

4-C, Mezzanine Floor, Khayaban-e-Ittehad, Phase VII, Defence Housing Authority, Karachi. Tel: (92-21) 35390408, 35311897-8, Fax: (92-21) 35390410

E-mail: ti.pakistan@gmail.com Website: www.transparency.org.pk

19th June, 2017

Syed Murad Ali Shah, Chief Minister, Sindh, CM House, Karachi.

Sub: Application of SHC Order in CP No. 520 of 1991, dated 24 March 2005, and cancellation of 5 acres plot of Mr. Wasif Q Siddiqui in Deh Okewari from NC No 187/209/210 on 16 June 2017 vide Sec LU Sindh letter No.01-149-02/SO-I/344/17, and non-application of the same SHC Order in CP No. 520 of 1991, dated 24 March 2005 on 2 Acres Plot allotted in 1991 to Nasie Lotha in the same Horticulture Plot allotted in 1981 in Deh Okewari C No 187/209/210.

Dear Sir,

Transparency International Pakistan appreciates and congratulates you on a very positive action on application of SHC Order in CP No. 520 of 1991, dated 24th March 2005, and cancellation of 5 acres plot in Deh Okewari from NC No 187/209/210 on 16th June 2017 vide Sec LU Sindh letter No.01-149-02/SO-I/344/17. **Annex-A**.

This right decision of across the board application of SHC Order dated 24th March 2015 by the Chief Minister will always be remembered in history as a right act for achieving the agenda of Zero tolerance against Corruption in Sindh Province.

In the same spirit, TI Pakistan draws the attention of the CM that the root cause of regularization of 5 acres plot by Sindh LU department for applicant Mr. Wasif Q Siddiqui is Mr Nasir Lotha, who in 1991 requested CM Sindh Jam Sadiq Ali for 2 acre plot for his house, and the then CM Sindh first cancelled the Horticulture Amenity Plot, and then on 4.5.1991 out of this Plot, 2 acres were allotted to Nasir Lotha for residential-cumcommercial, and 23 acres to M/s Ahmed Ali Const. Co (15), Mobin Int. (2), China Builder (2), Mustafa & Co (2), Combined Builder (1), and Mrs. Sara Begum (1). Annex-B.

The ex Chief Minister Sindh approved the allotment, in exercise of provision Section 10(1) of the Colonization of Government Lands Act, 1912, Section 3 (2) of Statement of Condition, of 2 acres to Mr. Naseer Abdullah, for residential cum commercial purpose, and 23 acres to six other builders/persons, vide Secretary LU, Sindh dated 4.5.1991 in relaxation of ban and Condition No 14 of Statement of Condition.

The ex Chief Minister had no power to relax rules, and all these allotments in relaxation of ban and Condition No 14 of Statement of Condition are illegal.

All such allotment in relaxation of Rules are unconstitutional.



A 2 acre land was illegally allotted for Residential cum Commercial purposes to a UAE Citizen Naseer Abdullah Lotha in 1991, on an Amenity Plot allotted in 1981 for horticultural complex and a botanical garden, adjacent to Safari Park, KDA Scheme No 36, Karachi, out of Na class No.187, Deh Okewari, Taluka Karachi East. And after many years CM Sindh cancelled the lease of 30 acres plot of Horticulture Society, and then in 1991 on the request of Naseer Abdullah Lotha illegally allowed exchange of this plot in the 30 acres of land in Na class No.187, Deh Okewari, Taluka Karachi East. After 14 years, on 24th March 2005, the cancellation of the lease in 1989 was found malafide, void and inoperative by Chief Justice Sabihuddin Ahmed and Justice Rahmat Hussain.

In 2016, the ex- CM Sindh, Syed Qaim Ali Shah allowed the exchange of this plot on the request of Mr. Lotha, but the same CM Syed Qaim Ali Shah then ordered the cancellation of plot allotment.

The Sindh Lu Department and few officers mis informed you and by hiding from you the SHC Order of 24th March 2005, illegally managed to get your approval of withdrawal of the cancelation order of 2016.

Royal Group Project, 5 Towers of 40 story, sale value Rs 45 Billion, are illegally being built on this amenity plot in which the famous land grabber Khalid Masood (341 acres Malir River Illegal allotment Agha Tariq Case, in which he is a NAB accused) is also involved.

This Court order in 2005 confirms that the 30 acres plot allotted to the Horticultural Society (HRP) was an Amenity plot for development of a horticultural complex and a botanical garden.

In this regards TI Pakistan has also informed Chairman NAB for taking action under NAO 1999 against two ex CMs and also on 2016 withdrawal of cancellation letter of 2 acres plot. **Annex-C**.

TI Pakistan requests the Chief Minister to order cancellation of all 7 plots, including 2 acres plot allotted to Nasir Lotha, so that full implementation of SHC Orders dated 24 March 2005 is achieved.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Bards.

Sohail Muzaffar

Chairman

Encl: Documents

Copy forwarded for necessary action as per rules to,

- 1. Secretary to the Prime Minister, Islamabad.
- 2. Chairman, NAB, Islamabad.
- 3. Chief Secretary, Government of Sindh, Karachi.
- 4. Registrar, Supreme Court of Pakistan, Islamabad.

MOST URGENT



GOVERNMENT OF SINDH LAND UTILIZATION DEPARTMENT

REGULARIZATION OF 05-00 ACRES LAND FROM N.C. NO.187/209/210 OF DEH OKEWARI KARACHI INTO 99 YEARS LEASE FOR RESIDENTIAL-CUM-COMMERCIAL PURPOSES -REQUEST FROM MR. WASIF Q. SIDDIQUI, PROPRIETOR OF M/S WASIF VAZEER ASSOCIATES KARACHI.

READ: -

The Honorable Chief Minister's Directive bearing No.PS to PS CM/CMS/2017/47, dated 16.06.2017 regarding withdrawal of regularization letter dated 21.04.2017 on the subject noted above, that since the cancellation of allotment in favor of Horticultural Society was held by the Honorable High Court of Sindh to be without legal Authority through Judgment dated 24.03.2005 in CP No.D-520 of 1991, the regularization of 05-00 acres of land in favor of Mr. Siddiqi should immediately be withdrawn by the Secretary Land Utilization Department.

ORDER: -

Therefore, regularization letter No.01-149-02/SO-1/228, dated 21.04.2017 in respect of 05-00 acres land from N.C No.187/209/210 of Deh Okewari Karachi issued by this Department is hereby withdrawn.

> SECRETARY TO GOVERNMENT OF SINDH LAND UTILIZATION DEPARTMENT

34 /17, Karachi Dated 16 -06-2017 No.01-149-02/SQ-1/

A copy is forwarded for information to: -

- 1. The Chairman, Sindh Government Lands Committee Karachi. The Senior Member, Board of Revenue, Sindh Karachi, The Principal Secretary to Chief Minister, Smith Karachi
- 4. The Commissioner Karachi Division Karachi.
- The Partials Commissioner, East Karuchi, Specially County (Statt) to Chief Secretary, Smath Karachi, Specially the State (Statt) to Chief Secretary, Smath Karachi,

Annex-B

NO.LU-II/Misc.G/K/I//636-AoF 1991 Board of revenue, Sindh, Camp office Karachi, dt.4th: May 1991

SUBJECTL- REQUESTS OF ALLOTMENT OF LAND IN NACLASS NO.187 DEH OKEWARI TALUKA KARACHI EAST.

ORDER.

In exercise of powers conferred by Section 10(1) of the Colonization of Government Lands Act, 1912 read with Condition No.3(2) of the Statement of Conditions notified on 12.5.1975, the Government of Sindh with the approval of the Chief Minister, Sindh being the competent Authority, has been pleased to allot the following lands for residential-cum-commercial purposes shown against each for 99 years lease at the rate of Rs.400/- (Rupees four hundred) only per square yard in relaxation of ban and Condition No.14 of the Statement of Conditions:-

NACLASS NO.187 DEH OKEWARI TALUKA KARACHI EAST.

'i) M/S Ahmed Ali Const. Co 15-0	acres
(ii) Mobin International02-0	н
(iii)Mr. Nassar Abdullah	11
(iv) China Builders 02-0	н
(v) Mustafa and Co 02-0	н
(vi) Combined Builders 01-0	11
(vii)Mrs. Sabra Begum	***

2. Cost of the land shall be recovered from the allottees as per the terms and conditions of Land Grant Policy noted above under intimation to this Department.

(GHULAM ABBAS SOOMRO)
SECRETARY ZO GOVT. OF SINDH,
EAND UTILIZATION DEPARTMENT.

Copy to :-

1. Secretary to Chief Minister, Sind, Karachi.

destable

- 2. Private Secretary to the Minister (L.U), Govt. of Sindh, Kagachi.
- 3. Commissioner, Karachi Divn: Karachi
- Deputy Commissioner, .Karachi East.
- 5, Nukhtiarkar, Karachi East.
- 6. Applicants.

ANNEX-C



4-C, Mezzanine Floor, Khayaban-e-Ittehad, Phase VII, Defence Housing Authority, Karachi. Tel: (92-21) 35390408, 35311897-8, Fax: (92-21) 35390410 E-mail: ti.pakistan@gmail.com

Website: www.transparency.org.pk

27th January, 2017

Chairman, National Accountability Bureau, Islamabad

Sub: Complaint on the allegation of Corruption of illegal allotment of 2 acre land for Residential cum Commercial to UAE Citizen Naseer Abdullah Lotha in 1991, on an Amenity Plot allotted in 1981 for horticultural complex and a botanical garden, adjacent to Safari Park, KDA Scheme No 36, KDA Scheme No.36, Karachi, out of Na class No.187, Deh Okewari, Taluka Karachi East

Dear Sir,

Transparency International Pakistan received a complaint in 2016 regarding allotment of 2 acre land for Residential cum Commercial purposes to UAE Citizen Naseer Abdullah Lotha in 1991, on an Amenity Plot allotted in 1981 for horticultural complex and a botanical garden, adjacent to Safari Park. KDA Scheme No 36. KDA Scheme No 36. Karachi, out of Na class No 187, Deh Okewari, Taluka Karachi East.

