

	CAPITAL DEVELOPMENT AUTHORITY PLANNING WING Directorate of Housing Societies	
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No. CDA/PLW/HS(90)/2010/CDECHS/Vol-II/425

Islamabad, 30th September, 2025✓ **Maj. (Retd.) Raja Naseer,**

Secretary, Cabinet Division Employees Co-operative Housing Society (CDECHS)
 Sector E-16/E-17, Near Ternol, Main G.T Road, Islamabad

Subject:- SHOW CAUSE NOTICE

UNDER SECTION 49-C, 46 & 46-B OF THE CDA ORDINANCE 1960, READ WITH, CLAUSE-5 (I) & (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".

[NOTICE FOR ILLEGAL CONVERSION OF PUBLIC AMENITY PLOTS, TRANSFERRED IN THE NAME OF CDA IN "CABINET DIVISION EMPLOYEES COOPERATIVE HOUSING SOCIETY", SECTOR E-16/2-3 & E-17/3, ZONE-2, ISLAMABAD]

Ref:- Please refer to this office Notice No. CDA/PLW/HS(90)/2010/CDECHS/Vol-III/348, dated **18-8-2025**, regarding the subject matter.

It is informed that **1st Layout Plan (LOP)** of the Cabinet Division Employees Cooperative Housing Scheme (CDECHS), sponsored by M/s Cabinet Division Employees Cooperative Housing Society (CDECHS), in Mouza Sarai-i-Kharbooza, Pind Paryan & Paswal, Sector E-16/2-3 & E-17/3, Zone-2, Islamabad, over an area measuring **4,405 Kanals**, was approved by CDA on **28-6-2004**, 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 No. 633**, dated **21-8-2004**. Subsequently, No Objection Certificate (**NOC**) for Development of the Housing Scheme was issued by CDA, vide letter dated **13-10-2004**, subject to conditions mentioned in the letter.

2. M/s CDECHS were served with Notices, Final Notice & Show Cause Notices, to fulfill the Terms and Conditions of NOC at the earliest. It was conveyed that, otherwise, it would be assumed that M/s CDECHS are not serious in the Development of the Scheme and in this case CDA would be constrained to initiate action for violating Terms and Conditions of NOC of the scheme under ICT (Zoning) Regulation, 1992. But, it has been observed with grave concern that the Sponsors of the Scheme have failed to fulfill the Terms & Conditions of the said NOC, even after lapse of more than **20 Years** of issuance of NOC.

3. Later on, approval of minor revision and swapping of land uses in in the said scheme was provisionally approved vide letter, dated **22-6-2022**, subject to conditions given in the Approval Letter, which were required to be completed within prescribed timeframe. It is regretted to inform that too have not been fulfilled by the Society



4. However, during the site visits, it has been observed with grave concern and viewed seriously that M/s CDECHS 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 Deed, 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	Area (Kanal)	Sector	Land Uses on the Ground
1.	Park	Street No. 13 & 15	24.90	E-16	Residential
2.	Park	Street No. 25 & 16	21.48	E-16	Converted Partially to Public Building
3.	Green	Principal Road	15.46	E-16	Residential
4.	Green	Principal Road	10.55	E-16	Residential
5.	Park	Road 60' Wide	74.40	E-16	Residential
6.	Park	Street No. 22 & 24	15.73	E-16	Residential
7.	Park	Street No. 5 & 6	15.20	E-16	Residential
8.	Park	Street No. 21 & Major Road	18.14	E-17	Residential
9.	Park	Street No. 14 & 17	18.14	E-17	Residential
10.	Park	Street No. 7 & 8	16.9	E-17	Residential
11.	Park	Street No. 9 & 5	42.42	E-17	Residential
12.	Mosque	Street No. 4	4.00	E-16	Residential
13.	School	Street No. 11	9.20	E-16	Residential
14.	Community Center	Street No. 4	4.98	E-16	Residential
15.	Mosque	Street No. 16	3.5	E-16	Commercial
16.	School	Street No. 16	4.3	E-16	Commercial
17.	Service Area	Street No. 14 & 15	4.9	E-16	Residential
18.	Mosque	Street No. 54 & Road (60' wide)	8.2	E-16	Residential
19.	Hospital	Street No. 54	16.6	E-16	Residential
20.	College	Road 60' Wide	12.0	E-16	Residential
21.	School	Street No. 8 & 6	5.5	E-16	Residential
22.	Mosque	Street No. 8 & 6	3.1	E-16	Residential
23.	School	Street No. 32 & 24	5.18	E-16	Residential
24.	Mosque	Street No. 32 & 24	3.56	E-16	Residential
25.	School	Street No. 18 & 21	4.59	E-17	Residential
26.	Mosque	Street No. 18	2.5	E-17	Residential
27.	Hospital	Street No. 9	10.6	E-17	Residential
28.	Community Center	Street No. 13	7.60	E-17	Residential
29.	Mosque	Street No. 6 & 13	7.60	E-17	Residential
30.	School	Street No. 3	7.60	E-17	Residential
31.	Mosque	Street No. 3	2.7	E-17	Residential
32.	S.T.P	Principal Road	13.26	E-17	Residential
33.	School	Street No. 36	5.3	E-17	Residential
34.	Mosque	Street No. 39	3.0	E-17	Residential
35.	School	Street No. 26 & 27	7.0	E-17	Residential
36.	Mosque	Street No. 26 & 27	3.84	E-17	Residential
37.	Graveyard	Street No. 54	16.6	E-16	Residential

