

Karachi dated the 9th March, 1999.

NOTIFICATION

NO.SO-Land(KDA)/HTP/3-89/99:- The Government of Sindh in exercise of the powers conferred under Section 4-B of the Sindh Building Control Ordinance, 1979 (hereinafter referred to as the "Ordinance") is pleased to appoint a Committee to oversee and monitor the functioning and operation of the Karachi Building Control Authority (hereinafter referred to as the "Authority") for a period of three years and until further orders. The Committee shall comprise of the following members:

(i)	Secretary Housing & Town Planning Department	Chairman
(ii)	Chief Controller of Buildings KBCA	Secretary
(iii)	Mr. Justice (Retd) Haziqul-Khairi	Member
(iv)	Director General, KDA	Member
(v)	Director General, LDA	Member
(vi)	Director General, MDA	Member
(vii)	Legal Advisor KBCA	Member
(viii)	Chairman Pakistan Engineering Council	Member
(ix)	Chairman of Pakistan Council of Architects & Town Planners	Member
(x)	Chairman of Association of Builders & Developers	Member
(xi)	Nominee of SHEHRI Citizens for a Better Environment	Member
(xii)	Architecture Department Dawood College of Engineering & Technology.	Member
(xiii)	Architecture Department Indus Valley School of Art & Architecture	Member
(xiv)	Civil Engineering Department NED Engineering University	Member
(xv)	Citizen with proven track record of interest in building matters nominated by the Governor : Mr. Ardeshir Cowasjee	Member
(xvi)	Advocate with a minimum of ten years of active practice, nominated by the Governor Qazi Faez Isa, Bar-at-law	Member

The organizations listed at number (viii) to (xiv) may be represented by such person (s) as the concerned organization in writing intimates to the Secretary of the Committee and unless otherwise notified in writing, the person who was initially representing the organization shall continue to do so. If an organization is represented by more than one person, such persons shall for the purposes of this notification be deemed to be a single member.

1. The Committee may undertake the following functions:

- (i) To oversee and monitor the grant of approvals of buildings in accordance with the provisions of the Karachi Building and Town Planning Regulations, 1979 and/or any other regulations framed under the Ordinance hereinafter referred to as the "Regulations").
- (ii) To inspect and ascertain that any building being erected is in accordance with the approved building plan in respect of that building and to give intimation to

the Authority in case the same is in violation of its approved building plan and the Authority shall within fifteen days of the receipt of such intimation take appropriate steps in accordance with the provisions of the Ordinance.

- (iii) To issue directions to the Authority for the demolition of dangerous or unauthorized buildings. The Authority shall within fifteen days of the receipt of such directions implement the same in accordance with the provisions of the Ordinance and /or the Regulations.
- (iv) To draft and recommend amendments to the Regulations as and when deemed necessary.
- (v) To draft and make recommendations for amending the Ordinance whenever deemed necessary.
- (vi) To draft rules and regulations for giving effect to the provisions of the Ordinance.
- (vii) To ensure that the Authority effectively enforces and implements the provisions of the Ordinance and the Regulations.
- (viii) To recommend policy measures to the Authority and the Government in relation to the regulation of growth of the city both vertically and horizontally.
- (ix) To suggest ways and means of making the Authority more efficient and effective.
- (x) To recommend measures to protect and preserve the built environment of the city.
- (xi) To take measures to ensure that the provisions for amenity parks, playgrounds, public services and recreational areas in various housing and other schemes are properly used.
- (xii) To make recommendations for the effective preservation and restoration of buildings or architectural, cultural or historical interest.
- (xiii) To co-ordinate with any task force, advisers, experts or other person performing any functions under the Ordinance.
- (xiv) To make laws/rules/recommendations for layout and building plans.
- (xv) To initiate action against any officer or employee of the Authority who appears to be acting contrary to the provisions of the Ordinance and/or the Regulations and/or is perceived to be indulging in corrupt practices (as the ordinary meaning of the word connotes) and submit a written complaint to the Government in respect thereof, which complaint shall be signed by at least five member of the Committee. The Government shall within seven days of the receipt of such complaint commence disciplinary action against such officer or employee.

- (xvi) To make efforts to ensure transparency in the functioning of the Authority and to further ensure that requisite information is made available to the general public.
 - (xvii) Any other steps that the Committee deems necessary and expedient in order to effectively carry out its functions and in exercise of its powers set out herein.
2. All words used here shall have the same meaning as it assigned to them in the Ordinance and /or the Regulations.
 3. The Chief Controller of Buildings shall be the ex officio Secretary of the Committee.
 4. The Committee shall meet at least once a month on a fixed day and time.
 5. Four members shall form the quorum of a meeting. In case the Chairman is not able to attend a meeting, the members present shall amongst themselves elect a Chairman for the meeting.
 6. Decisions in a meeting shall be taken by simple majority. In case of equality of votes the Chairman shall have a second or casting vote.
 7. The Secretary shall keep proper record of all proceedings of a meeting and shall provide copies thereof to all members within one week. In case the Secretary fails to take and record the minutes of a meeting, the same may be recorded by any member of the Committee, subject to the approval of the majority of members attending such meeting.
 8. the member shall be entitled to receive assistance and information from the Authority and its officers and employees with regard to all matters relating to the functioning of the Authority. In the event of failure to render assistance or the failure to provide information or the giving of false or misleading information, disciplinary action shall be initiated by the Government against the concerned officer or employee upon the written complaint of at least four members, particularizing therein the matter complained of.
 9. The Authority shall submit quarterly reports to the Committee giving detailed particulars therein of its progress, achievements and reasons for any failures to achieve its targets.
 10. Any recommendations/suggestions/proposals given by the Committee to the Authority or to the Government or any other concerned authority in exercise of the Powers conferred under this notification shall be in written form.
 11. The Government, Authority, or agency receiving such recommendations/ suggestions/ proposals shall within fifteen days of the receipt thereof either accept and adopt the same or adopt the same with modifications.
 12. In case the Government, Authority, or agency receiving such recommendations /suggestions /proposals decides not to accept or adopt the same with or without modifications, it shall call a meeting of the Committee members and try to bring

about a consensus in respect thereof, failing which it shall give its reasons for rejecting such recommendations/suggestions/proposals.