The complaint was forwarded to DG NAB. Karachi. Vide two letters dated 12.7.2106 and 10.9.2016. Annex A and B.

However NAB is slow in processing the complaint, and in the meantime the illegal allottee is availing the laxation and since last 6 months is rapidly constructing five 35 storied Commercial Towers on this amenity plot.

As per law, a piece of land once declared as an amenity can neither be put to commercial or residential use, nor can it be used as another kind of amenity than the one specified.

Bedsides the illegalities reported to NAB in TIP two letters of July and October 2016, following additional information is received;

1. Chief Minister Sindh approved the allotment in exercise of provision Section 10(1) of the Colonization of Government Lands Act, 1912, Section 3 (2) of Statement of Condition, of 2 acres to Mr. Naseer Abdulah, for residential cum commercial purpose, and 23 acres to Six other builders/persons, vide Secretary LU, Sindh dated 4.5.1991 in relaxation of ban and Condition No 14 of Statement of Condition. Annex-C.

Chief Minister does not have any power to relax rules, and all these allotments in relaxation of ban and Condition No 14 of Statement of Condition are illegal.

All such allotment in relaxation of Rules are unconstitutional.



We refer to the following Honorable Supreme Court Order, given in Crl.P.L.A No.36-K & 37-K of 1999 by Mr. Justice Nasir Aslam Zahid and Mr. Justice Wajihuddin Ahmad in 1999.

- 2. No one in authority, whosoever high office such person in authority may be holding, has any power, jurisdiction or discretion to distribute any public property or asset and in these cases extremely valuable lands, on nominal consideration, which land or asset essentially belong to the People of Pakistan. It was patently malafide exercise of power. This Court further ordered that the grants of lands to the petitioner specially in the manner, the same was done are prima facie violative of Article 3 (elimination of exploitation) Article 25 (equality clause) and Article 31 of the Constitution of Islamic Republic of Pakistan which requires the State to endeavor to promote observance of Islamic moral standards and Article 38 of the Constitution which interalia requires the State to secure the well being of the people by preventing concentration of wealth in the hands of a few to the detriment of general interest.
- 2. In 1982, during the regime of President General Ziaul Haq, 30 acres of land in Na class No.187, Deh Okewari, Taluka Karachi East was allotted to the Horticultural Society of Pakistan for the development of a horticultural complex and a botanical garden. In 1989, CM Sindh, Jam Sadiq Ali canceled the allotment. The Horticultural Society (HRP) and I filed a constitutional petition (D-520/91) in the High Court of Sindh citing as respondent No.1 the Province of Sindh, and as respondents 2 to 9 grabby members of the builder/developer community. Our lawyers were Jadoogar of Jeddah Syed Sharifuddin Pirzada, now the prime minister's senior adviser, and Barrister Makhdoom Ali Khan, now our attorney-general. In June 1991, they obtained an interim stay order from Chief Justice Saceduzzaman Siddiqui and that good judge. Imam Ali Kazi. Subsequently, the case file was handed over to Ms Sana Akram Minhas, Makhdoom's junior.

After 14 years, on 24 March 2005, the cancellation of the lease in 1989 was found malafide, void and inoperative. Chief Justice Sabihuddin Ahmed and Justice Rahmat Hussain Jafri handed down their judgment in the matter, and declared the cancellation in 1989 by CM Sindh, of 30 Acres the Horticultural Society of Pakistan Illegal.

Quote

Be that as it may, it is clear from the terms of section 24 of the Colonization of Government Lands Act that the breach being capable of rectification, the Collector in the first instance was mandated to grant reasonable time to the petitioner to rectify the breach. In the event of petitioner's inability to do so within aforesaid time he was required to independently apply his mind and decide either to impose a penalty or to order resumption of the tenancy. He failed to perform both statutory obligations and proceeded to act under dictation from the chief minister. Even the elementary principles of natural justice were denied. Accordingly, we are constrained to hold that the cancellation of the lease was malafide, void and inoperative.

For the foregoing reasons we would allow this petition and declare that the cancellation of the allotment in favour of the petitioner to be without lawful authority the appropriate authorities however, are always at liberty to take such action as is strictly contemplated by law in case they deserve likewise the respondents No. 2 to 7



as well as the City District Government may assert their rights and interest in accordance with law.

Unquote

This Court order in 2005 confirmed that the 30 acres plot allotted to the Horticultural Society (HRP) was an Amenity plot for development of a horticultural complex and a botanical garden.

This court order also does not permit Sindh Government to allot or exchange 2 acres land to Naseer Abullah residential cum commercial against the Condition No 14 of Statement of Condition, i.e. without open auction, as well as 23 acres, which has to be allotted in accordance with law.

According to law and various Supreme Court decisions, a piece of land once declared as an amenity cannot be put to commercial or residential use, nor can it be used as another kind of amenity than the one specified.

This is the Second illegality committed by Sindh Government in 1991, for allotting an Amenity plot for commercial use.

The complaint has been examined again, and prima facie according to above reasons, allotment of 2 acres land, and also restoration in 2016 appears to be illegal, which has caused over Rs 2 Billion loss to exchequer.

Tl Pakistan requests the Chairman NAB to examine the complaint, and take notice of these allegations. And if the complaint is found correct, all these illegal acts may be reverted back, and action may be taken against all those who are responsible for the mis-use of authority for private gain, under NATO 1999. Section 9.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,

Sohail Muzaffar Chairman

Encl: Documents

Copy forwarded for necessary action as per rules to.

- 1. Secretary to the Prime Minister, Islamabad
- 2. Chief Justice Sindh High Court, Karachi,
- 3. Chief Secretary, Government of Sindh, Karachi
- 4. Registrar, Supreme Court of Pakistan, Islamabad





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Director General, NAB Karachi, National Accountability Bureau, Karachi,

Sub: Complaint on the allegation of Corruption by Sind LU department in illegal allotment of about 15 acres land to Naseer Abdullah Lotha in 1980s, and subsequent allotment of 2

Acres in Exchange to Gulshan e Iqbal. Karachi, canceled on 8.1.2015, and then illegally restored in Oct/Nov 2015 worth over Rs 2 Billion,

Dear Sir.

Transparency International Pakistan has received a complaint on the allegation of Corruption by Sind LU department in illegal allotment of about 15 acres land to Naseer Abdullah Lotha in 1980s, and subsequent allotment of 2 Acres in Exchange to Gulshan é Iqbal, Karachi, canceled I on 8.1.2015, and then illegally restored in Oct/Nov 2015 worth in market over Rs 2 Billion.

The complainant has levied the following allegations;

That

- 1. In 1980/90s Sindh LU Department allotted about 15 acres land to Naseer Abdullah Lotha in 1980s in Gulshan-e- Johar Karachi.
- 2.. As no payment was made as per terms allotment for over 15 acres land by Naseer Abdullah Lotha for 15 acres or so land, the allotment was supposed toi be canceled.
- 3. But legally Sindh LU Department exchanged 2 acres plot out of that 15 acres of so, supposed to be canceled plot, in Gulshan-e-lqnal, Karachi in May 1991. An so called amount of Rs 3,872,000 at rate of 400/syd for Commercial/Residential use was paid under order No LU-l/Misc .G/K/1635-A dated 4.5.1991. There are reports that it may be fake payment, and record of payment received in govt of Sindh account needs to be verified.
- 4. A report of KMC dated 6-7-2015 reveals that on the examining the available record of Land Acquisition Cell, KDA Wing, KMC as revealed from the handing over and taking over report of the list of the detailed land notified for scheme -36 that total area of the Naclass No. 210 is 37-23 acres out of which 13-22 acres fall in the notified boundary of Gulistan-e-Jauhar, Scheme -36, the area of the na class No. 210 to be claimed by the KMC for the portion of the Safari Park as well as the Horticulture Society. The land in Question falls in the behind of scheme No. 36 however before any action the confirmation of the location of the land from KMC regarding the not effecting the planning or land of the Safari Park and other lands of the KMC acquired from the Government time to time accordingly.
- 5. In November 2015 Chief Minister Sindh approved a summary regarding conversion of existing a 30-year lease granted for poultry, agriculture or cattle farming into a 99-year lease



for industrial purposes on an application of November 24, 2010. He further said that government land cannot be given in exchange of private land for non-agricultural use, adding the amendment in Section 17 was introduced in 1995 to prohibit the transfer of valuable government land to the private persons in the garb of exchange.

- 6. On 8.10.2015, the Sec LU canceled the allotment/exchange of 2 Acres Plot.
- 7. But on illegal orders, Sindh LU department has against restored the 2 Acre Exchanged Plot.

The complaint has been examined, and prima facie this restoration seems to be illegal, and by illegal restoration of plot status has caused over Rs 2 Billion loss to exchequer.

