



TRANSPARENCY INTERNATIONAL-PAKISTAN

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Defence Housing Authority, Karachi.
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3rd February, 2017

TL17/0302/1B

Chairman,
National Accountability Bureau,
Islamabad

Sub: Complaint on allegation of Corruption of MDA and Sindh Government, of illegal consolidation of 400 acres for a private development M/s Fazaia Housing Scheme Karachi , a JV of PAF with Chaudhry Tanwir, against the Supreme Court of Pakistan Stay Order in SNC 16 of 2011.

Dear Sir,

Transparency International Pakistan received a complaint in on allegation of Corruption of MDA and Sindh Government, of illegal consolidation of 400 acres for a private development M/s Fazaia Housing Scheme Karachi , a JV of PAF Estate Office, with Mr. Chaudhary Tanwir, against the Supreme Court of Pakistan Stay Order in SNC 16 of 2011.

The complainant has made the following allegations;

That;

1. On 28.11.2012 Supreme Court of Pakistan imposed ban of land transfers etc. in Sindh, and declared that "Under these circumstances, we are constrained to direct that the Deputy Commissioners/District Coordination Officers of Sindh, to ensure that immediately the entire revenue record of all the district is kept in the custody of Mukhtiarkar in terms of the directives contained in the aforesaid judgment of the High Court and shall not be removed from the office of the Mukhtiarkar to any other place. And also that any further conversion or mutation of state land in the record of rights from today onwards would be deemed nullity and would expose the Deputy Commissioner/DCO of the relevant districts/dehs besides others to contempt proceedings.

2. Malir Development Authority, against the ban imposed by the Supreme Court of Pakistan has M/s Fazaia Housing Scheme, Karachi has consolidated/adjusted/exchanged over 400 acres land on 19th June 2015. **Annex-A.**

3. The Supreme Court Ban was relaxed for government to government lands, in 23.6.2014, but in SMC 116 of 2011, dated 1st August 2016, the ban was again restored as quoted below, and that too w.e.f. 28.11.2012.

We may clarify that the aforesaid order dated 23.06.2014 was obtained by misleading the Court on the pretext that re-writing/re-construction of the record has been completed by the Sindh Government. Today, the Senior Member, Board of Revenue, concedes that the reconstruction and rewriting of the record has not been completed till date. We hold that the order dated 28.11.2012, passed by a five Member Bench of this Court, was never modified and holds the field.



Therefore the consolidated/adjusted/exchanged over 400 acres land on 19th June 20 is against the Supreme Court Ban.

4. In September 2015, Sindh Chief Minister Syed Qaim Ali Shah approved the Board of Revenue's summary seeking cancellation of all allotments of government land made throughout the province since 2010 by the board or deputy commissioners under Section 17 of the Sindh Colonization of Government Land Act 1912 as the Section 17 would only be applied in grants of land for agriculture purposes only, and not on commercial/industrial purpose.

Therefore the consolidated/adjusted/exchanged over 400 acres land on 19th June 20 is against the Sindh Colonization of Government Land Act 1912, as the Section 17 is not applicable on Fazaia Housing Scheme Karachi.

5. On 27.1.2017, the Local Government Department issued letter that the Chief Minister has relaxed the mandatory payment of fee for layout plans of M/s Fazaia Housing Scheme Karachi, on a fake ground that allotments are only for families of Shudas, and actually the plots and apartment are sold commercially to general public, and the shot collection of fee is against the law. **Annex-B &C.**

6. M/s Fazaia Housing Scheme Karachi has started selling the apartments and the construction of more than 25 blocks of High Rise Apartments, without approval/NOC for Sale of Public Sale Project for Sale & Advertisement, under mandatory By-laws of SBCA.

The complaint has been examined again, and prima facie it appears that Sindh Government, MDA and M/s Fazaia Housing Scheme Karachi, are not following law, and public is being deceived by M/s Fazaia Housing Scheme Karachi.

