

Chronology of "Abida Najmi's Plot" Plot D-211, Block 5, Clifton

<u>Date</u>	<u>Event</u>
Phase-I	
16-11-92	DG, KDA, Sabahat Ali Khan, floats summary to allot Mrs. Nazli a 1000 sq yd plot carved out of amenity park Plot ST-15, Block 5 in lieu of her original 815 sq yd Plot D-98/1, Block 7 which was acquired by the government for the Corp Commander's Flag Staff House. This alternate plot is approved by the C.M.
07-12-93	Plot D-211, Block 5 (1214 sq yds) is created as an alternate plot on commercial plots LS-13 to 39, and Rs.500/sq yd is charged for (1214 - 815=) 399 sq yds
05-04-93	Mrs. Nazli applies for annexation of additional 151.30 sq yds, which is shown on KDA Scheme plan as public parking space. Director PUD approves, and allotment is made @ Rs.500/sq yd.
19-02-94	1365 sq yd plot is subdivided into four plots, and all four plots sold to Mrs. Abida Najmi.
Phase-II	
26-02-94	New owner asks for cancellation of sub-division, and applies for annexation of additional land (410 sq yds), which is to come out of adjacent public street and park, ST-25.
07-06-94	Revised/amalgamated site plan showing enhanced plot as 1775.03 sq yds is issued by KDA
17-07-94	Mrs. Najmi writes to KDA for formal hand over of possession, and sends reminder on __-9-94, 12-6-95, 15-11-95, 5-6-96, 13-1-97
12-02-01	KDA issues challan for NUF & other dues on 1775.03 sq yd plot amounting to Rs.2,031,315
19-02-01	Misbah Najmi asks for appointment with DG to discuss re-assessment of NUF dues, with reminders on 21-2-01, 1-3-01, 20-3-01
Phase-III	
15-03-01	Issue is put up before KDA GB for cancellation of extra land of 775.03 sq yds (over and above 1000 sq yds approved by C.M.)

KARACHI DEVELOPMENT AUTHORITY
AGENDA ITEM - 15-03-2001

ITEM NOTE: 5

1. SUBJECT:- GROSS MISUSE / ABUSE OF OFFICIAL POWERS/AUTHORITY BY THE FORMER DG. KDA MR. SABAHAT ALI KHAN IN ALLOTMENT OF VALUABLE LAND AS ADDITIONAL LAND TO PLOT NO. D-211, BL-5, SCH-5 AT THROW AWAY PRICE.
2. SPONSORING DEPARTMENT WITH THE NAME & DESIGNATION OF THE OFFICER. Maj. (R) Mazharul Haq Qureshi
Director Land Management, KDA
3. PREVIOUS REFERENCE, IF ANY. Nil
4. DESCRIPTION OF THE CASE:

a. The owner of the subject plot has submitted an application against levy of NUF and it was observed by the DG that as to how & why 400 sq.yds of extra land had been allotted @ Rs. 500/- p.s.y. Accordingly, the case has been examined and it is revealed that it was a case of outright corruption by the KDA officials in convenience with the owner of the plot wherein valuable land has been allotted as extra land at throwaway price.

b. Briefly, Plot No. D-211, Block No.5, measuring 1214 sq.yds., Scheme-5 (Clifton) was allotted to Mrs. Nazli in lieu of her original plot No. D-98/1, Block No.7, measuring 815 sq.yds., in Scheme No.5 as her plot was acquired by the Govt for Flag Staff House.

c. In this regard, a summary was floated by the then DG, KDA Mr. Sabhat Ali Khan on 16-11-92 to allot Mrs. Nazli a bigger plot of 1000 sq.yds in lieu of her original plot of smaller size (815 sq.yds) as demanded by her, by carving out a plot on ST-15, Bl-5, Sch-5, which was approved by the then C.M. Accordingly, plot No. D-211 of 1214 sq.yds was created on 07-12-93 on commercial plots No. LS-13 to 39 and allotted to Mrs. Nazi thereby valuable extra land of 399 sq.yds was given away at the partly rates of Rs. 500/- per sq.yds although as per summary only 185 sq.yds land was to be given.

