



2nd May , 2013

Mr. Adil Rafi Siddiqui,
Executive Officer,
Cantonment Board Clifton,
CC-38, Street No.10th,
Kh-e-Rahat, Phase-VI,
DHA,
Karachi.

**Sub: Public Notice Construction of Commercial Building ob Plot No D-8, Block8,
Clifton**

Dear Sir,

Transparency International Pakistan refers to the Public Notice published in news papers on 1st May 2013, inviting objections if any, on the Construction of Commercial Building on Plot No D-8, Block8, Clifton. **Annex-A.**

Following rules are to be followed by CBC as well as Builder,

1. On a Plot of 972 Syds , if it is 90 ft X 97. 5 ft, the floor plate allowed is 945 syd, and with maximum the allowable FAR of 1:5.5, total construction area permissible is 46,784 sqft, plus additional area for parking space including ramps and driveways, Arcade, mechanical or electrical plant rooms, escalators or lift towers, Karachi Electric Supply Corporation KESC sub-station, stairs and stair towers, open balconies over streets, passages round voids, UGT and non-regularizable five percent of permissible F.A.R. for recreational facility and prayer. From the public notice, this building is one basement, plus 15 floor, which means, if builder has designed floor plate only by using maximum open spaces as permissible, the constructed area is 136.080 sft. This means about 200 % area is used for other than the FAR of 1:5.5, which seems illogical.
2. The above assumptions if correct, will result in buyer paying say for net area of apartment/office of say 2 000 sft, additional payment for 4, 000 sft. common area. This seems illogical.
3. CBC shall ensure compliance of Cantonment Board Clifton, [Karachi] Building Bye-laws, 2007, Chapter XI No Objection Certificate For Public Sale Projects, Section 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115 and 116 .

CBC is also requested to ensure the strict compliance of Sindh High Court orders in the Constitutional Petition No. 2184 of 2009, in which the honorable court was pleased to pass the following order on 23.02.2010 while disposing of the main petition of TIP the relevant portion of above said Order is: **Annex-B**



“Consequently, this Petition is being disposed off by directing the Builders afore-mentioned to follow the provisions of the relevant law viz, the Defence Housing Authority Order V of 1980 and the Rules framed thereunder as well as the Cantonments Act and the Rules and Regulations/Byelaws of the Clifton Cantonment Board, where applicable. In case of any violation of afore-mentioned Order, Act, Rules and Regulations etc, appropriate application for contempt may be made. It is also ordered by consent that the Builders afore-mentioned will post on their Website Model Agreements between themselves and their customers”.

TI Pakistan is striving to have Rule of Law in Pakistan, which is the only way to eliminate corruption and have good governance in country.

With Regards,


Syed Adil Gilani
Adviser

Copies forwarded for the information and action under the receptive mandate of:

1. Chairman, NAB, Islamabad.
2. Registrar, Supreme Court of Pakistan, Islamabad.

1st May,
2013 DAWN



Cantonment Board Clifton

PUBLIC NOTICE

It is notified to inform all the concerned Authorities, General Public and Residents of Clifton Cantt. that Mr. Sheikh Abdul Mateen & others (8) have applied through Attorney Mr. Sheikh Muhammad Manzoor for the approval of proposed construction of commercial building, consisting of Basement+Ground+1st to 14th typical Floors measuring 972.00 Sq Yds on Plot bearing No. D-8, Block-8, KDA Scheme-5, Clifton, Karachi in the office of the Cantonment Board Clifton. It is pertinent to mention that KDA has already issued NOC from Land & Tenure point of view vide their letter no. **KMC/KDA Wing/COMM.CELL/2013/174/L** dated 12-03-2013.

Whosoever has genuine grievances/sound and reasonable objections in this regard, may submit such objections in writing in the office of the Cantonment Board Clifton within 15-days of the publication of this notice. After lapse of stipulated period no objection shall be taken into consideration.

**Executive Officer
Clifton Cantonment**

CBC

Zealously working for a greener, healthier environment.

CC-38, Street-10, Kh-e-Rahat, Phase-VI, DHA, Karachi-75500.
Ph # 35847831-2, 35348774-5, 35850403, 35348784 Fax # 35847835
Website: www.cbc.gov.pk

IN THE HIGH COURT OF SINDH, KARACHI

C.P. No. D-2184 of 2009

Date Order with signature of Judge

11. For orders on Misc. No. 1779/2010 (Urgent)
12. For orders on Misc. No. 186/2010
13. For orders on Misc. No. 13133/09
14. For Katcha Peshi.
15. For Hg. of Misc. 12060/09
(Comments filed) (Statement filed)

23.02.2010: Petitioner Adil Jilani present in person.
Mr. Munawar Malik, Advocate for D.H.A.
Mr. Ashraf Ali Butt, Advocate for Clifton Cantt. Board.
Mr. Arshad Tayyebally, Advocate for M/s. Creek Marina
(Pvt) Limited.
Mr. Taha Alizai, Advocate for Emaar Ciga Karachi Ltd.
Mr. Tufail Ahmed Dehraj, Advocate for K.B.C.A.
Mr. Muhammad Ashraf Khan Mughal, D.A.G. for the
Federation of Pakistan.

After having heard the Petitioner, Learned Counsel for the respondents as well as learned D.A.G., we proposed to Learned Counsel that this Petition be disposed off by directing the Builders to abide by the Rules and Regulations/Byelaws of the D.H.A. as well as that of Clifton Cantonment Board vis-à-vis the Project in issue viz. Crescent Bay and Creek Marina being developed by Emaar Ciga Karachi Ltd. and Creek Marina (Pvt) Limited to which they all agree.

Consequently, this Petition is being disposed off by directing the Builders afore-mentioned to follow the provisions of the relevant law viz. the Defence Housing Authority Order V of 1980 and the Rules framed thereunder as well as the Cantonments Act and the Rules and Regulations/Byelaws of the Clifton Cantonment Board, where applicable. In case of any violation of afore-mentioned Order, Act, Rules and Regulations etc., appropriate application for contempt may be made. It is also ordered by consent that the Builders afore-mentioned will post on their Website Model Agreements between themselves and their customers.

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At this stage, Mr. Arshad Tayyebally and Mr. Taha Alizai, Advocates for the Builders, request that the Petitioners may be directed not to publish any news report vis-à-vis today's order as it may unfairly affect the business of their clients. The Petitioners has agreed not to do so but yet the Learned Counsel have some reservation in this regard. We would hence direct that a small news item shall be released by the Registrar of this Court in terms of today's Order and no party shall cause to be published any other news.

Misc. Applications are also disposed of.


CHIEF JUSTICE


JUDGE

S.I.