TI Pakistan requests the Director General NAB Karachi to examine the complaint, and take notice of these allegations. And if the complaint is found correct, all these illegal acts may be reverted back, and action may be taken against all those who are responsible for the mis-use of authority for private gain, under NATO 1999, Section 9.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,

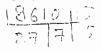
Sohail Muzaffar

Chairman

Encl: Documents

Copy forwarded for necessary action as per rules to,

- 1. Secretary to the Prime Minister, Islamabad
- 2. Chief Justice Sindh High Court, Karachi,
- 3. Chief Secretary, Government of Sindh, Karachi
- 4. Registrar, Supreme Court of Pakistan, Islamabad





KARACHI METROPOLITAN CORPORATION OFFICE OF THE DIRECTOR ESTATE & ENFORCEMENT (KDA WING)

No. DIR E&E/KDA Wing/KMC/Naclass 210/S-333/Deh Okewari/1015/65/

Dated 06/07 / 2015

The Deputy Director (UD), Master Plan Department Sindh Building Control Authority Marachi

Subject: REQUEST FOR FORWARDING BUILDING PLAN / LAYOUT PLAN TO SINDH BUILDING CONTROL AUTHORITY OF LAND BEARING SURVEY NO. 333, OUT OFF NACLASS NO. 210, MEASURING 2-00 ACRES OF DEH OKEWARI, GULSHAN-E-IQBAL, KARACHI EAST (RESIDENTIAL CUM COMMERCIAL) B+G+19.

With reference to your letter No. URP-59-50/Mi E/2014/UD/119/L Dated 16-07-2014 and subsequently letter No. URP-59-50/MPD/2014/UL/99/L Dated 11-05-2010, whereas examining the available record of Land Acquisition Cell, NDA Wing, KMC as revealed from the handing over and taking over report of the list of the detailed land notified for Scheme-36 that total area of the Naclass No. 210 is 37-23 acres out of which 13-22 acres fall in the notified boundary of Gulistan-e-Jauhar, Scheme-36, the area of the Naclass No. 210 to be claimed by the KIMC for the portion of the Safari Park as Well as the Horticulture Society. The land in Question falls in the behind of Scheme No. 36, however, before any action the confirmation of the location of the Land from the KMC regarding the not effecting the planning or Land of the Safari Park and other Lands of the KMC acquired from the Government time to time

Estate & Enforcement KDA Wing, KMC

Copy forwarded for information& appropriate necessary a tion to:

1. Sr. Director Culture, Sports & Re-Creation, KMC.

2. Sr. Director Master Plan, SBCA.

3. Deputy Commissioner, Karachi East.

4. Director Land Management, KMC, 10th Floor, Civic Certie, Karachi.



РН. 99231422

OFFICE OF THE DEPUTY COMMISSIONER KARACHI EAST.

No. DC/K/E./Rev.Br/

U /2015, Karachi, the dated.

.2015.

Τo,

125545

The Assistant Commissioner, Gulshan-e-Iqbal,

Karachi East.

The Mukhtiarkar, Gulshan-e-Iqbal, Karachi East.

Subject:-

REQUEST FOR FORWARDING BUILDING PLAN / LAYOUT PLAN TO SINDH BUILDING CONTROL AUTHORITY OF LAND BEARING SURVEY NO. 333, OUT OF NACLASS NO. 201, MEASURING 2-00 ACRES OF DEH OKEWARI GULSHAN-E-IQBAL KARACHI EAST, (RESIDENTIAL CUM COMMERCIAL) B+G+19.

Enclosed please find herewith a copy of letter No. Dir (E &E) KDA Wing/KMC/Naclass 210/S-333/Deh Okewari/2015/65/L, dated 06.07.2015, received from the Director Estate & Enforcement KDA Wing KMC, on the subject captioned above.

You are requested to please go through the contents of under communication and furnish detail report in the matter at the earliest, so that further action could be taken in the matter accordingly.

FOR DEPUTY COMMISSIONER

Copy to:-

1. The Director Estate & Enforcement KDA Wing KMC.

2. P.A to Deputy Commissioner Karachi East.



99206351

To,

No. SS/KYC/ 447/2015 Government of Sindh Board of Revenue Survey Superintendent (Karachi)

Dated 08 -10-2015

SUBJECT CANCELLATION OF ORDER/LETTER-REGARDING EXCHANGE OF LAND UNDER SECTION 17 OF THE COLONIZATION OF GOVERNMENT LANDS (SINDH) ACT 1912.

In compliance of letter No.09-294-03/SO-1/493 and Notification No. 09-294-03/SO-1/494 dated 21-09-2015; issued by Secretary to Government of Sindh Land Utilization Department, Ghat Wadh Form No.No.62 in respect of S.No.333 (02-00) acres out of NC No.210 Deh Okewarr is hereby cancelled and prepared Rad Ghat Wadh Form No.89 Deh Okewari by the field staff of this office which are sent herewith for taking further necessary action.

Inchtarland,
Por, you on per
law / rubs.

The Secretary to Government of Sindh Land Utilization Department with reference to his office letter No. No. 01-154-02/80-1790 dated 21-06-2010.

The Commissioner Karachi Division, Karachi

The Director Settlement Survey & Land Record Sindh Hyderabad.

The Deputy Commissioner District East, Karachi.

5. The Mukhtiarkar Taluka Gulshan E-Iqbal, District East, Karachi.

The Inspector of Revenue & City Surveyor Karachi.

(Muhammad Younis Dahri) Survey Superintendent



OFFICE OF THE ASSISTANT COMMISSIONER GULSHAN-E-IQBAL KARACHI FAST

District Council Building, Near Civic Center, Kerachi, (Tel #021-99231425

No. A.C/G.I/K/East/(126/)2015,

Dated: / 10/2015,

To,

The Mukhtiarkar, Gulshan-e-Iqbal, Karachi East,

Subject:-

1

CANCELLATION OF ORDERS LETTERS REGARDING EXCHANGE OF LAND UNDER SECTION 17 OF THE COLONIZATION OF GOVERNMENT ANDS (SINDH) ACT 1012.

Enclosed please find herewith a copy of letter No. SS/KYC/447/2015, dated 08/10/2015; received from Survey Superintendent Karachi, on the subject noted above, alongwith its enclosures, which is self-contained.

You are directed to go through the contents of the letter / its enclosure, under communication and take immediate necessary action in the matter as per law / rules under intimation to this office.

(Shoukat Ali Üjj n) ASSISTANT COMMISSIONER GULSHAN-E-IQBAL KARACHI EAST

Copy to:-

Ĺ

The Worthy Deputy Commissioner Karachi East.

(Shoukat Ali Ujjan) ASSISTANT COMMISSIONER GULSHAN-E-IQBAL KARACHI EAST



B 99206351 No. SS/KYC/ 447/2015 Board of Revenue Survey Superintendent (Karachi)

Dated 08 -10-2015

To,

The Assistant Commissioner, Sub-Division Gulshan-E-Iqbal District East, Karachi.

SUBJECT:

CANCELLATION OF ORDER/LETTER-REGARDING

In compliance of letter No.09-294-03/SO-1/493 and Notification No. 09-294-03/SO-1/494 dated 21-09-2015, issued by Secretary to Government of Sindh Land Utilization Department, Ghat Wadh Form No.No.62 in respect of S.No.333 (02-00) acres out of NC:No.210 Deh Okewarilis hereby cancelled and prepared Rad Ghat Wadh Form No.89 Deh, Okewari by the field staff of this office which are sent herewith for taking

further necessary action

(Muhammad Younis Dahri) Survey Superintendent

Karachi

Copy for information to tall

The Secretary to Government of Sindh Land Utilization Department with reference to his office letter No. No.01-154-02/SO-1/70 dated 21-06-2010 .

The Commissioner Karachi Division, Karachi. 2.

The Director Settlement Survey & Land Record Sindh Hyderabad. 3.

The Deputy Commissioner District, East, Karachi.

The Mukhtiarkar Taluka Gulshan-E-Igbal, District East, Karachi.

The Inspector of Revenue & City Surveyor Karachi.

Scanned by CamScanner

5.5

AASSER ABDULLAH HUSSAIN LOOTAH

P.O. BOX 1520, DUBAL- UA.E.

PHONES: 009714-2969000 CELL : 009715-6444455

Date:

ĩc.

The Honourable Chief Minister Sindh, Islamic Republic of Pakistan, Karachi – Pakistan

Dear Chief Minister,

Pul-up Sum

Ref: 02-00 acres from N.C. No. 187 Deh Okewari

l enclose herewith a copy of a challan dated 15-05-1991, amounting to Rs. 38,79,000/- (Rupees: Thirty Eight Lacs Seventy Two Thousand Only), for the above mentioned 02-00 acres from N.C. No. 187 of Deh Okewari. The above mentioned amount was paid to the Government of Sindh by me since 1991. The above mentioned land was never physically banded over by the then Government. It is now 14 years since this amount is in the exchequer of the Government.

I am also enclosing the Judgement passed by the High Court of Sindh for your reference. I would be grateful if you would be kind enough to grant me an alternate land at the price prevailing in the market as my previous allotted land for N.C. No. 187 Deh Okewari.

Thatking you,

Sincerely,

(Nasser Abdullah Hussain Lootah)

87. Km).

30/3

POSSESSION LETTER.

In pursuance of order No.LU-II/Misc/J(k)I/1636-A of 1991 dated 14-05-1991, an area of 02-00 acres from Naclass No.187 of Deh Okewari Karachi was leased out in favour of Mr. Nasser Abduillah Lotah for residential – Cumcommercial purposes on 99 yuears lease. Subsequently land in question regularized by the land utilization Department, vide letter No.01-154-02/SO-I-31, dated 8.6.2010 – and same land has been exchanged with 02-00 acres state land from N.C.No.210 Deh Okewari, Gulshan-e-Iqbal Town, Karachi by Land Utilization Department vide letter No.01-154-02/SO-I/70, dated 21-06-2010. The possession whereof is hereby handed over to lessee on today 09-07-2010.

HANDED OVER BY

TAPEDAR GULSHAN IOBAL TOWN

TAKEN OVER BY LESSEE

H.E.MASEER ABDULLAH LOTAH R/O KARACHI.