PARK

815

d. On 05-04-1993 Mrs. Nazli applied again for additional allotment of extra land available adjacent to her said plot in the form of public parking space. A report was obtained from the Executive Engineer concerned who had furnished a survey plan showing an extra land of 151.30 sq.yds. The case was sent to Director, P&UD for comments who examined/processed the case and submitted it to the then DG, Mr Sabhat who allowed the second improper allotment of extra land also.

e. Later on, the said plot measuring 1365 sq.yds was got sub-divided into 4 plots through the DPUD by the original owner and all the sub-divided plots were sold/transferred in the name of Mrs. Abida Najmi w/o Misbahuddin Najmi, a prominent architect and having high political connections, on 19-02-1994.

f. Thereafter, on 26-02-94 Mrs. Abida had requested for cancellation of the earlier sub-division and restoration of the original position / shape of 1365 sq.yds of plots and also for improper allotment of additional land for the third time. The DG, KDA passed orders on her application to restore the original plot and put up the

← LADY → | ← MISBAH NAJMI →

$$815 + \frac{399}{7-12-92} + \frac{151.3}{5-4-93} \div 4 \times \frac{4}{26-2-94} + 410 = \frac{1775.03 \text{ sq.yds}}{6-7-94}$$

(Contd. on page-2)

case for extra land again. The case was sent to DPUD who submitted the case to the DG,KDA Mr. Sabahat, who again for the fourth time accorded approval for allotment of extra land of 410 sq.yds (@ Rs. 500/- per sq.yds) and withdrawal of sub-division plan. This time the extra land came out of an adjacent street and park. The revised site plan showing an area of 1775.03 sq.yds and physical possession of the extra land were handed over to the owner on 06-07-1994.

g. Thus, an original plot of 815 sq.yds grew to more than twice its original size out of sheer favoritism causing colossal loss to exchequer as an independent plot could have been easily created on the additional land. In addition the value of this plot was enhanced by making it an exclusive plot with roads and streets on all four sides.

5. DOES THE PROPOSAL INVOLVE ANY FINANCIAL IMPLICATION?

Not applicable.

- a. HOW IS THE EXPENDITURE TO BE MET?
- b. WHAT IS THE BUDGETARY PROVISION?
- c. HAS DIRECTOR (F&A)'S CONCURRENCE BEEN OBTAINED?

6. IS LEGAL ADVICE NECESSARY, IF SO, HAS LEGAL ADVISER BEEN CONSULTED? WHAT ARE HIS OBSERVATIONS?

7. DOES THE PROPOSAL REQUIRE RECOMMENDATIONS OF ANY STANDING COMMITTEE? WHAT ARE THOSE RECOMMENDATIONS?

8. WHAT ARE THE VIEWS OF THE MEMBER INCHARGE?

9. WHAT ARE THE VIEWS OF THE DIRECTOR GENERAL, KDA?

A very costly land had been allotted on nominal rates as extra land under dubious circumstance which should be cancelled. Only land measuring 1000 sq.yds as allowed by the CM should be allowed to remain with the owner and remaining land should be put to auction.

