
ON WEDNESDAY, 13TH JANUARY, 1971.

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A meeting of the Board of Capital Development Authority was held at 9.00 A.M. on Wednesday the 13th January, 1971 in Conference Room. Maj. General Bashir Ahmed, Chairman, CDA, presided over the meeting. Following officers were present :-

1. Member (Admn)
2. F.A/Member.
3. Commissioner, Rawalpindi Division.
4. Director General Works.
5. Director General Medical & Health Services.
6. Secretary.
7. Director Coord. & M.A.
8. Director Municipal Admn.
9. Director Horticulture.
10. Addl. Director Lands.
11. Addl. Director Rehab.
12. S & P. O.
13. Dy. Director Arch.
14. Dy. Director Accounts.
15. A.F.A. (Works).
16. A.F.A. (Costing)
17. Asstt. Estate Officer.
18. Asstt. Law Officer.

Following decisions were taken :-

2283/411/71
412/BF-Comm/71

1. Water rates for un-metered/partially metered supply.

Summary on the captioned item was presented by Director Municipal Admn. The Board considered three alternatives of levying water charges on the buildings being constructed in the Diplomatic Enclave :-

- SCW* a) Multiply number of times according to
DMA plot area, the rate prescribed for the
Div. A+A residential plots in other sectors.
Estate Officer
S+Po. b) Levy charges on the basis of plinth
FW area of the building.
c) Levy charges on the basis of covered area.

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The Board felt that either of the alternatives followed would not be proper unless there are full facts. The reason being that whereas in a residential sector the number of storeys going to be put up on one residential plot are known, no such restrictions apply in Diplomatic Enclave. It was, therefore, decided that case should be re-submitted to the Board with the following information:-

- a) The total floor area of the building.
- b) Total ground area of the building.
- c) Other details which can go to determine the total probable consumption of water during the course of construction.

2284/411/71

7/12/71 - 1/12/71

2. Question of review of awards of trees in respect of which compensation was assessed in accordance with the Schedule of rates of 1963.

Sir Hart.
Sir A.A.
Addl. Dir. Lands
Law Officer

The summary on the captioned item was presented by Addl: Director Lands. The Board considered the whole history of the case and also examined the opinion given by the Legal Adviser. The Board agreed with the opinion of the Legal Adviser, contained in Addl: Director Lands's file No. CDA/DL-11(18)/68 (Notes)-paras 63, 64 & 65 - and observed that the payment of compensation of the previous awards of trees has been made long ago and the right holders concerned have already left the acquired villages. Moreover, the said decision of the meeting does not provide that the previous awards should be amended. The decision has, therefore, to be implemented from the date of decision, i.e. 31.10.69. In case the contention of the Accounts authorities is accepted all awards made during the period 1963-69 will have to be reviewed under Section 36(3) of the Ordinance. The chances of recovery of amount as a result of review are very remote. The displaced persons are already agitating for dropping the review proceedings. Besides, the awards made upto May, 65 cannot be considered for review at this stage being time barred. In other words the awards made during the period June, 1965 to Oct' 1969 will be left for review. This would amount to discrimination and would be a cause of heart burning among the displaced persons. In these circumstances it would not be advisable for the CDA to seek review of awards of trees made during 1963-69.

The case would also not be sustainable in law because CDA having paid a certain rate over 5 years and not have grudged it, cannot now claim or take a plea that these rates were unreasonable.

The Board thus agreed that the compensation of trees withheld in 31 villages and previous awards, where the review time has been lapsed, may be released.

2285/411/71
7/85 - 6/14/71

Dir. A + A
Addl. Dir. Land
Law Officer

Payment of compensation to Raja Allah Dad Khan and his family members for the land acquired by the C.D.A.

The summary on the captioned item was presented by Addl: Director Lands. It was felt that Raja Allah Dad Khan should have approached the Law Court instead of CDA in the matter as the Board considered this case once before and there are no fresh grounds to disagree with its decision dated 5.12.68. The Board, however, decided that opinion of the Law Department may also be obtained in the matter of second award given by the D.C., CDA, on miscellaneous application as to be clear about the liability of the Board.

Sheikh