5. It transpires that this is a clear case of willful concealment of facts, criminal breach of trust and fraud with motive to achieve wrongful gains in violation of the commitments on the part of M/s CDECHS to spare agreed amount of land specified in the approved Layout Plan for amenities such as Parks, Green/Open Spaces, Public Buildings like Schools, Hospital, Community Centre, etc. and Graveyard. The Society has brazenly violated express Terms and Conditions which formed the mainstay of the Approved Layout Plan for the Scheme, illegally converted the land meant for Amenities into Residential and Commercial plots and has sold the same to prospective buyers while concealing the fact that the land in question was essentially to be used for purposes evident from the approved plan.

6. Active concealment of facts having knowledge and belief of facts committed by anyone for wrongful gain attracts criminal liability punishable under the law. In such situations, where the land meant for amenities is sold out through concealment of facts, possession of such land can be retrieved by the CDA by all means and the loss and damage of any nature occurred to the wrongful purchasers shall be the sole responsibility of the Society to compensate. This is a matter of great public importance being an encroachment on the rights of the bonafide residents of the scheme within the territorial jurisdiction of CDA, particularly so wherein the Society has refused to rectify the irregularities and mend its ways.

7. It was conveyed that the Honorable Islamabad High Court, Islamabad, 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.

8. Islamabad High Court, Islamabad, in **WP 1189/2016**, titled **Mustaneer ul Hasan vs CDA**, ordered on **31-12-2018** as under:

25. "Layout Plan" means a detailed Land Use Plan, once it has been given approval after due deliberations and considering the planning parameters of the Town Planning, No Revision is permissible under the law and if CDA allows any such permission, the same amounts to negate the original concept, **which was used by the sponsors to attract different individuals for their investment in the scheme.**

Respondents No. 2 & 3 argued their case on the strength of their proposed **Rectified Layout Plan** submitted before this Court in which they have **created extra plots of residential and commercial nature and converted the amenity plots at their own end and surprisingly MVHS has created third party interest on ground without any approval of the CDA, which is serious violation and such illegality cannot be allowed to perpetuate, failing which the entire scheme and rights of citizens, who are living in Sector D-17, shall be infringed**, therefore, the instant writ petition is **ALLOWED** in the following terms:

- i. **All the changes, which were made by respondents No. 2 & 3 in the Original Layout Plan are illegal and in violation of ICT (Zoning) Regulations, 1992, therefore, if any right has been created in favor of ordered party upon the amenity plot is also illegal.**
- ii. **CDA/respondent No.1 shall ensure the restoration of amenity plots as per approved layout plan.**
- iii. **CDA is directed to implement the Chapter-IV Penalties for Violations with reference to Section-5 of the Regulations and shall take all other appropriate actions against department/officials (the then Deputy D.G Planning, Director Housing Societies, Director Enforcement, Director Building Control) who were not aware of the basic law.**

9. Islamabad High Court, Islamabad, in I.C.A. No. 289 of 2018, Muhammad Akbar Abbasi and others Versus Capital Development Authority through its Chairman and others:

6. The appellants are the allottees of plots / units allotted by the CECHS with respect to an area which does not form part of an approved layout plan. It is incumbent on a purchaser to satisfy himself that the plot / unit being purchased by him is within the limits of the layout plan duly approved by the CDA. **It is also incumbent on a housing society not to sell plots or units which do not form part of an approved layout plan. In the event, the Regulator is to carry out the penal measure of demolition of structure made in violation of the approved layout plan, it is the housing society that would be liable to pay damages to the allottees.**

7. We have gone through the impugned judgment dated 17.05.2018 passed by the learned Judge-in-Chambers with great interest and keenness and have been given no reason to interfere with the same. Consequently, the instant appeal is dismissed. There shall be no order as to costs.

