



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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28th October 2010

Ch. Nisar Ali Khan,
Chairman,
Public Accounts Committee,
National Assembly of Pakistan,
Parliament House,
Islamabad.

Sub: Complaint against Overseas Sector DHA Islamabad

Dear Sir,

Transparency International Pakistan's refers to the clarification of DHA Islamabad given to the Public Accounts Committee on 21st October 2010, with a copy to TI-P.

The DHA clarification is not in accordance with the requirements of the rules, regulations and requirements of DHA Islamabad Ordinance 2007, as well as PPRA Ordinance 2002 and Public Procurement Rules 2004.

This may be noted that DHA has accepted that the Overseas Pakistanis are not being given the plots sold to them in 2005.

The clauses No 3.1 to 3.5 of DHA agreement with the allottee, are against the Law of Natural Justice, which does not allow any party to make one sided agreement.

Under the building bylaws in Sindh, Punjab, Clifton Cantonment Board, CDA Islamabad Capital Territory (Zoning) Regulation, 1992, and anywhere in the world, no land developer or agency is allowed to advertise or sell a plot or an apartment or a house without first obtaining the approval of the Regulatory Authority on Master Plan/ Building Plan/ Development Plans.

Under the DHA Islamabad Ordinance 2007 Article 8(2) (a), DHA Islamabad is required to observe the rules, regulations and bylaws framed by CDA. We quote from CDA website the format of NOC issued to various for public information.

It is for the information of general public that only 13 housing schemes in Zone 2, 5 and sector E-11 have been issued NOC by CDA. Sale purchase of plots and development in any scheme other than the schemes which have been issued NOC is unauthorized/ illegal. Therefore, general public is advised in their own interest to restrain from any sale/purchase of plots in schemes. For further information about the housing schemes in



*Islamabad, please contact on the following address: Deputy Director General (planning)
Planning Wing, CDA. Ph: 051-9252613, Fax: 051-9253078*

Under CDA bylaw, TI-P presumes that CDA approval is mandatory on Master Plan and sale procedures are defined in the NOC, and once the project is advertised for sale, the change in Master Plan is not allowed, without the consent of the allottee, and CDA.

The alleged action of DHA Islamabad of accepting the change in master plan and award of contract of development of this land without public tendering to a third party is against Public Procurement Rules 2004, and is a violation.

Transparency International Pakistan is of the view that appropriate action may be taken under the laws of Pakistan on these violations, which are to be determined by a regulatory agency, in order to protect the rights of citizens of Pakistan and aggrieved parties who have paid billions of Rupees to DHA under a definite scheme, which has alleged to be changed unilaterally by DHA Islamabad.

With Regards,

Syed Adil Gilani
Chairman

Copies forwarded for the information of

1. Administrator, DHA, Islamabad
2. Chief of Army Staff, Pakistan Army, Rawalpindi
3. Auditor General of Pakistan, Islamabad
4. Registrar, Supreme Court of Pakistan, Islamabad
5. Complainant