OFFICE OF THE MUKHITAREAR (REVENUE) GULSHAN-E-ICHAL TO-CITY DISTRICT GOVERNMENT KARACHI.

NO. MULTI/REV/GIT/(225)/443

To,

The District Officer (Rev) dity District Government, KXs r s c h i.

SUB: REPORT REGARDING APPLICATION OF MASEER ABDULLAR LOOTALFOR RESTORATION OF 2.00 XX ACTES DEH OKEWARI.

R#F:- Your office letter No. Do(Rev)K/R/B/3599/2006 deted 06.06.2006.

It is submitted that the rope that been called from Tapedar of the best who after verifying the rovence record reported that there is no any entry in favour of Names Abdullah Lootah in respect of 2.00 Acres land N.C. 187 Deh okewari is availed in feword of athat flights.

MUKHITAJIKAR (RRVENUE)
GUDSHAN-E-IQBAL TOWN (C.D.G.) KARACHI.

Copy-submitted to the Deputy District Officer (Revenu Gulshan-e-Iqual Town Karachi for Information.

/M/2

CITY DISTRICT GOVERNMENT KARACIII

No:NO.EDO/REV/K/R.B/ 22 10 /2006.

Karachi, Dated: 2006-06-01

The District Officer (Revenue)
Gity District Government,
arachi.

2599

Subject. REPORT

Enclosed please find herewith photo stat copy of letter No.Misc-/SO-II/327/06, dated 29-05-2006 alongwith its enclosures, received from the Deputy Secretary-II, Land Utilization Department, Government of Sindh, Karachi on the above captioned subject.

You are requested to please go through the contents of above letter and furnish detailed report in the matter

3.

(KHALID MERMOOD SHAIKH)
Deputy District Officer (Revenue) - HQ-II
For Executive District Officer (Revenue),
City District Government
Karachi

Copy 10

The Deputy Secretary-II, Land Utilization Department, Government of Sindh, Karachi for information.

106 % 1012 06 Com In # 110605310062

: Com Out #: 000606010023

Submission Note:

- O1. PUC is a letter bearing No. DO(Rev)/K/R.B/2614, dated 24-06-2010 has been received in this office along with letter bearing No.01-154-02/SO-1/70, dated 21-06-2010 of the Secretary to Govt of Sindh, Land Utilization Department. Whereby with the approval of competent authority i.e. Chief Minister Sindh, in exercise of powers vested under section 17 of Colonization Act,1912 has allowed exchange of 02-00 acres state land from N.C No.210 Deh Okewari, Gulshan Iqbal Town, Karachi, on same terms & conditions in lieu of area viz; 02-00 acres allotted to Mr. Nasser Abdullah Lootah from N.C No. 187 vide letter No.LU-II/Misc/J(K)I/1636-A of 1991 dated 14-05-1991.
- O2. The perusal of this record reveals that an area of 02-0 acres from N.C No.1g7 of Deh Okewari Karachi was leased out in favour of Mr. Nasser Abdullah Lootah for residential-cum commercial purposes on 99 years lease at the rate of Rs.400/- per square yards, vide the order No. LU-II/Misc/J(K)I/1636-A of 1991 dated 14-05-1991. Lessee deposited occupancy price amounting to Rs.38,72,000/- into the Government Treasury. But the possession of land in question was not delivered to him.
- O3. Later on, the Government of Sindh was pleased to promulgate the Sindh Government Lands (Cancellation of allotments, Conversions and Exchanges) Ordinance-III of 2000. The land in question stood frozen.
- 04. Subsequently differential amount worked out on the basis of rates at Rs.1,21,51,600/- per acre fixed by the lands committee on 26-08-2009 in pursuance of Section 4 (2) of the said ordinance, and loss caused the Government as determine by the committee under rule 3 (1) of the Ordinance ibid.
- O5. The differential malkano amounting to Rs.02,04,31,200/- has been paid into Government Treasury by the lessee.
- Of. The land in question has been regularized in pursuant to section 5 of the Ordinance ibid.
- O7. Since, it obligatory that District Officer (Rev), CDGK has also executed an agreement of lease with allottee and is to be registered with concerned Sub Registrar.
- O8. The agreement of lease is prepared and placed on Board for kind approval and signature please. If agreed.

09. A.M. - Mill

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goodal, Warel

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14. ADOCR 11 12. ADOCR 11

Para - 8(N) approved lease



Re-Submitted

- As the all codal formalities viz: execution of leased agreement etc have been 17. completed in respect of an area of 02-00 acres from NC.210, Deh Okewari, Gulshan lqbal Town, Karachi. In addition mutation of the land in question can not be effected into the Record of Rights following to the ban imposed by the Hon'ble High Court of Sindh in C.P No.11/2007.
- 18. As the lessee is requesting for handing over vacant physical possession of land in question forthwith.
- If agreed; Tapedar of the beat may be directed to handed over vacant physical 19. possession of aforesaid land.
- Further orders are solicited. 20.

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27.

Ple Lissue Letter to tappeday.

Inward No. 13 名UBMISSION U.C is an application moved by Mr. Nassir Abdullah Hussain Lotah, whereby he has requested that permission for constructions of boundary wall may be issued him. In this regard, it may be pointed out that applicant Mr. Lotah is lessee of an area of 02-00 acres from N.C. No.210, Deh Okewari, Gulshan-e-lqbal Town, Karachi by virtue of order No.L.U-II/Misc/J(k)/1636-A of 1991 dated 14-05-1991, for residential-Cum-commercial purposes on 99 years lease. Subsequently land stands regularized by the L.U Department vide letter No.01-154-02/SO-I-31, dated 8.6.2010. This may be noted down that lessee was allowed an area of 02-00 acres in N.C No.187 Deh Okewari vide order cited above - and same land has recently been exchanged with 02-00 acres strate land from N.C No.210 Deh Okewari, Gulshan-e-Industry Town Karachi, by L.U Department vide letter No.01-154-02/SO-I/70, dated 21-06-2010. In view of above fact, there appears no harm, if such permission may be allowed fissued to applicant accordingly. Further orders are solicited into subject matter as deemed fit into subject matter.

9/

SUBMITTED:

SUBJECT:- MEASUREMENT AND ISSUANCE OF GHAT WADH FORM OF THE LAND MEASURING 02-00 ACRES DEH OKEWARI IN FAVOUR OF MR.NASEER ABDULLAH HUSSAIN LUTAH.

- 38. It is submitted that this office has made a reference to the Survey Superintendent Karachi for issuance of Ghat Wadh Form of the land allotted to Mr.Nasser Abdullah Hussain Lutah.
- 39. The facts of the case in nutshell are that an area out 02-00 acres out of naclass 187 deh Okewari was allotted by the Land Utilization Department Government of Sindh under his order No. LU-II/Misc/J(K)I/1636-A of 1991 dated: 14-05-1991 for residential cum-commercial purposes for the period of 99 years lease in favour of Mr.Nasser Abdullah Hussain Lutah. Lessee has paid the occupancy price amounting to Rs. 38,72,000/- into the government treasury, but possession was not delivered to him. Later $\frac{1}{L}$ grant was cancelled under the purview of the Ordinance 2000 and also restored after recovery of differential Malkano Rs. 2,04,31,200/- by the Land Utilization Department, Government of Sindh as per decision of the Land Committee.
- Thereafter, the Worthy District Officer (Revenue) City District Government, Karachi under his letter No.DO(Rev)/K/R.B/2614 dated: 24-06-2010 with the approval of the competent authority has allowed the exchange of area 02-00 acres state land from Na-class No.210 Deh Okewari in lieu of Na-class 187 in exercise the powers vested under section 17 of Colonization Act 1912.
- During the process in the office of the Survey Superintendent Karachi one Mr.Wasif.Q.Siddiqui has made written objection regarding measurement of the land in-question stating that the measurement carried out by the Survey Department without intimation, against the decision of the

khatedars (Mr.Lutah and Mr.Siddiqui) settled amicably on site. Therefore the measurement may be carried out, issue the Ghat Wadh Form, as per decision/sketch accepted by the allottees.

42. In this regard a meeting held under the chairmanship of the Learned Additional District Officer (Revenue)-II, City District Government, Karachi. After hearing the interested parties settle down the Issue and ordered to issue new sketch / plan according to settlement of the parties. Therefore, this office has prepared the new sketch as per decision took place under the chairmanship of the Learned Additional District Officer (Revenue)-II, City District Government, Karachi and same is kept below for favour of approval/signature, issuance of corrigendum by Worthy Additional District Officer (Revenue)-II, regarding change of the location of the sketch already forwarded to the Survey Superintendent Karachi.

43. For orders;

44. Assistant Mukhtiarkar

45. Mukhtiarkar

plan has Lean prepares and lapt balow for town of Signifique

47.A D.O(R) Zone II Para 42(N) is approved.

SUBMITTED:

SUBJECT:-

ISSUE OF GHAT WADH FORM OF LAND ADMEASUING 02-00 ACRES OUT OF NA-CLASS NO.210 DEH OKEWARI.

50. P.U.C is a letter No. S-S/KYC/81/2011 dated: 26-01-2011 received from the Survey Superintendent, Karachi on the subject cited above. In this regard it is stated that this office was sent a reference to the Survey Superintendent, Karachi under letter No.MUKH/REV/GIT/15/2011 dated: 05-01-2011 for measurement and issuance of Ghat Wadh Form in respect of land measuring 02-00 out of Na-class No.210 deh OKewari Gulshan-e-Iqbal Town, Karachi. The land has been allotted by the Land utilization Department, Government of Sindh vide order No.LU-II/Misc/J(K)/1636-A of 1991 dated: 14-05-1991 for the period of 99 years for residential- cum-commercial purpose.