10. The Honorable Islamabad High Court Islamabad, in its Judgment in **Writ Petition No. 1662/2018** titled Toquir Ahmad, MD Des Pardes vs CDA, dated **11-5-2018**, Ordered as under:

“CDA Authorities are directed to visit all the Societies and Verify the Credential of All Utility Plots, Service Areas, Parking Lot, which belong to CDA under the Layout Plan (LOP) or under the NOC granted to the Society, and if it is found that any **Illegal Structure has been raised on the Amenity Plots by the Society or any Third Party, they can proceed in accordance with Law without taking any exception and Director Building Control, CDA as well as Director Societies, CDA shall also issue Warning Notice to all the Societies and their Executive Bodies to comply with the CDA Bye-laws in Letter & Spirit.**”

11. The Honorable Islamabad High Court, Islamabad, in the **WP-2766/2019**, titled **Bahria Town (Pvt.) Ltd. Vs CDA**, Ordered on **26-9-2019**, as under:

4. On 30-8-2000, the CDA. approved the layout plan for Bahria Town Scheme comprising Phase-II, III, V and VI (excluding Phase- II-E, IV and VI-E). at Mouza Kotha Kalan. Zone-5. Islamabad. On **23-11-2018**, the petitioner submitted an application to the C.D.A. for the approval of the **Revised Layout Plan** for the said scheme.

7. It was confirmed by the learned counsel for the petitioner that the development activity carried out by the petitioner with respect to the above-mentioned housing Schemes were in accordance with the Revised Layout Plans which had not been approved by the CDA. Thus far, I am of the view that the **petitioner's conduct in carrying out developmental activity in accordance with Revised Layout Plans which had not been approved by the CDA disentitles it from relief in the discretionary/equitable jurisdiction of this Court.**

8. In view of the above, the abovementioned **Writ Petitions are Dismissed**, with no order as to costs.

12. The Honorable Islamabad High Court (IHC), Islamabad, in **Cr. Org. No. 73/2023**, titled Muhammad Yameen vs Kamran Cheema. Has passed following Orders on **15-4-2025**:

9. Therefore, in order to resolve this issue, it is hereby declared that the Secretary, Cooperative Societies Department, the Director (Housing Societies), CDA, and the Circle Registrar, Cooperative Societies Department, are obligated to verify that in future no plot shall be allotted beyond the approved LOP to any person in the society. Similarly, the Executive Committee of the society shall submit an undertaking before the CDA and the Cooperative Societies Department when applying for the approval of the LOP/NOC, affirming that **they will only allot plots within the approved LOP** and that subsequent conversion of any street or plot number is not permissible once it has been allotted, provisionally or otherwise as per map of the society. Furthermore, the society shall not incorporate any clause in the provisional or final allotment letter stating that "they are empowered to

change the location or number of the plot," as the power for conversion of any plot or street number, or the shifting of the location of a plot, is not permissible once the LOP has been approved and the plots are earmarked.

13. Islamabad High Court, Islamabad, in its orders dated **26-5-2025**, passed in **WP No. 4043/2024**, titled "Muhammad Anwar Ch. etc. vs CDA", has directed as under:

"15. In view of above, the instant Writ Petition No. 4043 of 2024 is Allowed. The impugned Revised Layout Plan dated 21-3-2023, passed by CDA is declared to be Illegal, without lawful authority and of No Legal Effect, and is hereby Set Aside. The respondents are directed to Restore the Layout Plan of CBR-ECHS Phase-1 to its Original Form as approved on 24-02-2007. The CDA is further directed to ensure that **no amenity plots, green areas or public utility spaces are converted to residential commercial usage in violation of applicable laws and regulations**, and that the **rights of the residents are safeguarded** in future with no order as to costs".

14. The Honorable Islamabad High Court, Islamabad, in the **WP-2766/2019**, titled **Bahria Town (Pvt.) Ltd. Vs CDA**, Ordered on **26-9-2019**, as under:

4. On 30-8-2000, the CDA approved the layout plan for Bahria Town Scheme comprising Phase-II, III, V and VI (excluding Phase- II-E, IV and VI-E) at Mouza Kotha Kalan. Zone-5. Islamabad. On **23-11-2018**, the petitioner submitted an application to the C.D.A. for the approval of the **Revised Layout Plan** for the said scheme.