TI 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.

Sohail Muzaffar
Chairman

Encl: Annex A, B & C.

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



MALIR DEVELOPMENT AUTHORITY

TOWN PLANNING DEPARTMENT

G-4/B, Block-17, Gulshan-e-Iqbal, Karachi
Phone 021- 99244762

No. MDA/MPD/Deh-316/2015/880 Dated: 19-06-2015

The Deputy Commissioner,
District Malir,
Karachi.

SUBJECT: REQUEST FOR CONSOLIDATION / ADJUSTMENT / EXCHANGE OF PAF PRIVATE SURVEY NOS. 1, 2, 3, 5, 6, 8, 9, 10, 11, 13, 14, 16, 17, 18, 20, 21, 22, 24, 25, 81, 86, 87, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 121, 122, 123 & 297 TOTAL LAND MEASURING 360-34-60 (AC-GH-SQ.YD.) DEN ALLAH PHIAHI, TALUKA SHAH MURZED, DISTRICT MALIR KARACHI, CONSOLIDATED / ADJUSTED / EXCHANGED IN SECTOR NO. 38 MASTER PROGRAMME, SCHEME-I, MDA PHASE-I.

Ref: I. Letter No. DC/K/Malir/1574/2015 dated: 04-05-2015.
II. Letter No. DC/K/Malir/IBF/1837/2015 dated: 26-05-2015.

I am directed to refer to your letter and to state that the case for Consolidation / Adjustment / Exchange of the said private / Kabuli Survey Land has been finalized by the Town Planning Department upon proposing / preparation for consolidated / adjusted / exchanged lands / site plan by the Estate & Enforcement Department duly approved by the Competent Authority viz. Director General, MDA keeping in consideration planning and development point of view in the Public purpose/interest in accordance with MDA Act 1993 (Revival & Amended) Act-2013 and Notification issued by Board of Revenue, Government of Sindh No. PS/SMBR/BOR/KAR/430 dated: 26-12-2013, both the lands in question i.e. original private / kabuli survey land and the land / site for Consolidation / Adjustment / Exchange have been finalized by the MDA. Necessary action/completion of the following formalities after Acceptance / Confirmation of the said Consolidation / Adjustment / Exchange and mutate an area of consolidated / adjusted / exchanged land as mentioned above and also forwarded to MDA for issuance of final site plans:-

S. No.	Ownership verification letter No.	Dated:	Survey No(s).	Survey No(s). Situate in Sector No(s).	Deh	Area			Availability for Consolidated / Adjusted / Exchanged in Sector No(s).
						Acre (s)	Ghanta (s)	Sq. Yd(s)	
			81, 86, 87, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 121, 122, 123 & 297	38, 58 & 59	Allah Phiahi	63	27	00	38
			81, 86, 87, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 121, 122, 123 & 297	38, 58 & 59	Allah Phiahi	123	18	00	38
1	AC/Shah Murzed/188/2015	30-04-2015	1, 2, 3, 5, 6, 8, 9, 10, 11, 13, 14, 16, 17, 18	38, 58 & 59	Allah	72	36	00	38

1. Upon acceptance / confirmation of the Consolidation / Adjustment / Exchange finalized by MDA the handing and taking over of physical possession of surrendered & consolidated / adjusted / exchanged land will be executed by the Estate & Enforcement Department through Land Acquisition Officer / Executive Engineer, MDA. For the said purpose it is advised to approach the Land Acquisition Officer / Executive Engineer of Master Programme Scheme-I, Phase-I, MDA and Director (E&E), MDA.
2. The original survey land, against which Consolidation / Adjustment / Exchange is allowed, should be entered in the record of rights in favour of MDA / Government & vice versa before approval of layout plan on consolidated / adjusted / exchanged land made by MDA.
3. The layout plan on Consolidated / Adjusted / Exchanged land shall be submitted in MDA for Sub-division / approval of layout plan (Special / General Development Permits) under section 3-3.4 as well as fixation of land use percentage under section 20-4 (Land Allocation) of KBTPR-2002 (Amendment up to date).
4. In case of Misrepresentation / concealment of facts this approval will be withdrawn / cancelled without giving any notice.
5. At any stage, if it is proved that the submitted documents are false / incorrect, the said approval will be withdrawn / cancelled without giving any notice.