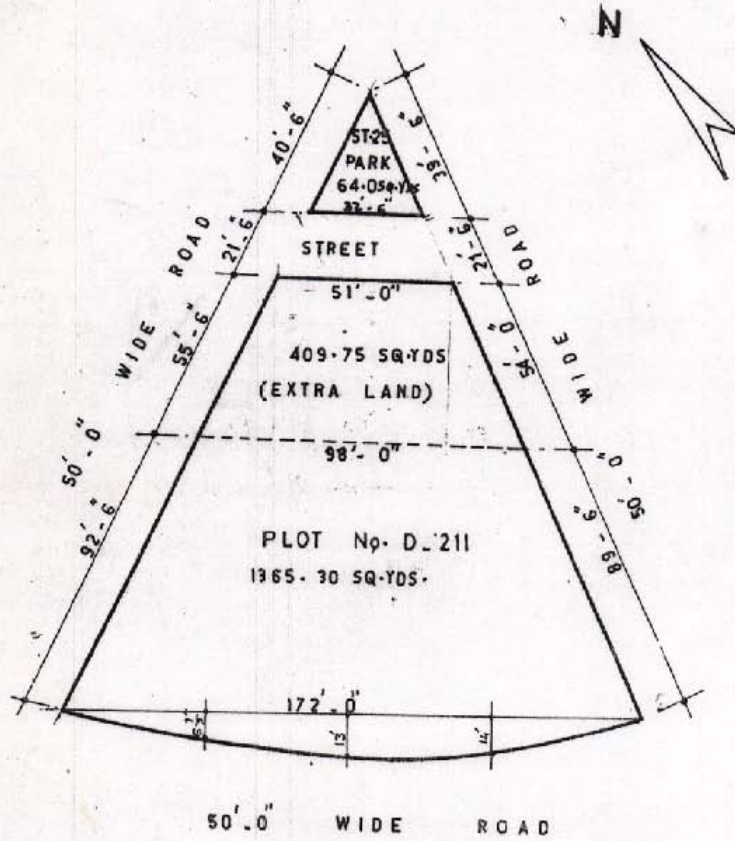
10. POINTS FOR DECISION

The matter is placed before the GB, KDA for consideration and cancellation of extra land measuring 775.03 sq.yds. over and above 1000 sq.yds of land approved by the then Chief Minister.

Maj. (R) Mazharul H. Qureshi
DIRECTOR LAND MANAGEMENT
K.D.A.

12.03.2001

ART PLAN OF BLOCK No. 5, SCHEME No. 5,
CLIFTON SHOWING EXTRA LAND TO PLOT
No. D. 211. SCALE = 1" = 40'



NOTE:

1. APPROVAL OF DG-KDA ON PAGE NO. 53 ON ALLOTMENT FILE OF PLOT D-211/5.
2. SUBJECT TO THE FINAL DEMARCATION AT SITE.

KARACHI DEVELOPMENT AUTHORITY		
DRAWING NO.	P.B-5/339	
DATED	1-3-94	
DRAWN BY.	M.A. WAHEED	
CHECKED BY.	MASHKOR	
		DY. DIRECTOR
		<i>Rajha</i> DIRECTOR
ASST. DIRECTOR (D)		PLANNING & URBAN DESIGN

Ronald De Souza

Sir,

The letter attached was supplied to me incognito – I did draft a reply – however did not take any action. I have been waiting for some official intimation, if any.

My case is straight forward, facts and documented. I have been holding on for reasons, this scenario cast a undesirable impression on Flag Staff and at this point in time I don't want this letter in wrong hands for I don't think our Govt. don't need any more problem in hand, it can be distorted by vested interest, I don't want this to happen that for I am of the opinion the present Govt. is better than any previous Govt. and sincere about bringing a change – let hope they succeed.

Also enclosed my corresponding for mid 1994 in ref to my request for a formal and actual possession correspondence to the effect to KDA and to present DG/KDA.

The modus operandi is unchanged – “stone walled” no reply. Imagine all that was required a simple ^{answer} reasons to settle the issue.

Thank you.

Misbah
25/3/2001

The opening of a pandera "s box

An Analysis of the contents of the letter of the present director general, kda (copy of which is enclosed.)

Background history/scenario. This is thought to be best way to address most of the points, raised in the letter, the scanario is written To illustrate the case and unwind the distortion of events. The wordings may be different but the facts /events are factual/real.

A certain couple had a plot (mr & Mrs n") for short , this plot was selected by them for specific reasons and they were happy to have for it was.

1 close to the jamatkhana (aga khani- Ismaili) this block 7, Clifton.

2. most of the ismailies go the the jamatkhana in the evenings, For prayers, for food and other social functions

3. people of the community meet and socialize .

It is simply convient and desirable to live near the jamatkhana - thus the land value of block 7 Clifton is higher than most of the other blocks generally, (common knowledge.)

In addition this plot had additional site advantageous characteristic such as:

1. It was situated on higher grounds- to allow for unobstructed light and air and has a panoramic view of the land /area right in front. It has also other additional site advantages -, terraced level planning possibility, advantage of sewerage disposal, safe from surface /rain (water drainage), approach to and from city and to the jamatkhana, all these factors made this an ideal plot for the couple and did not hesitate to pay extra given the factors described above for this particular plot.

2. Little that they knew that resident of the flag staff house next door (don't know his name)or which general was there at that time, he had some other ideas. one fine day the general sitting in the lawn of the flag staff got inspired and must have inquired as who the plot in front belongs to, a call was made to chief minister, (sind) and was told to acquire the land at any cost-

National security (it seems) was considered an appropriate terminology to use as an excuse and give the person an alternate land—' compensate the gentleman well and offer him a carrot, twist his arm a little.'

