



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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TL15/159/5A

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

Sub: Complaint against Illegal Allotment of Plot by Manipulation in the record of BOR and Commencement of Multi-Storey project Defence View Society at the junction of Khy-e-Jami and Korangi Road (Adjacent to KPT Fly Over).

Dear Sir,

Transparency International Pakistan has received a complaint against land on which Defence View Society is being advertised, which is an illegal plot, and is part of these fake entries in Form VII of Deh Deh Korangi in 2004.

The complainant has made the following allegations;

1. In 2004, the Chief Minister, Sindh noted that various fake entries were made in Form VII of Deh Deh Korangi in the record of land in Scheme 33 of the year 1936. About 1700 acres of land of Scheme 33 were fraudulently entered into Form VII in Deh Deh Korangi area, which is confirmed from the news published in daily "Dawn" on 18th March, 2008 (Annexure A). The Chief Minister, Sindh had also dismissed the Minister of Revenue on these allegations (Annexure B).
2. According to Colonization of Government of Sindh Land Act 1912, alternate agriculture land can be given for agriculture purpose only, within same area, and this Act has been misused by all Chief Ministers since 1988 by allotting urban land for residential, commercial and industrial purpose.
3. This project is located at a very busy junction of traffic coming from Karachi Port through Khy-e-Jami, Korangi Road, from Shahrah-e-Faisal, as well as hundreds of houses in Defence View Society, and construction of high rise building at this place is against the Sindh Environment Protection Act 2014, without EIA clearance.
4. The project sponsors had not taken any NOC from EPA, and SBICA has without NOC from EPA illegally given permission to the builders to construct this project and sell it to public, by taking bribe.
5. Unless the land record has been cleared as legal by NAB, and EPA gives NOC after fulfilling the formalities including public hearing on this project, this project should be put on hold, otherwise Billions of Rupees of public will be at stake on this allegedly illegal project.




Transparency International Pakistan has examined the complaint and view of ongoing inquiries of NAB in case of all plots of Sindh which have been given to bogus parties of fake entries in general and in particular Deh Deh Korangi, prima facie the complaint appears to be correct.

DG NAB is therefore requested to kindly take immediate notice of this Multi-Storey Billion Rupees project and stop the builders to develop third party interest till the project has been cleared by EPA and NAB under NAB Ordinance NAO 1999.

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 Muzzafar
Chairman

Copies forwarded for the information with request to take action under their mandate to:

1. Chief Minister, Government of Sindh, Karachi.
2. Chief Justice, Sindh High Court, Karachi
3. Director General, NAB, Karachi.
4. Chairman, Prime Minister's Inspection Commission, Islamabad.
5. Chief Secretary, Government of Sindh, Karachi.
6. Managing Director, SPPRA, Karachi.
7. Director General, SBICA, Karachi.
8. Director General, Environmental Protection Agency – Sindh, Karachi.



KARACHI: Ex-minister acquitted in kidnap case
ISHAQ TANOLI — PUBLISHED MAR 18, 2008 12:00AM

KARACHI, March 17: An anti-terrorism court acquitted on Monday former provincial minister Imtiaz Ahmed Shaikh and others for lack of evidence against them in a kidnap for ransom case.

Judge Haq Nawaz Baloch of the ATC-V pronounced the verdict after recording final arguments on an acquittal application moved by the defence counsel under Section 265-K of the Criminal Procedure Code.

Section 265-K, which deals with the power of court to acquit accused at any stage, says: "Nothing in this chapter shall be deemed to prevent a court from acquitting an accused and for reasons to be recorded, it considers that there is no probability of the accused being convicted of any offence."

In its judgment, the court observed that the prosecution failed to produce any solid evidence against the accused and remained unsuccessful in proving the involvement of the accused in the case. With this observation, the court acquitted Mr Shaikh, Ateeq Ahmed Siddiqui, Agha Asghar Ali, Nasir Mahmood, Mahfooz Ahmed and Mohammad Zakir.

Earlier, defence counsel M.R. Syed argued that his clients were falsely implicated in the case and added that the incident had taken place in June 2003, while the FIR was lodged in 2005, nearly two years after the incident. To shore up his argument, he referred to the investigation officer's statement that the case was full of doubts.

The defence counsel said that Zafar Iqbal, the complainant, had a close relationship with the former chief minister of Sindh, Dr Arbab Ghulam Rahim, who developed some political differences with Imtiaz Shaikh. In this situation, he said, the police lodged an FIR against his clients at the behest of the former chief minister.

He concluded his arguments with the remarks that his clients were innocent and pleaded for their acquittal.

Special Public Prosecutor Mazhar Qayyum appeared in the case on the behalf of the state.

According to the prosecution, Mohammad Umer Iqbal, son of Zafar Iqbal, was allegedly kidnapped on June 28, 2003 at the behest of Imtiaz Shaikh from his house in the limits of Korangi police station.

The kidnappers demanded a ransom of Rs 0.7 million from the victim's family. The complainant alleged that he had paid the ransom amount to the accused in the presence of Mr Shaikh.

On the complaint of Zafar Iqbal, a case (FIR 121/2005) was registered under Section 365-A of the Pakistan Penal Code at the Korangi police station.

Section 365-A of the PPC pertains to kidnapping or abduction for extorting property, valuable security, etc. It is punishable with death or imprisonment for life and also involves forfeiture of the convict's property.

Last week, Imtiaz Shaikh was acquitted by a special anti-corruption court in a land scam case. The former minister along with his brother, Maqbool Shaikh, were being tried on charges of making "unauthorised and illegal transfers and allotment of around 1,700 acres in Korangi areas to private parties at throwaway prices". The judge said he based the acquittal decision on lack of evidence.



