

CAPITAL DEVELOPMENT AUTHORITY  
(SECRETARIAT)

No. CDA-919/BM-Coord/2000

Islamabad, February , 2000.

Subject: **MINUTES OF THE 2<sup>ND</sup> BOARD MEETING OF THE CDA BOARD  
FOR THE YEAR 2000.**

The 2<sup>nd</sup> meeting of the CDA Board for the year 2000 was held on Wednesday, February 2, 2000 at 02.00 P.M. in the Conference Room, Executive Block, CDA Headquarters, Islamabad.

2. The following attended:-

1. Mr. Khalid Saeed,  
Chairman CDA/Chief Commissioner ICT. In Chair.
2. Major (R) Zia Ulhaque,  
Commissioner, Rawalpindi.
3. Mr. Mohammad Bashir,  
F.A/Member.
4. Mr. Suhail Ahmad,  
Member (A).
5. Mr. Anwar Said,  
Member (Design)
6. Mr. Abdul Salam Khan Wazir,  
Member (E).
7. Mr. Maqbool Elahi,  
Member (P)
8. Mr. Abdul Ghafoor Dogar,  
Secretary CDA Board.

3. The following were also present:-

- 1) Mr. Muhammad Rafiq Ahmad,  
Consultant (Engg)

- 2) Mr. S.A.M. Wahidi,  
Consultant (Law)
- 3) Mr. M.K. Pasha,  
DDG(P)/Director (UP)
- 4) Mr. Najam Saeed,  
Director (Staff)
- 5) Mr. Saadullah Khan,  
Director Personnel,
- 6) Major (R) Tayyab Iqbal  
Director Revenue.
- 7) Mr. Nadeem Akbar Malik,  
DEM-II
- 8) Mrs. Shaista Suhail,  
Director Land & Rehabilitation
- 9) Lt. Col. M. Anwaar Khurshid,  
Army Monitoring Team.

4. The meeting started with recitation from the Holy Quran.

5. The Board confirmed the minutes of the 1<sup>st</sup> Board Meeting held on 4-01-2000.

#### Implementation

6. The Board reviewed the implementation status taken in the previous Board Meetings held in 1999. Secretary to the Board explained that during 1999, 25 meetings of the CDA Board were held wherein 210 decisions were taken, out of which 195 have been implemented. It was desired that the implementation of the remaining decisions may be expedited within seven days for submission to the Chairman.

7. The items of agenda for the Board meeting were then taken up. Salient points of discussion and decisions are as follows:-

#### 7.1 Vacation of Sector D-12.

### Decision

The CDA Board agreed to the proposals as under:-

- i) The claims of affectees of village Siri Siral to rehabilitation benefits may be considered in the light of Rehabilitation Policy, 1984 which was in vogue at the time of High Court's decision dated 30-9-1991. The decision enjoins upon the CDA to allot residential plots within one month of the handing over of the possession of the area/structure to the CDA. Moreover, 583 plots already stand allotted to the affectees under the 1984 Policy. Hence the remaining are to be dealt with under the same Policy to avoid litigation & delay in taking over possession in the area.
- ii) The affectees may be charged reserve price of residential plots which was prevalent when they became entitled to rehabilitation benefits according to the above mentioned High Court's decision.
- iii) The claim of built up property of the affectees of Siri Siral accepted by Deputy Commissioner, CDA vide his review order dated 13-1-2000 be accepted.
- iv) As village Pind Sangral is also located in the same sector, therefore, it will be advisable to deal with the claims of the affectees of Pind Sangral at par with the claims of the affectees of Siri Siral being settled i.e. in accordance with Rehabilitation Policy, 1984.
- v) The affectees who are eligible for compensation/rehabilitation benefits who have gone to the court may be asked for out of court settlement, provided the affectees withdraw the suits from the court. It was further decided that complete list of affectees who have been paid compensation but physical possession of the acquired land/built up property has not been given be prepared and handed over to the local Army Monitoring Team for full assistance in the matter.

Action; Director L&R

Approval of minutes of the Allotment Scrutiny Committee.