Acquire the land at any cost –this being the directive to the cm (sind), onwards to the dg/kda, the present dg/kda is now has Orders to hang the then dg/kda it appears (that is another story). The occupant of the flagstaff house has probably retired by now. The land is lying untilized, barren not even landscaped to add to the ambience of the flag staff house. It will be not farfetched, to assume that that another smart-fellow will soon give similar orders to the present dg/kda to aquire the land next to this one, then this (present) dg/kda will performing a similar unfortunate duty and so goes on the cycle restart – such is life. The key issue is people don't matter,

BASIC RIGHT OF A CITIZEN –INFRINGEMENT, GROSS MISUSE OF AUTHORITY, INJUSTICE AND THE WORST PART DOING THIS UNDER THE ARMY BANNER- WHAT ABOUT THE CALL TO PERSERVE THE ONLY INSITUTION LEFT WITH SOME DIGNITY, WHICH ENJOYS THE RESPECT OF THE CITIZENS. AT LARGE I.E PAK ARMY - THIS IS WHERE SHORT TERM THINKING CAN CREATE LARGER THAN LIFE IMPACT,. JUST RECENTLY OUR CHIEF EXECUTIVE SAID THAT THERE WHERE ONLY A HANDFUL OF FUNDAMENTALS AND THE LARGER MAJORITY OF PAKISTAN ARE MODERATE PEOPLE, BUT THESE HANDFULL DOINGS HAS CREATED A BAD NAME FOR OUR COUNTRY, SAME IS TRUE FOR LIKES OF THE RESIDENT OF FLAG STAF HOUSE (THEN) UNFORTUNATELY.

3. So back to our Mr & mrs . n', (the couple) was baffled so to speak Mr. GHULAM ALI (Mr. n') for our purpose- a timid yet shrewd gentleman, knew that their dream land will go – IN THE NAME OF NATIONAL SECURITY –

of negotiation – the so called revisions) till they reach a figure acceptable .

kda insisted that anything in excess of the original sq. yds would

So as things progress the then dg/kda gets to work time is important- all kinds of methods were employed, it a battle of wits with kda having the advantage of army and national security banner. Multiple options are offered and discussed, this effort has been very cleverly been distorted, (reference to the letter - the three/four time revision) are all actually part of on going negotiations effort (options), approved by then cm (sind) and the flag staff.

A little off the tract but never the less, important in this case At some point in time, kda planners had proposed a small Commercial area on a small plot next to what is now British High Commission (st15/blk5/sch5). There was complaints as to the validity of these proposed Commercial plots these were tiny plots and were destined to be slum area to say the least nor did it serve the residents as there were plenty of commercial area already existing in the immediate vicinity.

In view of the number type of residents it would cater for, it did not make much sense and the neighbours complained. Asked for revision in the planning- especially The British High Commission, this plot is directly opposite the high commission, they saw it as a security risk and made a strong request for re -planning. Kda was put in a position to review its planning. This is why/how this plot came into existence- In the mean time mr&mrs n ' did not like most of the other options (alternate plots) they were shown .Then this plot was put forward to them, this appear to be a better option of the lots. They had seen thus far, despite the fact the jamatkhana was not near and their plot were about 2.5 times the value of this plot in terms of Rs. Per square yards, to that kda offered a 1000 yds as opposed to 815, the couple being business people quickly did some calculations.

Contested that this was not an equitable offer – a battle of wits – kda kept adding bit by bit (part of negotiation – the so called revisions) till they reach a figure acceptable .

Kda insisted that anything in excess of the original sq. yds would be treated as extra land and they will have pay (the existing value fixed by kda-) a smart move to say this is kda rule which we cannot be violated.

Because if the market value be considered the couple was still a loser-in addition to loosing the land of their choice for reasons already discussed. All theses were negotiation tactics and dg/kda then was able to achieve the impossible.

By what means it does not matter. He got the land, charge them for the extra land and charges them at the existing rates of kda (for the square foot that was in excess of the exchanged land) mission accomplished.

This is how the exchange was made mr&mrs n" having experienced the whole ordeal - was sure of one thing there was no protection of their "BASIC RIGHT" and this plot did not serve the needs and purpose, and best thing was to sell it as soon as possible, go back to block 7 and near the jamatkhana and their friends. Through brokers they found a buyer- the transaction was properly advertised in the papers and duly transferred, thru proper process/procedures.

This plot was subdivided into four smaller plots to make it easier to sell, fortunately the new buyers Mrs. nj came along and bought the whole plot and put in an application to amalgamate it back into one. This plot for all practical purposes is a triangular plot, the new owners requested that the alignment with existing streets/road lines will give an additional area of 400 approx. for which they will pay what ever the kda rates were. Also there were no infringements on road or reduction of width of the road on all sides (three). Kda put this to master plan dept, which approved the proposal and process was completed on payment of kda charges. These charges were already in force, mrs nj paid the same the prevailing rate for additional land.

