

IN THE SUPREME COURT OF PAKISTAN, ISLAMABAD

(Original Jurisdiction)

Regd. A.D.

HRC No.5651-S/2013

Application by Syed Adil Gillani S/o Not Mentioned
5-C, 2d Floor, Khyaban-e-Ittehad, Phase VII, Defence Housing Authority,
Karachi

To Syed Adil Gillani
S/o Not Mentioned
5-C, 2d Floor, Khyaban-e-Ittehad, Phase VII, Defence Housing Authority,
Karachi

Despatcher
Supreme Court of Pakistan
Islamabad

Take notice that in pursuance of order of the Hon'ble Chief Justice of Pakistan, you are informed to avail legal remedy if so advised in accordance with law.

Islamabad: June 29, 2013

End. copy of report



Director
Human Rights Cell
Phone # 051-9220581/319
Fax # 051-9219516

Application by Syed Adil Gilani(Advisor)

Transparency International Pakistan
5-C, 2nd Floor, Khayaban-E- Ittehad, Phase VII,
Deffence Housing Authority, Karachi.

Subject: Complaint against CDA delaying possession of an allotted flat since
November 2008.

It is humbly submitted that residential Sector I-15 Islamabad was launched by the CDA on 30-11- 2005. to cater for increasing demand of residential accommodation in Islamabad. This Sector has been reserved for people in lower income belonging to General Public having annual income less than Rs.150,000/- and Federal Government Employees in BPS-1 to 16. Flat No A-2 Block No 223 sector I-15 was allotted to **Saleema Nasreen** vide office letter No.CDA/EM-I/I-15/ (A-2) (223) /06 /1426 Dated: 08-09-2006 (Annex-A).

It is submitted CDA had taken steps to start the construction of flats in sector I-15 that includes development of infrastructure (on turn key Bases) for which work was awarded to M/s Al Khan Construction company after competitive bidding in March 2006, The contract of M/s Al-Khan was terminated in April, 2007 as the contractor failed to achieve any progress at site. CDA also invited International firms for presentation on construction of 8000 flats on modern technique and as in a result of these presentations, 03 firms were selected. After negotiations and detailed discussions the proposal was shelved as the estimated cost of construction of flats was found to be more than 200% of the price offered to allottees.

Now due to economic difficulties, lack of required funds and to pass minimum current cost of construction to allottees in consultation with Government of Pakistan, it was decided to invite private sector through International Competitive Bidding to develop Sector I-15 including construction of flats on Design, Build and Finance basis. The bidding process could not be materialized for higher rates and bidders demand for Sovereign Guarantee etc. During the President of Pakistan's visit to Republic of China on June 06, 2012, a MOU for development of sector has been signed between CDA and Consortium of Chinese firms (M/S CMEC& M/S CRFG). The signed MOU has been referred to Cabinet Division for obtaining NOC to enter into agreement with the Consortium. The NOC is under process, as soon as the NOC is obtained, CDA will sign the contract agreement to start with the physical execution at site of work. Moreover CDA is also looking for other options for the project.

It is further submitted that the Major Roads linking Sector I-14 and I-15 have been constructed. The road around the commercial area of the sector also stands completed and is being used by the general public. Furthermore, to ease traffic flow, the bridge/ancillary work falling in alignment of this Major Road is being undertaken shortly.

As far as profit/rent is concerned, the CDA has already facilitated the aggrieved allottees of Sector I-15 and on the demand of the allottees the entire deposited amount is being refunded without any deduction on the recommendation of the CDA Board instead of deduction of 10% of price of flat as per clause of 3(v) of the offer letter. Due to financial constraints, CDA is not in a position to give any markup/profit to the allottees at this stage.



Muhammad Latif Abid
02/4/13
(MUHAMMAD LATIF ABID)
Director Estate Management-I

Dated 2-4- 2013