The case for allotment of residential plots to affectees of various villages should be got re-examined by the new Member (A) in the light of Rehabilitation Policy, 1996 and submit with recommendations of Allotment Scrutiny Committee before the Board. Moreover, if such cases are to be put up to the Board, change in the procedure, if warranted, may be done.

Action Member (A)  
Director L&R

Procedure for processing cases of plots obtained on forged/fraudulent/irregular allotments.Decision

- I) After clearance about the genuineness of the allotment of a plot on the request of the prospective purchaser on depositing Rs. 100/- within seven days the requisition for transfer application form be issued
- II) Where application for transfer have been issued or admitted the following procedure be adopted.
  - a) In case where the plot has already been transferred twice since the original allotment, the subsequent transfer be allowed subject to fulfillment of all codal requirements. However, cases be registered against original allottees and conniving CDA officials with Police/FIA.
  - b) In all cases of fraudulent allotments, first and second transfers, a committee comprising of Legal Adviser, Consultant (Law), Director Law, and Director L&R headed by Member (A) will examine genuineness of allotment and bonafides of the first purchaser on case to case basis, working within the following parameters;
    - i) In case of bonafide purchaser, the transfer will be allowed.
    - ii) If the credentials of the purchaser are proved to be doubtful to the satisfaction of the committee a case shall be registered against the allottee, the first transferee and the conniving CDA officials involved in the fraudulent

or forged allotment. The allotment of plot shall be cancelled and the plot shall be put up for auction.

iii) To differentiate between the penalty imposed on irregular allotment and forged/fraudulent allotment; if the committee is fully satisfied that the case falls in the category of irregular allotment, it shall allow the transfer to be regularized subject to payment of the existing market value of the plot.

III) Complete list of missing files should be prepared in triplicate, to be signed and kept by Director Lands & Rehab., Deputy Director (EA) and the dealing Assistant, and the allotments made through those files should be assumed to be forged or fraudulent ones. A public notice be issued inviting the persons claiming to be owners of these plots to prove their title. In case of their failure to prove title the plots may be assumed as free plots.

IV) A register of all allotments should be maintained in a proper form to be devised for the purpose on the pattern of Register Haqdaran and all allotments and transfers of plots should be noted therein under the signature of Director or Deputy Director and the register should be kept in an iron cupboard under lock and key in the safe custody of the Director.

V) A public notice showing all alleged doubtful allotment should be given in the national press for the information of the general public to avoid purchase of such plots. In case any one is desirous of purchasing a plot he may apply to the Director concerned along with a pay order of Rs. 100/- as scrutiny fee for seeking clearance or otherwise of the plot. The Director concerned will issue clearance or otherwise within a period of seven days.

Action: Member (A)  
Consultant (Law)  
Legal Adviser  
Director (Law)  
Director L&R  
Addl. Dir (PR)  
DEM-I  
DEM-II  
DD (EA)

Decision

- i) The Board took serious notice of non-submission of representation to the President and decided that the explanation of the then Director Revenue should be called as to why disciplinary action should not be taken against him.
- ii) It was also decided that general circular to all DGs, DDGs, Directors and independent Deputy Directors should be issued that in case of adverse findings of the HWM the case should be submitted immediately to the Member concerned if the findings are not to be implemented for submission representation to the President of Pakistan as required under Presidential Order No. 1 of 1983.
- iii) In case of failure the concerned Director and independent Deputy Director will be held responsible and will be liable to disciplinary action under CDA Employees (Service) Regulation, 1992.

