

	CAPITAL DEVELOPMENT AUTHORITY PLANNING WING Directorate of Housing Societies	
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No. CDA/PLW/HS(723)/2018/ 485

Islamabad, 13th November, 2025

Mr. Jahanzeb Niazi,
 Administrator/Project Director,
 National Highway Foundation (NHF),
 2nd Floor, 25-B, Rose Plaza, 3rd Road,
 G-10 Markaz, Islamabad

Subject:- SHOW CAUSE NOTICE FOR NON-FULFILMENT OF TERMS & CONDITIONS OF LAYOUT PLAN APPROVAL OF "JINNAH TOWN (NHF) HOUSING SCHEME", ZONE-5, ISLAMABAD, SPONSORED BY M/S NATIONAL HIGHWAY FOUNDATION.

Ref:- Please refer to this office letter Nos. CDA/PLW/HS(723)/97/597, 1195 & 59, dated 26-5-2010, 31-10-2013 & 08-01-2019, regarding the subject matter.

It is informed that that Layout Plan of "Jinnah Town" Housing Scheme, over an area measuring 2,550 Kanals, sponsored by M/s National Highway Foundation (NHF), National Highway Authority, Islamabad, was approved on 26-5-2010, subject to certain Terms & Conditions

2. As per the "Regulation for Planning and Development of Private Housing/ Farm Housing, Apartments/ Commercial Schemes/Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023, framed Under ICT Zoning Regulation, 1992", and Letter of Approval of LOP, dated 26-5-2010, the Submission Status of the Documents, Plans & Fee, etc. by the Sponsors of the Scheme, is as under

Sr. No.	Documents/Plans/ Fee	Reference	Submission Status	Miscs/ Remarks
1.	Layout Plan shall also be published, at the cost of Sponsor, in Two leading National Newspapers [one Urdu and one English], within 7 days of its issuance, for general public's awareness.	Clause-12 (viii) of the Regulations, ibid.	Not Published	-
2.	Submit within 10 days, a certificate from Tehsildar, ICT, certifying sponsor's ownership of the of the land covered by the proposed scheme on one copy of survey plan, superimposed on Aks Shajra of the Scheme Area	5(a) of LOP approval letter	Not Submitted	-
3.	Execute in the form attached as Annex-A, an undertaking regarding acceptance of the conditions relating to planning, designing and implementation of the Scheme/Project.	13(i)	Not Submitted	-
4.	Mortgage 20% of the saleable area in the Layout Plan with the Authority as a Guarantee for completing development works/services within the period specified. The mortgage deed shall be executed by the Sponsor in the form attached as Annex-B and be got registered with the Registrar, ICT, Islamabad, within 45 days after clearance of detailed layout plan of the Scheme/Project.	13(iii) & 5(c)	Not Submitted	Penalty 16.211 Million

5.	Transfer to the Authority in the form annexed as Annex-C and free of charge, the land reserved for Parks/Open Spaces, Playgrounds, Graveyard, land under Right-of-Way (R.o.W) of roads/streets and 50% of land earmarked for Public Buildings, etc. in the Scheme/Project, within 45 days of the approval of the Layout Plan of the Scheme/Project	13(v) & 5(d)	Not Submitted	Penalty 73.649 Million
6.	The Tehsildar of Planning Wing CDA will ensure that the certified copies of Sanctioned Mutations and Fard Jamabandi of Mortgaged & Transferred Land, in favor of CDA, within 15 days of the execution of Mortgaged & Transfer Deeds by Sponsor.	13(vi) & 5(e)	Not Submitted	-
7.	A Public Notice , as per specimen as Annex-H, shall be published in at the expense of Sponsor, and with the approval of Director General/Dy. DG (Planning), regarding the mortgage of plots under saleable area with the Authority, in Two leading National Newspapers [one Urdu and one English], and uploaded on CDA Website, for awareness of the general public, within 7 days after Mortgage Deed has been executed between CDA and the Sponsor.	14 & 5(f)	Not Published	-
8.	The Sponsor shall prepare, within a period of three months, the Engineering Design and Specification of the services and utilities and make a presentation to a Panel of Engineering Experts of CDA (as given Annex-I), for approval of Engineering Designs and detailed specifications of services/utilities in the Scheme/Project. OR get a Third-Party Validation of Engineering Designs & Specifications prepared by the consultants registered with PCATP/PEC and enlisted with CDA, as per specimen of Certificates at Annex-K, to be provided on Stamp Paper of Rs.100/-. The third party vetted Engineering Designs & Specifications and Hydrological Studies/Flood Study Report, will be presented to the Panel of Engineering Experts and forwarded to Design Wing, CDA, for vetting	15(i) & 5(h)	Not Submitted	-
9.	Traffic Impact Assessment, Emergency & Disaster Management Plan, Solid Waste Management Plan, Sewage Disposal Plan.	15(vi)	Not Submitted	-
10.	The sponsor shall be required to deposit a Fee for the processing and approval of engineering designs by the Panel of Experts at the rate of Rs.1000/- per Kanal or as revised from time to time by the CDA, and provided in Annex-F.	15(iv)	Not Deposited	Scrutiny Fee Rs. 2.550 Million Penalty 115.387 Million
11.	The sponsors of the Schemes/Projects shall provide to CDA the Environmental Clearance from the Environmental Protection Cell (EPC), CDA/Pakistan Environmental Protection Agency (Pak-EPA), before the submission of case to CDA Board for Approval of NOC.	18 & 5(j)	Not Submitted	-
12.	Submit design of Sewerage Treatment Plant (STP) to be provided in the scheme, in the Authority within 2 months from the date of issuance of this letter.	16(iii) & 5(h)	Not Submitted	-
13.	The Sponsors shall provide a comprehensive Solid Waste Management Plan as per the approved Layout Plan of the scheme. The plan should identify the final disposal site for solid waste along with its dumping process, before the submission of case to CDA Board for Approval of NOC.	16(vii)	Not Submitted	-
14.	Start of Development of Scheme prior obtaining NOC without Approval of Engineering Designs @ Rs.10,000/- per Kanal. Penalty would be charged to the extent of developed area of the scheme	Annex-F of Regulations ibid.	Not Deposited	Penalty 11.000 Million

