



8<sup>th</sup> April 2013

Mr. Yaseen Anwar,  
Governor,  
State Bank of Pakistan,  
I.I. Chundrigar Road,  
Karachi.

**Sub: Objection on NBP's purchase of over 70 acres land from Mr Daryus. T Sethna to  
be adjusted against loan as Notified in JANG of 8<sup>th</sup> April 2013**

Dear Sir,

TI Pakistan refers to the Public Notice published in Jang of 8 April 2013, inviting objections on NBP's purchase of over 70 acres land from Mr Daryus T Sethna to be adjusted against a loan. NBP is not allowed to purchase land without following Public Procurement Rules 2004 and the valuation of the land must be determined from the public auction, in order to safeguard Exchequer Money.

If valuation is conducted by Banks approved Valuators, the experience of such valuation has been poor. A few of them approved 2 to 7 times the market value, as has been in the case of NICL purchases of land in Karachi Bagh Korangi, in which case 10 acres were valued at Rs 900 million against the market value of Rs 450 million. In the valuation of land in Lahore, 805 Kanal was valued at 7 time more than market value causing loss of over Rs 1.45 billion. M/S Tri Star, M/S Medallion Services and M/S Consultancy Support Services were the approved valuers in these cases. These lands were procured in the violation of law and the difference or full amount has been refunded by the parties: Reference Suo-Moto Case No. 18 of 2010, and over Rs. 3 billion have so far been recovered by the Supreme Court of Pakistan.

If under some influence the value of this property is determined at less than the market value, and then the bank sells it to that influential person at that very value, it will be depriving the account holder benefit of his real value, which is a fraud and cheating. There are examples of such previous deals reported in press in past.

TIP request the Governor SBP not to allow NBP to buy this property, and sell it through open public auction and that amount adjusted against the outstanding loan.

NBP since last 1-1/2 years has failed to legally justify the case of purchase of 15,406 Sq. Yds. Plot No. LA-2/B from Afroze Textile Industries (Pvt.) Limited; Refer TIP Letters dated 23<sup>rd</sup> January 2012, 09<sup>th</sup> February and 29<sup>th</sup> February 2012 and PPRA Letter dated 25<sup>th</sup> January 2012.

It is true that under Section 7 of the Banking Companies Ordinance 1962, NBP may be authorized to acquire the property and adjust the customer's liability, but at what value. The value of the property mortgaged in previous times maybe higher or lower than the present market value and therefore the law of Pakistan binds NBP to sell / auction the property and adjust the value towards the liability of the customer.



If all the loans by Banks were fully secured by keeping collaterals of assets, and valuation of those assets were correct, then why over Rs. 200 Billion in previous years have been lost, and why one big business group is defaulting over Rs 60 billion loans of various banks in Pakistan, and SBP as regulators is silent.

TI-P requests the Governor to kindly review the SBP clarification and issue a clear cut order for NBP to auction the property publically as was rightly done in 2012 by the Askari Bank in case of 13842 sq. yds. and 10648 Sq. Yds. industrial plot in S.I.T.E.

With Regards,

Syed Adil Gilani  
Adviser

Copies forwarded for the information and action under their mandatory responsibilities to:

1. PSPM, Prime Ministers House, Islamabad.
2. Chairman, NAB, Islamabad.
3. Registrar, Supreme Court of Pakistan, Islamabad.
4. Auditor General, Islamabad.
5. President, NBP, Karachi.
6. Managing Director, PPRA, Islamabad
7. Directors SBP, Mr Hidayatullah and Mr Mahamood Mandiwala, Karachi

# جنگ

KAIKHUSRO RUSTOM IRANI کے قانونی ورثاء اور عوام الناس کیلئے

## اطلاع عام

ہمارا موکل نیشنل بینک آف پاکستان ، Mr. DARAYUS T. SETHNA کی ایک غیر منقولہ املاک حامل سروے نمبر 96 (08-08 ایکڑز)، 97 (37-07 ایکڑز)، 98 (02-10 ایکڑز)، 99 (09-10 ایکڑز)، 100 (26-00 گھنٹاز)، 101 (27-00 گھنٹاز)، 102 (33-00 گھنٹاز)، 103 (11-07 ایکڑز)، 104 (04-06 ایکڑز)، 105 (01-05 ایکڑز)، 106 (18-00 گھنٹاز)، 107 (00-04 ایکڑز)، 108 (38-04 ایکڑز) 109 (21-00 گھنٹاز) 110 (01-04 گھنٹاز) پیمائشی 70 ایکڑز، 36 گھنٹاز دیہہ Gangiario ٹپو لائنڈھی ضلع ملیر کراچی ("املاک") جو اس نے KAIKHUSRO RUSTOM IRANI (آنجمانی) سے ان کی وصیت کے ایگزیکیوٹرز کے توسط سے بذریعہ ایک باقاعدہ رجسٹرڈ سیل ڈیڈ حاصل کی تھی کو قبول کرنے کا ارادہ رکھتا ہے۔

KAIKHUSRO RUSTOM IRANI کے کوئی قانونی ورثاء یا ان کی وصیت کا بینفٹیری یا کوئی شخص مالیاتی ادارہ سرکاری اتھارٹی جس کو مذکورہ املاک پر نیشنل بینک آف پاکستان کا رہن پیدا کرنے یا Mr. DARAYUS T. SETHNA کی ملکیت ہونے پر کوئی اعتراض ہو تو اس سے نوٹس ہذا کی اشاعت سے اندرون 3 یوم نیشنل بینک آف پاکستان یا سب رجسٹرار بن قاسم ٹاؤن یا مندرجہ ذیل ایڈووکیٹ سے رابطہ کرے جس کے بعد کوئی دعویٰ / اعتراض جو بھی ہو قبول نہیں کیا جائے گا اور بعد ازاں ایسے شخص جو املاک پر کوئی حق یا دعویٰ رکھتا ہو کو کوئی اعتراض اٹھانے کی اجازت نہیں ہوگی۔

## AHMED & QAZI

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