- iv) The findings of the HWM should be implemented. Consultant (Law) should examine the case for making amendment in the said notification and give his recommendations

Action; Consultant (Law), Director  
Pers., Director Revenue, All Directors  
All independent DDs

7.5 Restoration of plot No. 2, Bazar No. 3, Class-III Shopping Centre F-10/2, Islamabad

Decision

The plot is restored subject to payment of all outstanding dues including delayed payment charges, restoration charges etc. as per prevailing policy of the Authority. It was further decided that DEM-II should consult LDA, KDA and Defence Officers Housing Authority Lahore relating to quantum of price paid by the time of handing over physical possession to the allottees and submit a comprehensive case relating to all kinds of plots in the Authority

Action: DEM-II

7.6 Grant of extension in construction period of commercial plots in various sectors.

**Decision**

The Board agreed to the viewpoint of F.A/Member. It was further decided by the Board that on the analogy of the commercial plots the rates of extension surcharge applicable to residential plots for the year 1998-99 should continue to be applicable for the year 1999-2000.

Action: DEM-I/DEM-II/Director L&R

7.7

**Amendment in the CDA employees (Service) Regulations, 1992.**



**Decision**

The Board decided that the existing quota of direct recruitment and promotion of various cadres provided in the Service Regulation 1992 should continue to be applicable.

Action: Director Personnel.

7.8

**Determination of status of abolished posts of CDA**

**Decision**

On receipt of report of Management Services Division the case may be submitted to the Board.

Action: Director Personnel.

7.9

**Request for change of land use of plot leased out for Magazine in Sector H-11, Islamabad.**

**Decision**

Representation to the President of Pakistan in terms of Article 32 of Presidential Order No. 1 of 1983 be submitted within due date without fail.

Action: DDG(P)/Dir. (UP)

7.10 Grant of permission for use of land in the ICT

Decision

The Board agreed to the recommendations of the Committee given in para 2 of as under:-

- a) In future no khokhas in developed areas should be allowed as commercial activity has started in all such areas. Encroachments made around the khokhas/kiosk should be removed and sub-letting of these sites should not be allowed. The khokhas should, however, be phased out gradually.
- b) All unauthorized Jhompras and Cabins be removed within a period of six months in the first from developed sectors and developing sectors subsequently.
- c) In future no Ara machine site shall be planned/licensed. Sites offered but yet not licensed out should be withdrawn in consultation with Consultant (Law). The existing Ara machines functioning should be curtailed within allotted sites and shall be phased out in such a manner that sites in F-11 should be eliminated in first phase.
- d) In future no site for Wood Tall & Timber Depot be planned. Functioning of existing sites be curtailed within licensed site and phased out. The existing timber depots be removed.
- e) Ration depot sites may be retrieved.
- f) For new permission in case of restaurants to extend siting beyond their plots/premises in commercial areas should be done carefully and only to restrict to the evenings.
- g) DMA should check all tandoor sites and prevent from conversion in to restaurants. Where these sites have been converted into restaurants these should be bring back to tandoor use.

- h) Open spaces and container sites for sale of cement should be eliminated on immediate basis. Designated container sites in F-11 and G-11 where construction is underway may be retained and sites elsewhere be eliminated. The restored sites/area should be properly guarded by Environment Directorate or barbed wire, where necessary.
- i) As regards the car dealers sites separate summary be brought up for consideration of the Board.
- j) Terms and conditions of renewal of nursery be revised by Planning Wing in consultation with DG(Env) and DEM-II.
- k) In case of Display Centre one kanal plot decision of nursery be applied.
- l) As regards the petrol pump sites District Magistrate, Traffic Police, Explosive Department, National Highway Authority be consulted. The renewal fee may be doubled from Rs. 5,000/- to Rs. 10,000/- per annum.

Action: Consultant (Law)  
DG(ENV)  
DDG(P)/Dir (UP)  
DEM-II  
DMA  
Director Enforcement.

7.11 Categorical recommendations of Committee formed by the Board in its meeting of 2-11-1999 for vacation of Bheka Sayedan.

### Decision

- i) It was decided to wait till taking over physical possession of the entire village Bheka Sayedan.
- ii) DC, CDA to expedite the verification of allegedly fraudulent review orders at the earliest.
- iii) CDA Counsel should also follow up and get the cases expedited.
- iv) It should be confirmed from Legal Adviser and Consultant (Law) that there is no hitch in taking over physical possession of the area.

Action: Director L&R  
DC, CDA.  
Director Law.

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