3. It is evident from the above detailed factual position that M/s NHF have **Failed** to abide by the relevant provisions of "Regulation for Planning and Development of Private Housing/ Farm Housing, Apartments/ Commercial Schemes/ Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023, framed under ICT Zoning Regulations, 1992", Gazette Notified on 07-7-2023, and Terms & Conditions of the Letter of Approval of LOP, dated **26-5-2010**, for obtaining NOC for Development of the Scheme. Instead, M/s FECHS is making Development in the Scheme, before obtaining NOC from CDA, and in addition to the Approved Layout Plan, which is Illegal and liable to be Demolished.

4. Thus, the development of the Scheme at site, without NOC from CDA, is clear violation of CDA Ordinance – 1960, ICT (Zoning) Regulations – 1992, ICT Building Control Regulations – 2020 (as amended 2023, and the Regulation for Planning and Development of Private Housing/ Farm Housing, Apartments/ Commercial Schemes/ Projects in Zones-2, 4 & 5, of Islamabad Capital Territory, 2023, framed under ICT Zoning Regulations, 1992" and hence **Illegal**.

5. M/s NHF, are directed to deposit **Rs. 218.797 Million**, on account of Fee & Penalties for the aforementioned Housing Schemes [calculated up to 31-10-2025], in the form of Pay Order in the name of **DDO (Housing Societies), CDA**, detailed as under:

Sr. No.	Fee & Penalties	Amount [Million]
1.	Penalty of Late Transfer of Land @ Rs. 1000 per Kanal per 3 months	73.649
2.	Penalty of Late Mortgage of Land @ Rs. 1000 per Kanal per 3 months	16.211
3.	Scrutiny Fee for Engineering Designs @ Rs. 1000 per Kanal	2.550
4.	Penalty for Late Submission of Engineering Designs @ Rs. 250 per Kanal per month	115.387
5.	Penalty for Development without obtaining NOC from the Authority, @ Rs. 10,000 per Kanal [Approx. 1100 Kanals stands developed on site]	11.000
	Total	218.797

6. The **Chairman CDA**, constituted **Joint Committee** comprising relevant Officers of CDA, ICT & MCI, regarding Affairs of Private Housing/ Farm Housing Commercial Schemes & Projects, in Zones-2, 4&5 of the ICT with following TORs, vide Notification dated **12-02-2025 [Annex-J]**:

- To Ensure Collecting All the Data required for ensuring Recoveries [Fees, Charges, Taxes, etc.] from the Sponsors of the Private Schemes/Projects and Allottees/Transferees/ Residents, therein, by any of the Formations of CDA, ICT & MCI
- To Ensure that Plots/Land, under Amenities, Utilities, Public Buildings, Transferred to CDA in Private Schemes/Projects, is Not being Converted into any other Use/Ownership
- To ensure that Mortgaged Areas/Plots/Apartments, etc. with CDA as Guarantee/Timely Development/Construction, are Not Allotted by the Sponsors of Private Housing Schemes/Projects
- To Ensure that the Approved Layout of Plans & Building Plans in Private Schemes/Projects are being Implemented on Ground, without Violations.
- To ensure True Compliance of the relevant provisions of **Clauses-40,41&42** of the "Regulation for Planning and Development of Private Housing/Farm Housing, Apartments/ Commercial Schemes/Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023, framed under ICT Zoning Regulation, 1992", Gazette Notified vide No. S.R.O 886(I)/2023, dated 07-7-2023.