7. It was confirmed by the learned counsel for the petitioner that the development activity carried out by the petitioner with respect to the above-mentioned housing Schemes were in accordance with the Revised Layout Plans which had not been approved by the CDA. Thus far, I am of the view that the **petitioner's conduct in carrying out developmental activity in accordance with Revised Layout Plans which had not been approved by the CDA disentitles it from relief in the discretionary/equitable jurisdiction of this Court.**

8. In view of the above, the abovementioned **Writ Petitions are Dismissed**, with no order as to costs.

15. The following **Judgements/Directions** of the Honourable **Supreme Court of Pakistan** and **Islamabad High Court, Islamabad**, have also been relied upon, for issuance of this Show Cause Notice:

- a. **CP 863/2013**, ICA 301-W/2012, WP 1777/2011
- b. **Cr. Petition 923/2015**, ICA 488/2015, CrI. Org. 397-W/2013
- c. **CP 3221 to 3227/ 2016**, ICA-263-269/ 2016, WP-2929/ 2013
- d. **CP 3424 to 3467/ 2018**, WP 676/2017
- e. **ICA 498/2015**, WP 4400/2013
- f. **Civil Suit 10/2016**
- g. **ICA 83&84/2017**, ICA 20&21/2018, WP 2646/2014, WP 2884/2014
- h. **ICA 289/2018**, WP-1141/2011
- i. **WP 1662/2018**
- j. **WP-2766/2019**
- k. **Cr. Org. No. 73/2023**
- l. **WP No. 4043/2024**

16. M/s CDECHS was directed, vide this Office Notice No. **348**, dated **18-8-2025**, to get the all the plots of Public Amenities (Parks/ Play Grounds/ Open Spaces/ Public Buildings etc.), transferred in the name of CDA, be 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. However, no practical steps have been taken for compliance of this Notice.



17. 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 CDECHS 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

18. 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. **Sale of Mortgaged Plots** with CDA (even along with superstructures, if illegally allotted & built), for Development of your Defaulting Scheme
- e. **Sealing** of your Society Offices & Site Offices

19. 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**.

20. This is issued without prejudice.

(IJAZ AHMAD SHEIKH)
Director Housing Societies

Distribution:-

1. **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 constructed in violations of Approved LOP on the Land/Plots earmarked for Amenity/Public Building Areas, in co-ordination of this Office, Directorates of EM-III & Building Control (South), CDA, with the approval of the Competent Authority, under Section 49-C of CDA Ordinance 1960, Clause 5(i) of ICT Zoning Regulations 1992, Clause-3(2) read with Schedule-II, Part-VI (2&3) of CDA Conduct of Business Regulation, 1985].

2. **Director Building Control (North), CDA**

[It is requested to initiate action for demolition/removal of the Illegal buildings/ structures constructed, in violations of Approved LOP on the Land/Plots earmarked for Amenity/Public Building Areas transferred in the name of CDA, with the approval of the Competent Authority, under the provisions of Section 49-C of CDA Ordinance 1960, the Pakistan Capital Regulation (MLR) 1982, Clause 5(i) ICT Zoning Regulation 1992 and relevant Clauses of Islamabad Capital Territory Building Control Regulation 2020 (amended in 2023)].

3. **Director Housing (Monitoring & Evaluation), CDA**

[It is requested to proceed further in compliance of the Job Description Notified by Member (P&D), CDA, vide No. CDA/PS/M(P&D)/2023/9034, dated 10-8-2023, on the directions of CDA Board.

4. **Director (EM-III) , CDA**

[It is requested to proceed further in compliance of the CDA Board Decision, dated 08-4-2025.

Copy to:-

1. Member (P&D), CDA
2. The Director General
Awareness & Prevention Divisions
Headquarters, National Accountability Bureau (NAB),
Shahra-e-Jamhooriyat, Sector G-5/1, Islamabad
3. Deputy Commissioner, ICT/Registrar Co-operative Societies, Islamabad
4. DG (Law), CDA
5. DG (Urban Planning), CDA
6. DG (Building & Housing Control), CDA
7. **Director (I,T), CDA**
[It is requested to Upload this Show Cause Notice on CDA Website for Awareness of the General Public & All Stakeholders]
8. Director Staff to the Chairman, CDA
9. DC, CDA/Sr. Special Magistrate, CDA
10. PS to Member (Estate), CDA
11. Master File

(MUHAMMAD MANSHA)
Dy. Director (HS)