- The Survey Superintendent has carried out the measurement on 03-01-2011 through his technical staff on the basis of the sketch (Surathal) provided by this office, formed out a new survey number 330 area 02-00 vide Ghat Wadh Form No.62. No Government land was found in excess in possession of the Khatedar as reported by the Survey Superintendent, Karachi.
- 52. If agreed, the necessary entries may be kept in the record of rights in the light of Ghat Wadh Form No.62 issued by the Survey Superintendent Karachi.

53. Assistant Mukhtiarkar

54. Mukhtiarkar.

55. DDO ®/GIT.mn

the recommendations onate by the (Revole) are supported for

further necessary action. As para S2(N

56. ABOY(Rev.)-1]

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In compliance to the Para-57/1. 5&. by the S. T., and attested to getter the gestigned, and loney, below for the P.R.C. 61. Munc (Re)

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OFFICE OF THE ADDITIONAL DISTRICT OFFICER (REVENUE)-II CITY DISTRICT GOVERNMENT, KARACHI.

No.ADO(Rev-II)/ | 0 & 2011, Karachi, Dated:

29 -01-2011.

ORDER U/S SECTION 3 (2) READ WITH SECTION 117 (2), LAND REVENUE ACT 1967.

The Deputy District Officer (Revenue) Gulshan-e-Iqbal Town, City District Government Karachi, vide his letter No. DDO(REV)/GIT/K/1730 dated: 20-12-2010 has forwarded the case to the Survey Superintendent Karachi for issuance of Ghat Wadh Form of the land measuring 02-00 acres out of Na-class 210 deh Okewari allotted to Mr.Naser Abdullah Hussain Lutah for residential cum-commercial purposes for the period of 99 years lease.

The exchange was allowed by the District Officer (Revenue) City District Government, Karachi vide his letter No.DO(Rev)/K/R.B/2614 dated:24-06-2010 with the approval of the competent authority in favour of Mr. Nasser Abdullah Hussain Lutah from Naclass No. 210 in lieu of Naclass 187 deh Okewari.

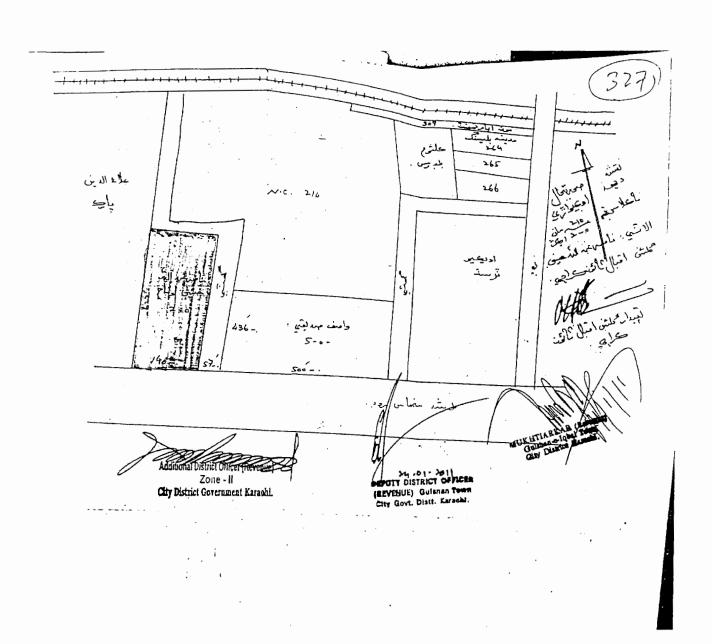
In this regard, Mr.Wasif.Q.Siddiqui has filed objection regarding issuance of Gath Wadh Form as per sketch forwarded by the Deputy District Officer (Revenue) Gulshan-e-Iqbal Karachi. Matter has been discussed in detail, heard both the claimants and finalized to revise the rough sketch, prepare new one as per amicable Settlement on site by the allottees.

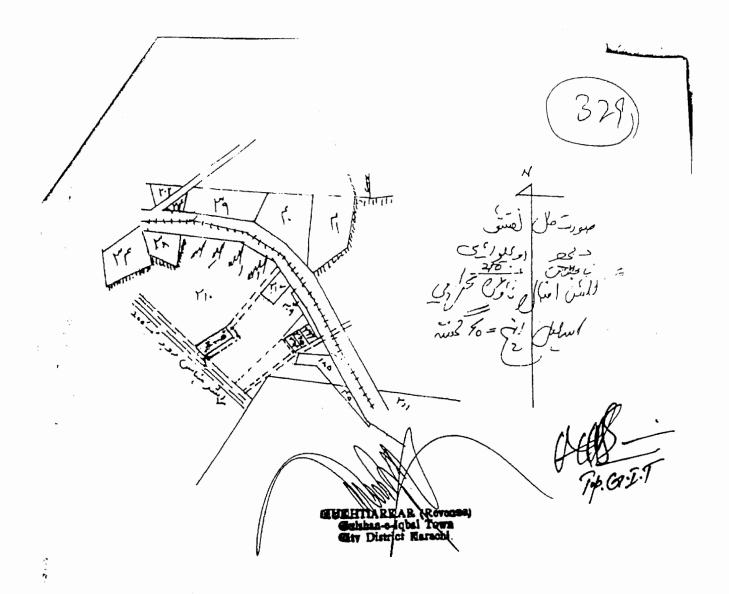
In exercise of the powers conferred upon the Collector/ Additional District Officer (Revenue)-II, City District Government, Karachi under section 3 (2) & 117 (2), Land Revenue Act 1967, I Qazi Jan Muhammad, Additional District Officer (Rev-II) do hereby, cancel /modify/ relocate the previous map/site plan in the present map which has been prepared in the light of decision taken place in the meeting held on 13-01-2011 in presence of both the parties.

additional district depicer (Rev-II)

CITY DISTRICT GOVERNMENT, KARACHI The Executive District Officer (Revenue) City District Government, Karachi.

- 2. The District Officer (Revenue) City District Government, Karachi.
- 3. The Director Survey & Settlement Karachi.
- 4. The Survey Superintendent Karachi
- 5. The Deputy District Officer (Revenue) Gulshan-e-Iqbal Town, Karachi.
- The Mukhtiarkar (Revenue) Gulshan-e-Iqbal Town, Karachi.
- 7. Mr. Naser Abdullah Hussain Lutuah,
- Mr. Wasif.Q.Siddiqui.







OFFICE OF THE MUKHTIARKAR (REVENUE) GULSHAN-E-IOBAL TOWN CITY DISTRICT GOVERNMENT KARACHI.

No. MUKH/REV/GIT/ 4 53 /2010,

Dated: 15/ 12 /2010

To,

The Deputy District Officer (Revenue), Gulshan-e-Iqbal Town, City District Government, Karachi

Subject:

ISSUANCE OF GHAT WADH FORM.

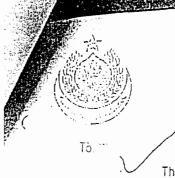
Mr.Naser Abdullah Hussain Lootah has made an application for measurement of the land and issued Ghat Wadh Form bearing N.C.No.210 of deh Okewari alloted for 99 years for residential cum commercial purpose by the Land Utilization Department Government of Sindh. The lease agreement has also been executed between the Additional District Officer (Revenue)-II City District Government, Karachi and existed in the record of rights vide entry No.1 dated 07-12-2010 of FV-II.

The request of the above named applicant is submitted to your good office for onward transmission to Survey Superintendent Karachi for further process. The

rough sketch alongwith photocopies of VF-II are enclosed.

MUKHTIARKAR (REVENUE) GULSHAN-E-IQBAL TOWN (C.D.G) KARACH

Member (Land Unitization.)



No.01-154-02/SO-I/ - 70
GOVERNMENT OF SINDH
LAND UTILIZATION DEPARTMENT
Karachi, daled: 21 -06-2010

R. No. 37

The Executive District Officer (Revenue), City District Government Karachi.

Sub-Registrar-II Vindshun-e-Iqbal Town, Karnehi

SUBJECT:

nce:

REQUEST FOR REGULARIZATION AND SHIFTING OF 02-00 ACRES LAND FROM NC.NO.187 OF DEH OKEWARI, GULSHAN-E-IQBAL, KARACHI.

Your letter No.EDO/Rev/K/RB-I/1012/2010 dated 03.06.2010 on the subject noted

above

The Competent Authority i.e. Chief Minister. Sindh in exercise of powers vested Under Section 17 of Colonization Act, 1912 has been pleased to allow exchange of 02-00 acres state land from NC.No.210 Deh Okewari Gulshan-e-Iqbal Town, Karachi on same terms & conditions in lieu of area viz. 02-00 acres allotted in favour of Mr. Nassar Abdullah Lootah from NC.No.187 vide letter No.L.U-Il/Misc./G(K)I/1636-A of 1991 dated 14th May, 1991 for residential-cum-commercial purpose.

2. You are therefore requested to take necessary action in the matter if there is no other

Jegal hitch / liligation.

SECRETARY TO GOVERNMENT OF SINDH
Land Utilization Department

10.10:

The Principle Secretary to Chief Minister, Sindh, Karachi.

The Staff Officer to Chief Secretary, Sindh Karachi.

The Survey Superintendent, Karachi.