KARACHI: Revenue official's bail plea dismissed: Imtiaz Shaikh's arrest warrants issued

— PUBLISHED MAR 12, 2005 12:00AM

KARACHI, March 11: Justice Mohammad Afzal Soomro of the Sindh High Court dismissed on Friday a bail application moved by a revenue official alleged to have fabricated land record at the instance of former provincial minister Imtiaz Ahmed Shaikh.

The deputy district revenue officer for Korangi Township, Ijaz Husain Baloch, is an accused in a case alleging fabrication, manipulation and interpolation in the record of rights pertaining to 530 acres of land in Scheme-33. His bail plea was dismissed by the trial court. Sub-registrar Mohammad Zafar Baloch, assistant mukhtiarkar Anwar Ali Panhwar and two tapedars are among the co-accused. Ex-minister Imtiaz Shaikh and his brother, Maqbool Ahmed Shaikh, have been named 'absconding accused' in the first information report.

According to the prosecution, bogus entries in the revenue record were made to misappropriate a vast tract of land. The last entry in respect of the land was made in 1930 in favour of a Parsi woman. There is no subsequent entry till 2004 when, without any 'fautgi' (death) record, the land was transferred in the name of alleged 'heirs'.

Arguing for the applicant DDO, Advocate Raja Qureshi submitted that his client was innocent as he had nothing to do with the alleged fabrication of record. He only passed on the documents received from mukhtiarkars to his superiors for further action. He could neither make any entry nor mutate property in favour of any heir or transferee.

Opposing the bail plea, Additional Advocate-General Sarwar Khan said the applicant was fully responsible for fake entries. It was his job to verify the record and documents before forwarding them to the higher authorities. Had he been vigilant, no fraud could have been committed by mukhtiarkars and tapedars right under his nose. The investigation period

Announcing his order reserved on Wednesday after detailed arguments, Justice Soomro observed that the Anti-Corruption Act, under which the applicant was being tried, allowed a 90-day period for investigation. An interim challan had been submitted in the case and many documents

were still to be recovered by the investigation and prosecution agency. Some of the co-accused were absconding. There was a prima facie case against the applicant as he was responsible for safe keeping of the manipulated record. There was nothing on record so far to show that he

According to Dr Arbab, the Shaikh brothers, in order to deprive their cousin of his share, again managed to tamper with the record and transferred the said land to one of their domestic servants named Abdul Latif showing the land's value as Rs726,250 after forcibly obtaining an NOC from Mehboob Ali Shaikh, who had been lodged in the Gizri lock-up. The NOC was obtained by Mukhtiarkar Yunus Dahri, he added.

Cronies of the Shaikh brothers, he said, had also occupied lands near Karachi airport, and also a 12.5 acre piece of land behind an oil refinery. Dr Arbab declared that he would not spare any minister found guilty of corruption.

Replying to another question, he said the inquiry against the former agriculture minister, Arif Jatoi, was in progress and evidences had been collected. He said action would be taken against him also. About Mr Imtiaz Shaikh's party membership, he said any decision would be taken by the party's high-command.

CM defends sacking of minister, warns others - 'Good governance aimed at'

— PUBLISHED FEB 19, 2005 12:00AM

KARACHI, Feb 18: Chief Minister Dr Arbab Ghulam Rahim on Friday defended his decision to sack Imtiaz Ahmad Shaikh as minister for revenue and political affairs, and gave details of the corruption practices, involvement in tampering with revenue record and other allegations which led to his removal.

Addressing a crowded press conference at the CM's House in presence of many of his cabinet members, Dr Arbab produced four persons, including Director of the Anti-Corruption Establishment, Sindh, Sultan Khwaja who confirmed certain revenue documents having been forged.

Dr Arbab said that Karachi had been robbed of three-four thousand acres of precious land worth several billion rupees through fake documents, adding that successive governments were also involved in the scam.

Abdul Latif, another man produced by the CM as a witness, said he had been making entries in the old revenue records brought to him by mukhtiarkars and tapedars (revenue officials).

The other two witnesses, Shahid Gul Afridi and Munir Afridi, claimed that their 12-acre industrial plot behind Ibrahim Haidery, in Korangi, had been occupied by the front men of Maqbool Shaikh.

They said that when they contacted Mr Shaikh, he demanded Rs15 million for getting the plot vacated as his men had already raised a boundary wall covering the eight-acre portion of the land which was still in their possession.

Dr Arbab said that his decision, based on the facts and evidences, to sack the minister was aimed at setting an example of good governance, contrary to the past practices of protecting cabinet colleagues.

He maintained that he had taken all high-ups into confidence with regard to the action. He pointed out that as he had ordered an inquiry, he removed the accused minister to ensure that he did not influence the investigators.

He recalled that the Maqbool Shaikh had been removed from the Sindh cabinet led by Liaquat Ali Jatoi. Dr Arbab claimed that the Shaikh brothers had been instrumental in forging the land document No. 14/43, dated Dec 21, 1936, pertaining to the transfer of land from Sibghatullah s/o Habibullah Shaikh to Mehboob Ali Shaikh, who is cousin of the Shaikh brothers.

The land in question measured 21 acres and pertained to Scheme 33, behind Bundu Khan Restaurant. The documents attached to the record showed the age of 'cousin' as two months when the entry was made. However, the chief minister said, when the allottee asked for his share in the sale proceeds, there was a dispute among the beneficiaries.