 Deputy Director-II, (T.P.)
 Malir Development Authority

Copy along with site plan of consolidated / adjusted / exchanged land duly signed/stamped is enclosed.

Encl: As above.

Copy for kind information & further necessary action to:

1. The Project Director, Master Programme, Scheme-1, MDA Phase-I, Karachi.
2. The Director (Estate & Enforcement), MDA with the request to demarcate and prepare final site plan of the consolidated / adjusted / exchanged land as per attached plan and complete the procedure of taking / handing over vacant physical possession of both the lands under intimation to this office.
3. The Director Survey and Settlement (BOR), Sindh.
4. The Land Acquisition officer / Executive Engineer, Master Programme, MDA with the request to demarcate and prepare final site plan of the adjusted land as per attached plan and complete the procedure of taking / handing over vacant physical possession of both the lands under intimation to this office.
5. The Section Officer (Staff) to Senior Member BOR, Sindh w.r.to letter No. PS/SMBR/BOR/KAR/430 dated: 26-12-2013.
6. The P.S to Minister Local Government Department, Government of Sindh.
7. The Assistant Commissioner concerned Malir, Karachi with the request to make necessary entries in the record of rights in respect of surrendered and consolidated / adjusted / exchanged Land in favour of MDA / Government and vice-versa.
8. The Mukhtiyar Concerned (Rev). with the same request

ANNEX B



NO. SO(L&C)HTP/SBCA/13-62/2015
GOVERNMENT OF SINDH
LOCAL GOVERNMENT &
HTP DEPARTMENT

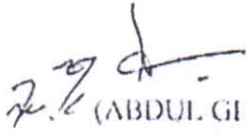
Karachi dated the 27th, January, 2017

To,

The Director General,
Sindh Building Control Authority,
KARACHI.

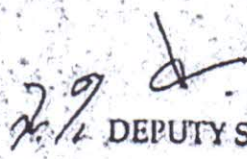
SUBJECT: REDRESAL OF GRIEVANCES OF PAKISTAN AIR FORCE(PAF).

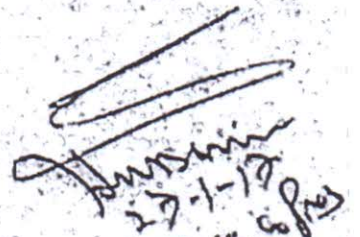

I am directed to refer to the subject noted and to state that Competent Authority i.e. Chief Minister Sindh has been pleased to allow concession in Layout plan charges for allotment of residential accommodation to the Heirs of Shudaa only (FAZAIA HOUSING SCHEME.)


(ABDUL GHANI MAHAR)
DEPUTY SECRETARY (HTP)
FOR SECRETARY TO GOVT. OF SINDH

A copy is forwarded for information to:-

1. The Air Marshal HI(M), SBT, Deputy Chief of the Air Staff (Admin) Air Head Quarters, Islamabad.
2. The Air Officer Commanding Southern Air Command, National Stadium Dalmia Road Karachi.
3. The PSO to Principal Secretary to C.M. Sindh Karachi
4. The Deputy Secretary (Coord), C.M. Secretariat.
5. Master file.


DEPUTY SECRETARY (HTP)


27-1-17
Five copies


Flat For Sale In Fazaia Housing Scheme

Fazaia Housing Scheme, Karachi

https://www.zameen.com/Property/karachi_fazaia_housing_scheme_flat_for_sale_in_fazaia_housing_scheme-4659111-9135-1.html