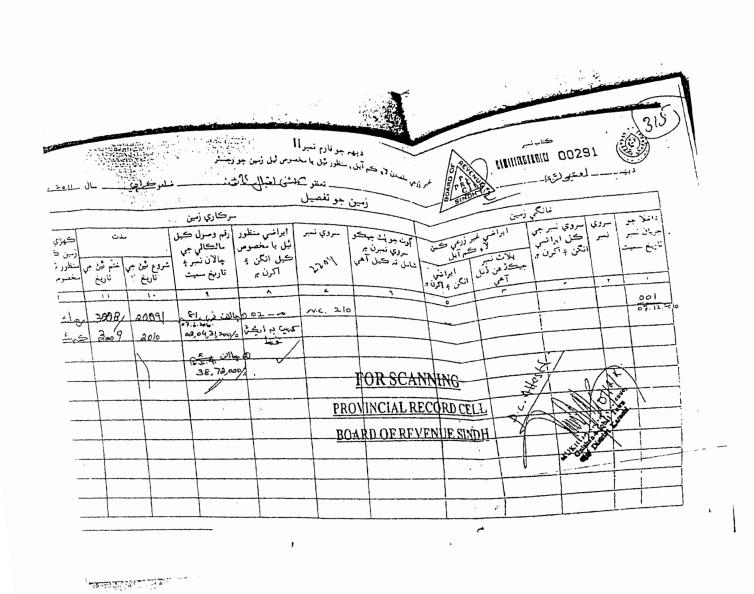
4. The Staff Officer to Senior Member, BOR, Sindh at Karachi.

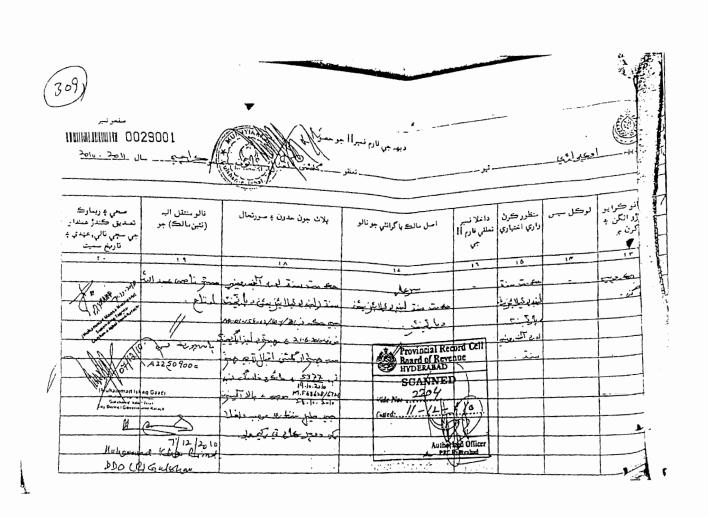
5. Mr. Nasser Abdullah Louthh

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No.01-154-02/SO-11 - 70 GOVERNMENT OF SINDH LAND UTILIZATION DEPARTMENT

-06-2010 Karachi, dated: 21

The Executive District Officer (Revenue). City District Government Karachi.

Vaulshan-e-lobal Town, Karaubi

SUBJECT:

nce:

REQUEST FOR REGULARIZATION AND SHIFTING OF 02-00 ACRES LAND FROM NC.NO.187 OF DEH OKEWARI, GULSHAN-E-IQBAL, KARACHI.

Your letter No.EDO/Rev/K/RB-I/1012/2010 daled 03.06.2010 on the subject noted

above.

The Competent Authority i.e. Chief Minister, Sindh in exercise of powers vested Under Section 17 of Colonization Act, 1912 has been pleased to allow exchange of 02-00 acres state land from NC.No.210 Deh Okewari Gulshan-e-Iqbal Tovm, Karachi on same terms & conditions in lieu of area viz. 02-00 acres allotted in favour of Mr. Nassar Abdullah Lootah from NC.No.187 vide letter No.L.U-II//Misc./G(K)I/1636-A of 1991 dated 14th May, 1991 for residential-cum-commercial purpose.

You are therefore requested to take necessary, action in the matter if there is no other

legal hitch / liligation.

SECRETARY TO GOVERNMENT OF SINDH Land Utilization Department

The Principle Secretary to Chief Minister, Sindh, Karachi. The Staff Officer to Chief Secretary, Sindh Karachi.

The Survey Superintendent, Karachi.

The Staff Officer to Senior Member, BOR, Sindh at Karachi.

Mr. Nasser Abdullali Louth

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (REVENUE) CITY DISTRICT GOVERNMENT KARACHI

No. EDO/ REV/K/ RB-1/ 698 / 2010 Karachi, Daled 27 / 26 / 2010 235)

23 6 2 V

The District Officer(Revenue), City District Government, Karachi.

R. No. 5377

Sub-Registrar-II Gulshan-e-Iqbal Town, Katachi

SUBJECT:

JECT: REQUEST FOR REGULARIZATION AND SHIFTING OF 02-00 ACRES LAND IN NC.NO.187 OF DEH OKEWARI GULSHAN-E-IOBAL KARACHI. (MR.NASEER ABDULLAH LOOTAH).

I am directed to forward herewith photo stat copy of letter No.01-154-02/SO-

1/70, dated 21-06-2010 received from the Secretary to Government of Sindh, Land Utilization

Department, Karachi on the subject noted above for taking necessary action as per rules/law.

intimation to this office.

A 3

Deputy District Officer(Rev)HQ-I.

For Executive District Officer(Revenue),
City District Government, Karachi.

Copy to the Section Officer-I, Land Utilization Department, Government of Sindh, Karachi for information.

No.01-154-03/00-10-3/ 00001100001-03 Val. 00000 071-03/01-0001-05-00/ Marceni, dated 08 -05-00/

· No. 5377

Sub-Registrar-II
Sub-Registrar-II
Sullshun-e-Iqbal Town, Karachi

REGULARIZATION OF 02:00 ACRES LAND FROM NC NO.187 OF DEL-OKEWARI KARACHI

The land measuring 02-00 acres from NC.No.187 of Deh Oltawari, Karachi was

leased out in favour of Mr. Naseer Abdullah for residential-cum-commercial purpose on 99 years lease at the rate of Rs.400/- per sq.yd vida order No.LU-It/Misc.G/R/In635-A dated 04 (65 35/4). The land stood cancelled under the Sindh Government Lands (Cancellation of Allotments, Conversions and Exchanges) Ordinance No III of 2001. The differential amount worked out on the basis of rates at Rs.1,21,51,600/- per acre fixed by the Lands Committee on 26 08,2005 in pursuance of Section 4(2) of the said Orginance, and loss caused to the Government as standarded by the Convertible under Rule 3(1) of Sinch Government Lands. "Gradefall, in Convertible and Exchanges) Rates 2003. The alterents of mislians under 1703. In Convertible 2004. (RUPEES TWO CRORE FOUR LACS THISTY ONE THOUSAND & TWO SELICALOR ONLY) has now been issued in respect of said 02-00 acre land from NC.No.137 of Sinch Okewari, Karachi at the rate of Rs.01,21,51,500/- per acre which was paid in Government Treasury vide pay order No.0106983 dated 08 06,2010 issued by Dubsi Islamic Bonk (copy enclosed).

The Executive District Officer (Revenue On, District Government, PARACH)

- 2. In pursuance of Section-5 of the Ordinance, the Government of Sindh has been pleased to regularize/restore the lease of above land measuring 02-00 acre land from NC.No.187 of Den Ottewari. Karachi. The land in question is now free from the ban imposed by the Government, side letter No.PSIMBR/ILU/(186.2000), paid 020.12.300,0
- The land measuring 02:00 acre land from NC.No.187 or Defr Oheward, Klarachi shall only be used for the purpose it was granted / adjusted subject to clearance from InPGC and in accordance with overall Town. Planning Schame. Such note should be inside in the VF-VIIIVE-19 as the case may be
- You are requested to recover ground rent including anietrs in not caready recovered and make necessary entries in the Record of Rights subject to the condition that there is no litigation, claim, dispute or any other illegality or irregularity or any legal hitch and furnish true copy of the same to this Designment immediately.

Jul

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Mo UT-154-02/55-V-3/ COVERNMENT OF CHILLS LAND OVERLAYION COVERNMENT Karachi, daled 08 -06-2010

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K. Nozara-Registrar-II Sub-Registrar-II Vanklann-e-Iqbal Town, Karachi

This land measuring 02-00 acre land from MC.No.187 of Den Ollewan, Karachi may be got surveyed through Survey Superintendent, Karachi after restoration of mutation and if express area is found in possession of the lessee the same may be got retrieved and such adjunction may be turnished to this Department.

Allorise had deposited differential amount at Rs.36,79,0007 at the same of ollowness issued by the defunct Mukhtiarkar District East, Karachi which has been adjusted. This payment may be further checked from the record of the defunct Mukhtiarkar District East, Karachi (copy is also enclosed). NCTE: The challan of due/differential amounting to Rs.02,04,31,200/-has been deposited at depositor's risk. In case of detection of any litigation, stay, fraud or foul play cont or issuance of regularization latter will not create any right.

SECRETARY TO GOVERNMENT OF SINDH

of ship arded for information to:

The Chairman, Sindh Government Lands Committee, Barrack 39, Karachi.

The Principal Secretary to Chief Minister Sindh, Karachi,

3 The Chief Building Controller of Karachi Building Control Authority, Civic Center, Karachi

The Mester Plan Department, City District Government, Karachi.

5. The District Registrar, City Court, Karachi.

The Survey Superintendent, Karachi.

N Nasser Abdullah Lootan r/o Karachi.

WHEREAS Consequent to the recommendation of the solutions and with the constituted under Condition-8 (1) (b) of the said statement of conditions and with the approval of the Competent Authority, the Government of Sindh in the Land Utilization Department vide order No.LU-I/Misc./K/I/1636-A, dated 04-05-1991 has been pleased to grant an area of 02-00 acres from N.C No.187 of Deh Okewari Karachi on 99 years lease basis for Residential-cum commercial purposes, at the rate of Rs.400/- per square yards. The statement of Conditions issued under Sub-Section (1) of School of Colonization of Government Lands Act, 1912 read with Condition (1) of School of School of Conditions and published with Government of Sindh, Land (1) Departments of Condition No. 19-294-03/SO-I/336 dated 25-02-2006.