7. Directorate of Housing Societies, CDA, vide Letter dated 28-01-2025, 24-02-2025, 05-3-2025, 14-3-2025, 19-3-2025, 26-3-2025 & 23-4-2025 & 26-4-2025 respectively, requested to provide Data/ Information, under the provisions of **Clause 40-42** of the "Regulation for Planning and Development of Private Housing/Farm Housing, Apartments/ Commercial Schemes/ Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023, regarding:

Sr. No.	Date	Number	Subject of Requisite Data/Information
1.	28-01-2025	24	Allotments of Plots, Approval of Building Plans, Construction Position of Buildings & Total Covered Area
2.	24-02-2025	59	-do-
3.	10-02-2025	37	Approved Building Plans, Re-approved/Vetted Building Plans
4.	05-3-2025	72	-do-
5.	14-3-2025	84	Tree Plantation Plans, Campaign & Targets
6.	14-3-2025	86	Latest Infrastructure Development Works, Amenities, Services, Utilities, Solid Waste Management, Constructed Buildings, supported with Photos, Satellite Images & Drone Video
7.	19-3-2025	103	Establishment of Sewerage Treatment Plants
8.	19-3-2025	104	Annual Audit Reports of the Proceeding Years
9.	26-3-2025	115	Present Site Position of Land/Plots, earmarked for Parks, Playgrounds, Amenities & Public Buildings, Graveyards, etc. already Transferred Land to CDA
10.	26-3-2025	118	Present Site Position of Land/Plots, already Mortgaged with CDA, as Guarantee for Quality & Timely Development of the Schemes
11.	23-4-2025	156	Reminder for Provision of All above Data/Information
12.	26-4-2025	161	Provision of Certified Copies of Sanctioned Mutations of Land/Plots, Mortgaged with and Transferred to CDA, as aforementioned

8. About 27 Sponsors of Private Housing Schemes, out of Total Approved 65, had provided partial Data/Information, after Visits of the aforementioned Joint Committee of the Offices of the Sponsors of the Private Housing Schemes and publication of a Public Notice in the National Dailies & CDA Website. But, M/s CECHS had not provided the Complete Data/Information, as aforementioned.

9. **The Honorable Islamabad High Court, Islamabad, in its Judgement in ICAs 83/2017, 84/2017, 20/2018 & 21/2018, dated 12-7-2018, passed following Orders, which has attained Finality:**

20. In view of above background and latest position of law in general, we are of the view that judgment passed by the learned Single Judge in Chambers is within four corners of law and no illegality has been observed, therefore, the same is upheld. However, it is made clear that CDA authorities shall:

- Take action under the law against the delinquents (individuals) as well as societies (including Bahria Town and MPCHS) and its Officers/Officials/Directors, for Non-compliance of above referred SOPs/Guidelines, Rules, or Regulations, therefore, the CDA Authorities shall issue a publication in two daily newspapers, English and Urdu, with the direction to the **Housing Societies/Individuals to get the Approval of their Construction from CDA Authorities** as referred above, whereupon NOC shall be issued to all those individuals after fulfilling codal formalities subject to Rules and Regulations;
- Start Taking Actions against Societies who have Violated the Approved Layout Plan or Changed the Public Utility Areas such as Mosque, Playgrounds, Post Office, School, Parks, Parking, etc.**
- CDA authorities shall maintain overall supervisory control upon all Societies in every manner and **being Regulator and act in accordance with CDA Bye-laws.**

21. Besides the above referred directions, it is further made clear that:

- i) All Societies including Bahria Town, MPCHS or any other Society shall pay all charges, amounts, fee received against approval of construction plan from their allottees to CDA within three (03) months and shall submit each case before CDA for their approval.
- ii) Any Society, who is not Complying the CDA By-laws, Directions issued from time to time or their NOC, the Layout Plan shall be Cancelled after giving due Warning in accordance with Law, where after CDA shall take over the such Society including their Assets and Bank Accounts Managements with the help of ICT Administration, Federal Government, Ministry of Interior, Chairman CDA, Mayor Metropolitan Corporation Islamabad, all CDA Officials.
- iii) Chief Commissioner, Deputy Commissioner, Inspector General of Police, SSP Islamabad, concerned SHO, and Magistrates are Directly Responsible for Compliance of CDA By-laws as well as Directions referred in this Judgment.