So Mrs N' the new owner is irrelevant in this scenario, she purchase the land from open market and the amalgamation was done on approval of KDA Master Plan Department and payment for it made on approved rates. Her husband's profession and his social acquaintance with the husband of the prime minister is immaterial and irrelevant for there is no evidence of irregularities, or misuse none what so ever.

SOME BASIC QUESTION ARISES OUT OF THE CONTENT OF THE LETTER MENTION EARLIER. ONE CAN SEE BY USE OF SELECTIVE WORDS SUCH AS "GROSS MISUSE/ABUSE OF POWERS", "OUT OF SHEER FAVORITISM, CAUSING COLLOSSAL LOSS

The question arises "by who—then dg/kda, and/or Cm(sind) and /or flag staff (?)"

Secondly acquiring privately owned property by distorting /giving new meaning to national security.

Third it is implied in the letter that KDA officials in connivance with Mrs N'—an outright corruption to annexed the extra land, the owner never approach KDA for exchange of land.

This is confirmed in the next paragraph of the same letter "THE LAND WAS ACQUIRED BY THE GOVT, -FOR FLAGG STAFF HOUSE"

The question is "who connived with whom? Flag staff house and/or c.m. sind, and/or dg/kda—could be all of them" but certainly not Mr and Mrs N'.

For the simple fact the owners (Mr & Mrs N) would not connive to "self inflict-harm /loss/agonny."

Fourth

would you consider the ethic of forcefully acquiring a private citizen's land to "improve your view"—imagine the vanity behind the action and employing govt. machinery and army banner to do so.

Fifth

The mention of Mrs. Nj" the subsequent owner, who purchased the plot this land from the market- went through the entire legal process of transfer- to which KDA was a party is a mischievous attempt to get the Case another colour that is to say ' IF NOT THAT WAY THAN THIS WAY' . It is apparent that the writer is under some compulsion to hang the then DG/KDA- even it means grinding/causing mental agony to others -AT ANY COST THE METHOD BY WHICH THE WISHES OF THE RESIDENT OF FLAGSTAFF WERE FULFILLED MORE IMPORTANTLY FOR WHAT-?

MR N' GOD BLESS HIS SOUL (HE IS DEAD) WAS SMART ENOUGH TO UNLOAD THIS PROPERTY FOR SURELY HE MUST HAVE LOST FAITH IN THE SYSTEM AND ARMY.

C.M(sind) GOD KNOW WHERE HE IS, DG/KDA (then) IS IN THE AMERICAS FOR HE KNOWS WHAT DID HE WRONG..

THE RESIDENT OF FLAGG STAFF (then) GOD KNOWS WHERE HE IS, GOD BLESS THEM ALL.

AS FOR THE LETTER CONCERNED.

There IS A LESSON TO BE LEARNED FROM ALL THIS, WATCH OUT FOR THE STAFF- REMEMBER THEY ARE PART OF THE SYSTEM. WILLINGLY/UNWILLING FOR THEY HAVE TO SURVIVE. YOU ONLY ACCEPT MATTERS AND PERSUE WHERE YOU CAN SUBSTANTIATE AND DOCUMENT WITH SOLID PROOF- THAT CAN STAND IN ANY COURT OF LAW. WATCH OUT FOR THE STAFF, THEY CAN WILL HELP YOU MAKE A FOOL OF YOURSELF. DIG IN DEEP (carefully for they have seen many a DG; come and go), TO CHECK CORRUPTION AND EXPOSE THEM, GREAT MANY ARE STILL THERE IN THE BUILDING(civic center): LAND DEPT, KBCA, MASTERPLAN, LOT OF THING ARE HAPPENING RIGHT UNDER YOUR EYES, FORGET COWASJEE GO FOR REAL CHORS, HAWLA DEALERS, GOLD MERCHANTS, DRUG SMUGGLERS, MONEY CHANGERS, BOOT LEGGERS, ETC THESE ARE THE PEOPLE WHO HAS THE REAL CHARGE OF YOUR KDA FOR WHICH WE ALL SHALL BE GREATFUL, YOU WILL BE DOING GOOD TO AND FOR THE CITY. MAY GOD BE WITH YOU.