WHEREAS THE said lessee has paid the differential about 20 Rs.02,04,31,200/- which was paid in Government Treasury vide pay order No. 0165983 dated 08.06.2010 under the Head of Account LI EXTRA ORDINARY (01320) Under Ordinance No. III of 2001. consequently the above lease was regularized / restored by the Land Utilization Department vide letter No. 01-154-02/SO-I/70, Dated: 21.06.2010.

WHEREAS subsequently the competent authority, i.e. Chief Minister Sindh in exercise of powers vested Under Section 17 of Colonization Act, 1912 has been pleased to allow exchange of 02-00 acres land from N.C No. 210 Deh Okewari Gulishan-E-Town, Karachi on same terms & conditions in lieu of area viz: 02-00 acres attoted in favour of Mr. Naseer Abdullah Lotah from NC No. 187 vide cited above vide letter NO.01-154-02/SO-I/70, dated 21-06-2010 of the Secretary Land Utilization Department, Government of Sindh.

Now therefore this deed is witnessed as follows: -

That the Lease is for 99 years from the year 2009-10.

That the Lessee shall initiate the project within a period of 6 (six) months and shall complete within 2 (two) years. Incase of non-utilization of the land or non-completion of the project within 2 years from the date of grant, the Land shall be forfeited to government without notice and without payment of any compensation for any structure raised. Provided that the completion period of the project may be extended for an other one year by the Government only on payment of non-utilization fee of 10% of the price (occupancy value).

That the Lessee shall pay to the Government an annual rent @ Rs.1/- per square yard on 1st July of every year payable in Government Treasury through Mukhtiarkar (Revenue) Gulshan-e-Iqbal Town, City District Government, Karachi.

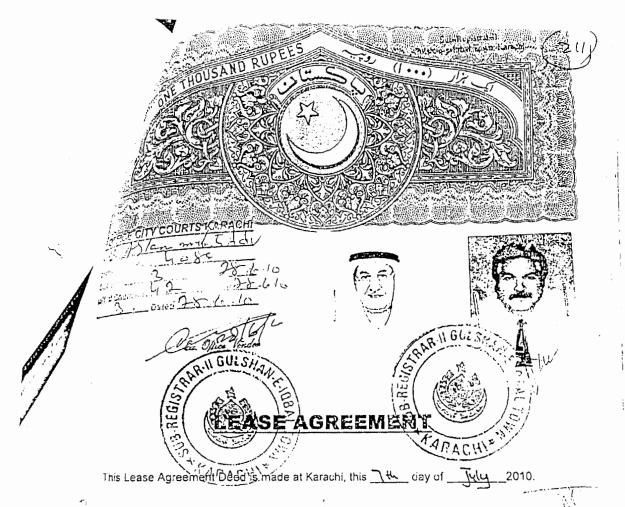
That the Lessee shall be entitled to receive possession of the land as per approved sketch after execution of this deed. It shall be ensured that the possession of only clear available land leaving road reservation area is handed over to the allottee (not exceeding 64-00 acres).

The Lessee shall be bound to observe all restrictions laid down in the statement of conditions notified by the Government of Sindh pertaining to allotment of subject land for residential number on 99 years lesse basis.

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BETWEEN

The Government of Sindh, Land Utilization Department (hereinafter called the GOVERNMENT) which shall where the context as admits include his successors in office and assigns acting through the Additional District Officer (Revenue) Zone-II, City District Government Karachi of the ONE PART.

AND

Mr. Naseer Abdullah Lotah (hereinafter called the LESSEE) which terms shall where the context as admits include his successors, administrators, legal representative assigns of the OTHER PART.

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Sub-Registar-II

Vindshar-Pight Town, Karashi

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That the Lessee shall pay to the Government all rates, taxes, fees, cess charges payable in this respect, under any law for the time being in force.

- 7) That the land shall not be used for other purpose except Purpose for which it has been leased out.
- Any amount payable under these conditions, shall if not paid on due date or dates, be recoverable as arrears of Land Revenue under provisions of the Sindh Land Revenue Act, 1967. In the event of default in payment of the Sindh payable under these conditions on due date or dates, the case shall also be liable to cancellation rendering total amount of occupation prices have money forfeited, so far paid by the Lessee.
- The project will be subject to Town Planning & Building Control Regulations and the natural rain (Nullah) will not be interfered or hindered in any case for the sake of environment and safety of public life. The Works and Services Offices of the City District Government would ensure that this arrangement is properly executed.

In case of transfer, without permission, the concession being given by the Government will be withdrawn and allotment shall be cancelled if land is not used for the purpose.

All payments under these conditions shall be made at the office of the Additional District Officer (Revenue)Zone-II, City District Government, Karachi or in the Government Treasury.

After the grantee has paid the Lease Money to the full extent, a Lease Agreement prescribed by the Land Utilization Department, Government of Sindh shall be executed, stamped and registered by the lessee at his own cost.

12)

- 13) That the Government may at any time be authorized to acquire the land granted on 99 years lease basis. If the whole or any part thereof is required for public purpose on refund of lease money deposited by the lessee and such additional sums as may be determined by the Additional District Officer (Revenue)Zone-II, Karachi in accordance with the Land Acquisition Act for the improvement, if any, made by the Lessee on the land.
- 14) If the lease granting authority is satisfied that the Lessee or his successor in interest, as the case may be, has committed any breach or non-observance of any conditions hereinbefore contained in the Lease Agreement Deed, shall be liable to action under Section 24 of the Colonization of Government Lands (Sindh) Act, 1912.

Government, Federal Government & City District Government, Karachi

THEREFORE this Lease Agreement Deed and in witness whereof the parties above named have put and subschool being respective hands hereto on the date, the being one of each party.

LESSEE

LESSOR

Kazi Jan Muhammad Add: District Officer (Rev) Zone-II City District Government Kasash.

H.E Naseer Abdullah Lotah R/o House NO.19/A, Sun-Set Boulevard D.H.A Phase-IV Karachi.

(Kazi Jan Muhammad)
CNIC No.42301-6761708-5
Additional District Officer (Rev)Zone-II
& Collector

City District Government Karachi For and on behalf of Government of Sindh, Land Utilization Department.

WITNESSES:

WITNESSES:

 Mr. Tariq Mehmood S/o Muhammad Ishaque

CNIC No.37301-1372534-5

طربز در

2) Mr. Muhammad Nawaz S/o Yar Muhammad. CNIC NO.28303-0959971-3 1) Mr.Muhammad Khan Rind CNIC No.42501-1442596-7 D.D.O (R) Gulshan-e-Iqbal Town Karachi.

2) Mr. Abdul Khalid Jamali CNI¢ No.

Mukhtlarkar (Rev) Gulshan-e-Iqbal Town Karachi.

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SUBJECTL- REQUESTS OF ALLOTMENT OF LAND IN NACLASS NO.187 DEH OKEWARI TALUKA KARACHI EAST.

ORDER.

In exercise of powers conferred by Section 10(1) of the Colonization of Government Lands Act, 1912 read with Condition No.3(2) of the Statement of Conditions notified on 12.5.1975, the Government of Sindh with the approval of the Chief Minister, Sindh being the competent Authority, has been pleased to allot the following lands for residential-cum-commercial purposes shown against each for 99 years lease at the rate of Rs.400/- (Rupees four hundred) only per square yard in relaxation of ban and Condition No.14 of the Statement of Conditions:
NACLASS NO.187 DEH OKEWARI TALUKA KARACHI EAST.

'i) M/S Ahmed Ali Const. Co 15-0	acres.
(ii) Mobin International02-0	"
(iii)Mr. Nassar Abdullah	"
(iv) China Builders 02-0	**
(v) Mustafa and Co 02-0	11
(vi) Combined Builders 01-0	
(vii)Mrs. Sabra Begum	"

2. Cost of the land shall be recovered from the allottees as per the terms and conditions of Land Grant Policy noted above under intimation to this Department.

(GHULAM ABBAS SOOMRO)
SECRETARY 70 GOVT. OF SINDH,
EAND UTILIZATION DEPARTMENT.

Copy to :-

- 1. Secretary to Chief Minister, Sind, Karachi.
- 2. Private Secretary to the Minister (L.U), Govt. of Sindh, Kazachi.
- 3. Commissioner, Karachi Divn: Karachi
- 4. Deputy Commissioner, . Karachi East.
- 54 Nukhtiarkar, Karachi East.
- 6. Applicants.





5-C. End Floor, Khayaban-e-Ittehad, Finase VII. Defence Housing Authority, Karachi Ten (92-11)-35390408, 35390409, Fax. 35390410 E-mail: tupakistan@gmail.com Website, www.transparency.org.pk

101 August, 2015

Director General, NAB Karachi, National Accountability Bureau, Karachi.

Sub: Illegal Regularization of Piots Allotted in Share Violations of Rules, by Committee Members who themselves are the Beneficiaries, by Reducing the Determined Approved Rates of 2006 in 2011.

Dear Sir.

Transparency International Pakistan has received a complaint that by collusion amongst the government of Sindh and stakeholders, illegal allotted plot owners and ABAD, through a prices determinations committee, many plots allotted in shear violations of rules, were regularized by committee members who themselves are the beneficiaries, by reducing the determined/approved rates of 2006 in 2011.