21-A. In view of above, it is held that every member of Housing Society or the Society itself shall get Approval of Construction from the CDA in accordance with Law, after fulfilling all the Codal Formalities, where after CDA shall issue NOC accordingly.

5. The Islamabad High Court, Islamabad, in its Judgement in ICA 289/2018 [in WP 1141/2011] titled "Muhammad Akbar Abbasi vs CDA", ordered on 03-6-2024, as under:

6. The appellants are the allottees of plots / units allotted by the CECHS with respect to an area which does not form part of an approved layout plan. It is incumbent on a purchaser to satisfy himself that the plot / unit being purchased by him is within the limits of the layout plan duly approved by the CDA. It is also incumbent on a Housing Society not to Sell Plots or Units which do not form Part of an Approved Layout Plan. In the event, the Regulator is to carry out the Penal Measure of Demolition of Structure made in Violation of the Approved Layout Plan, it is the Housing Society that would be liable to pay Damages to the Allottees.

7. We have gone through the impugned judgment dated 17-5-2018 passed by the learned Judge-in-Chambers with great interest and keenness and have been given no reason to interfere with the same. Consequently, the instant appeal is dismissed. There shall be no order as to costs.

10. The Honorable Islamabad High Court (IHC), Islamabad, in Cr. Org. 73/2023, titled "Muhammad Yameen vs Kamran Cheema" passed following Orders on 15-4-2025:

9. Therefore, in order to resolve this issue, it is hereby declared that the Secretary, Cooperative Societies Department, the Director (Housing Societies), CDA, and the Circle Registrar, Cooperative Societies Department, are obligated to verify that in future no plot shall be allotted beyond the approved LOP to any person in the society. Similarly, the Executive Committee of the Society shall submit an Undertaking before the CDA and the Cooperative Societies Department when applying for the approval of the LOP/NOC, affirming that they will only allot plots within the approved LOP and that subsequent conversion of any street or plot number is not permissible once it has been allotted, provisionally or otherwise as per map of the society. Furthermore, the society shall not incorporate any clause in the provisional or final allotment letter stating that "they are empowered to change the location or number of the plot," as the power for conversion of any plot or street number, or the shifting of the location of a plot, is not permissible once the LOP has been approved and the plots are earmarked.

11. M/s NHF are Finally directed to Show Cause in writing within 10 Days of the issue of this Notice, as to why legal action should not be taken against the Sheer Violations of provisions of the Regulations, under the provisions of Section 49-C, 46 and 46-B of the CDA Ordinance 1960, read with, Clause-5, Chapter-IV, of the ICT (Zoning) Regulation, 1992 and Clause-40 & 42 of the Regulation for Planning and Development of Private Housing/Farm Housing, Apartments/ Commercial Schemes/ Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023, framed under ICT Zoning Regulation, 1992".

12. In addition to above, following punitive actions may also be initiated against you being **Defaulting Sponsor**:

- a. Your Case may be referred to Senior Special Magistrate, CDA, for **Recovery of Arrears**, as above, under Land Revenue Act, 1967.
- b. **Suspension** of Approval of Building Plans of your Scheme by CDA.
- c. **Sealing** of your Scheme Offices & Site Offices

13. It is made clear that, if this **Show Cause Notice** is not complied within **7 days**, the Illegal Work/Structures will be Removed, Demolished and Use of Land will be stopped by using Force (including Police Force), by CDA. The cost will be recovered by CDA, from the person responsible for the construction of work/ structures and use of land in contravention of the provisions, as aforesaid. It is informed that in the event of Non-compliance of this Show Cause Notice, ex-parte proceeding will be initiated and no excuse whatsoever in this regard will be entertained.

14. You are also provided an Opportunity of **Personal Hearing**, in your Defense (if any), in the Office of the undersigned, during Working Hours, within **10 days**.

15. This is issued without prejudice.

Copy to:-

1. Member (P&D), CDA
2. Deputy Commissioner, ICT/Registrar Co-operative Societies, Islamabad.
3. DG (Urban Planning), CDA
4. Director, Awareness & Prevention Divisions
National Accountability Bureau (NAB), Islamabad/Rawalpindi Region
Opposite NESPAK Building G-5/2, Islamabad
5. Director Building Control (South), CDA
6. Mrs. Kiran Saeed, Director Housing (Monitoring & Evaluation), CDA
7. Director EM-III, CDA
8. Director Staff to the Chairman, CDA
9. DC, CDA/Sr. Special Magistrate, CDA
10. Master File

(IJAZ AHMAD SHEIKH)
Director Housing Societies

(MUHAMMAD MANSHA)
Dy. Director (HS)