The complainant has made following allegations:

- 1. In a meeting of the Committees held on 4.5.2011 and 9.6.2011, the Committee invited Mr. Baber Chughtai, Chairman ABAD for fixation of market prices of land. In fact Mr. Baber Chughtai, Chairman ABAD was not a Committee member, but he was included in the committee on invitation (against the statute that only the nominated Committee members shall decide about the land prices). This was resorted to find an excuse, on his suggestions as Chairman ABAD, for reducing the Land prices in 2011 from the land prices fixed by the Committee in 2006.
- In the Committee's meeting held on 9.6.2011, Mr. Haroon and Mr. Siraj Teli were also present. On the recommendations of Mr. Baber Chughtai, Chairman ABAD (not a member of the Committee) the land prices were reduced 30% to 45 % from 2006 prices, though in market, the land prices from 2006 have doubled in 2011.
- 3. The Committee did not have mandate to regularize any illegally acquired plot, or plot allotted without an auction or by balloting, or any forcefully occupied plot, or a plot whose documents were forged in and record etc. But it regularized 8 Plots comprising of tens of acres of illegally occupied by Dr Asim in North Nazimabad by Ziauddin Hospital and in Clifton KP1 Land in China Creek encroached, in 2008/2009.
- 4. Two of the Committee members also regularized their plots after approving the reduce rates, and this is a glaring case of collusion, as both Committee members took the decision to reduce rates for their personal benefit. It is Corruption under NAO1999, Article 9, sub article vi.

All the allotments, illegally regularized, shall be cancelled as the Committee did not have any authority to convert an illegally occupied land to a Legal aflotted land under the law of Pakistan.

11 Pakistan requests Director General NAB. Karachi, in pursuance of Article 19-A, of the constitution, to take notice of this alleged illegal act of officers of KMC, KDA, SBR of the



Covernment of Sladh and also the Committee members under following Sections 9 of NAO (1996). Corruption and corrupt practices.

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- 3 or if he by corrupt disheres) or itlegal means, obtains or seets to obtain for himself or for his spouse, or acpendents or any other person, any property, valuable thing, or pecumare sub-amops, or
- week fit he misses one authority so as to gain any benefit or toyour tochnosely or any other person, or renders or attempts to render or willfully tails to exercise his authority to prevent the grain or renderson of any undue benefit or favour which he could have prevented by exercising his authority).

Transparency International Pakistan is striving for across the board application of Rule of Eaw, which is the only way to stop corruption.

With Regards.

Sonail Muzaffar

Chetrinan

Copies forwarded for the action under rules to:

- : Secretary to Prime Minster, Islamabad
- Chairman, NAB, Islamubad.
- 3. Chief Minister, Sindh, Karachi
- 1. Registrar Supreme Court Pakistan, Islamabad

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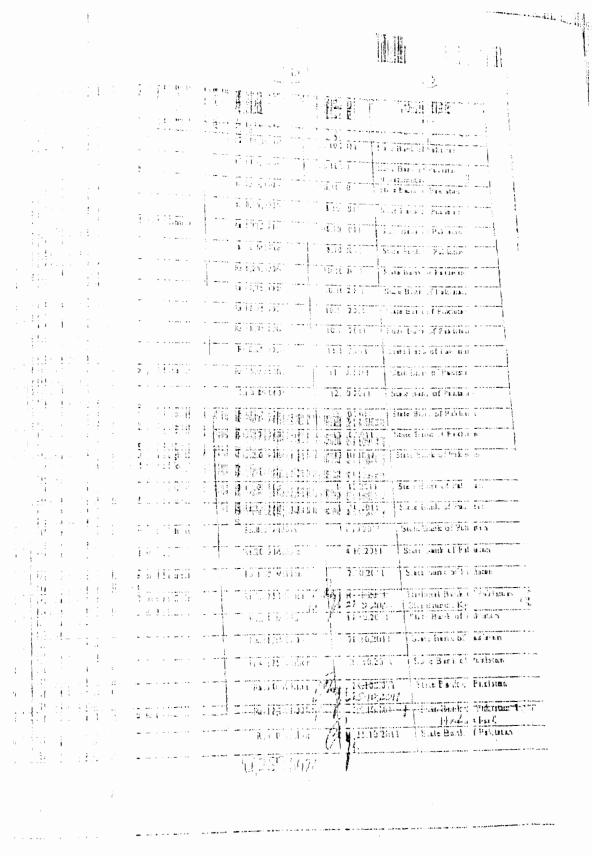
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SUBJECTL- REQUESTS OF ALLOTMENT OF LAND IN NACLASS NO.187 DEH OKEWARI TALUKA KARACHI EAST.

ORDER.

In exercise of powers conferred by Section 10(1) of the Colonization of Government Lands Act, 1912 read with Condition No.3(2) of the Statement of Conditions notified on 12.5.1975, the Government of Sindh with the approval of the Chief Minister, Sindh being the competent Authority, has been pleased to allot the following lands for residential-cum-commercial purposes shown against each for 99 years lease at the rate of Rs.400/- (Rupees four hundred) only per square yard in relaxation of ban and Condition No.14 of the Statement of Conditions:-

NACLASS NO.187 DEH OKEWARI TALUKA KARACHI EAST.

'i) M/S Ahmed Ali Const. Co 15-0	acres.
(ii) Mobin International	n
(iii)Mr. Nassar Abdullah	**
(iv) China Builders 02-0	11
(v) Mustafa and Co 02-0	"
(vi) Combined Builders 01-0	II.
vii)Mrs. Sabra Begum 01-0	

2. Cost of the land shall be recovered from the allottees as per the terms and conditions of Land Grant Policy noted above under intimation to this Department.

(GHULAM ABBAS SOOMRO)
SECRETARY TO GOVT. OF SINDH,
EAND UTILIZATION DEPARTMENT.

Copy to :-

- 1. Secretary to Chief Minister, Sind, Karachi.
- 2. Private Secretary to the Minister (L.U), Govt. of Sindh, Kamachi.
- 3. Commissioner, Karachi Divn: Karachi
- 4. Deputy Commissioner, . Karachi East.
- 54 Nukhtiarkar, Karachi East.
- 6. Applicants.

GOVERNMENT OF PAKISTAN CHIEF EXECUTIVE'S SECRETARIAT NATIONAL ACCOUNTABILITY BUREAU SINDH KARACIII Dated: 10th July 2002

NO. NAB/K/DD(Coord)/2002/838

To. Principal Secretary to Governor

Govt. of Sindh

Karachi

Into COS.

HQ NAB Islamabad

Chief Secretary, Govt. of Sindh

SUB: SINDH LAND ORDINANCE 2001 AND ITS IMPLEMENTATION

- 1. While fully comprehending the rationale behind implementation of subject ordinance, it is highlighted that some of those individuals who are involved in illegal allotment, exchange and conversion of lands and are under investigation with this bureau may use it as a shield to cover up their criminality by paying differential of amount. Reportedly, analysis of applicants who are offering differential amount under this ordinance indicates that a considerable number is of those whose cases are either at complaint, inquiry, investigation or prosecution stage with NAB.
- It may be appreciated that this trend can seriously affect prosecution under INAB Ordinance, encourage potential land grabbers and create functional difficulties for all concerned authorities. It is also opined that if proper scrutiny is not conducted, it may set in a chain of land grabbing where interested parties will resort to illegal possession of land in contivance with various officials with a view to getting it regularized at a subsequent suitable time. Therefore, the exercise needs to be gone into with lot of deliberation, ensuring that undesirable precedences are not set which may lead to unavoidable problems for the Govt. of Sindh as well as NAB.

3 It is recommended that following aspects must be considered while disposing off such cases. -

<u>Criminality</u>. If in a case the only crime involved is the payment of rates lower than market value then regularization may be considered However, cases in which violations of rules have been enacted should not be regularized arbitrarily.

- b. <u>Categorization of Land</u>. It would be prudent to establish a yardstick whereby the land cases are categorized according to criminality, area and amount/ value involved. Once such categorization is finalized, then a decision may be taken as to the approach which needs to be adopted.
- Processing of Cases. 24 -- Any application received may be forwarded to NAB alongwith requisite documents and appropriate recommendations of Secretary LU-BOR Sindh/ Implementation Committee for due scrutiny at this end. Cases may be processed further only if there is no criminality involved and they are not under complaint, inquiry, investigation and prosecution stage under NAB Ordinance.
- The Market Price. The market price at the time of illegality was much less than the present market value. Had the payments been made to the Govt, at that time, it would have benefitted through markup or expenditures on developments at rates prevalent at that point in time. The market value therefore should be related to the present time and be worked out by due consideration of above mentioned factors.
- e. <u>Penalty</u>. The beneficiary should not get away by only paying the differential amount rather he should also be made to pay penalty for committing a crime. This would also serve as a deterrent for

avantion of future such acts.

- f. Resumption of Land. The option of resumption of land and its possession by the Govt. may also be considered. Subsequently these lands may be disposed off according to rules and regulations which may become instrumental in generating much more revenue for the Sindh Govt than by mere regularization.
- Supreme Court Judgment in Criminal Petitions No. 36 & 37 K of 1999.

 Following rulings of the Supreme Court may also be kept in focus: -
 - Office such person in authority may be holding, has any power, jurisdiction or discretion to distribute any public property or asset on nominal consideration, which land or asset essentially belong to the people of Pakintan. No such jurisdiction can be acquired by any person or authority merely by resorting to any power to relax rules or conditions which is only available in exceptional cases for compelling reasons and in the interest of justice. It was a patently malafied exercise of power.
 - (2) Para 8 of Judgment. The High Court took an extremely lenient view by forfeiting only some parts of the nominal amounts. These were fit cases for imposing heavy fines/penalties.
- 4. It is intimated that a meeting was held at this office with certain members of the Implementation Committee on 6 July 02 in which need for closer liaison between the two organizations was highlighted in order to ensure thoroughly scrutinized processing of cases based on aspects mentioned in preceding paragraphs.

Forwarded for your necessary action, please.

Director (I&M Wing) (Sabur Ahmed Khan)

(2) Q