13. No suit or proceeding or legal proceeding shall lie against any member in respect of anything done or intended to be done in good faith in the performance of functions or exercise of powers contained herein.
14. Any member who does not wish to retain his membership of the Committee may submit his resignation to the Government.
15. Any member who fails to attend three consecutive meetings of the Committee shall no longer be considered to be a member of the Committee.
16. Any vacancy occurring in the Committee by virtue of death, resignation, minimum prescribed attendance or any other reasons shall be filled in by the Government by appointment of new members. In making such appointment in respect of the said vacancy by a member of a particular organization or of a particular and relevant qualification, the Government may ensure that only such person is appointed who is representative of a similar organization or who is similarly qualified.

(SYED FAISAL SAUD)
SECRETARY TO GOVERNMENT OF SINDH

NO.SO-LAND(KDA)/HTP/3-89/99

Karachi dated the, 9th March, 1999.

A copy is forwarded to :-

1. The Additional Chief Secretary (Dev) Planning & Development Department, Government of Sindh.
2. All Administrative Secretaries, including Members, Board of Revenue, Sindh.
3. The Chairman, Enquiries & Anti-Corruption Establishment, S&GAD.
4. The Chairman, Chief Minister's Inspection and Evaluation Team, Sindh, Karachi.
5. The Secretary to Governor, Sindh, Karachi.
6. The Registrar, High Court of Sindh, Karachi.
7. The Accountant General, Sindh, Karachi.
8. The Director General, KDA/HDA/MDA/LDA/Lar.DA/SDA.
9. The Director Town Planing, Sindh, Hyderabad.
10. The Deputy Secretary (Staff) to Chief Secretary, Sindh.

11. The Officers/Members concerned.
12. The Superintendent, Sindh Government Printing Press Karachi.
13. The Office Order File.



(DR. MOHAMMAD NAWAZ SHAIKH)
SECTION OFFICER (LAND)
FOR SECRETARY TO GOVERNMENT OF SINDH

MINUTES OF (22+)2ND MEETING OF OVERSEE COMMITTEE
ON K.B.C.A. HELD ON 07.04.1999 AT 2.00 P.M AT
CONFERENCE ROOM CIVIC CENTRE, KARACHI.

PRESENT

MR. SYED FAISAL SAUD

Secretary, IITP

.... Chairman

MEMBERS

1. Mr. Allah Rakha Asi, DG,KDA
2. Mr. Rauf Akhtar Farooqi,DG,MDA
3. Mr. Syed Muhamad Hussain, Chief COB
4. Dr. Abdul Samad Khan, NED
5. Mr. Ardeshir Cowasjee
6. Mr. Roland deSouza Shehri-CBE
7. Mr. Syed Kalimuddin . Chairman. PCATP
8. Mr. Nooruddin Ahmed, Nominee of PEC
9. Mr. Qazi Faez Isa, Bar-at-law
10. Mr. M.M.I.Hussain, Nominee of ABAD
11. Mr. Iqbal Memon, Legal Advisor, KBCA

INVITEES

1. Mr.S.M.R.Zaidiul Wasti, Co-ordinator, Oversee Committee
2. Mr.Mumtaz Ahmed Hashmi, DCB
3. Mr. Mirza Yousuf Ali, PRO
4. Mr. Sarwar Khalid

1. The meeting started with the recitation of Holy Quran by Mr. S.M.R.Zaidiul Wasti,COB. The request of Mr.Saleem Thariani for not attending the meeting due to his illness was granted by the Committee.

Action: S.M.R.Zaidiul Wasti,
Co-ordinator.

2. The minutes of the meeting dated 24.03.1999 were confirmed except on the request of Mr. Iqbal Memon, the following sentences were deleted from the para-2 page No.2 of the minutes of meeting dated 24.03.99

" Mr. Iqbal Memon informed that the legal Advisor is being misused by the Authority and he has protested on it. The Secretary, IITP asked him to file his written objection."

Action: S.M.R.Zaidiul Wasti.

3. The members noted with concern that the COB's written report on "Action taken on the Minutes" of the last meeting (26.01.99 and 24.03.99 had not been circulated. This to be done by 21.4.1999 and for future meetings, one week before the meeting.

Chief COB verbally informed in details the implementation of the decision of the sub-committee to improve the working of the KBCA.

- a) That the Overseas Committee secretariat has been established.
- b) Public information counter is re-organized on the basis of weekly duty of ACB and Building Inspector. Model Agreement between the Builder and allottees has been displayed at the counter and list of the buildings under litigation is being dis-played.

Action: D.C. (Admin).

- c) That the monthly publication of lists/NOC's in the newspapers as per procedure decided earlier has been started and in respect of non-publication of the list in 'Jang' by Information Dept. Sindh, the Committee passed the following resolution No.:-

"It was decided by the Overseas Committee that regular advertisements be published in Jang, Dawn and Millat Gujrati. However, it appeared that Information Department, Sindh is not forwarding any publication for publication in "Jang". In view of the fact that the 'Jang' has a largest circulation in the Karachi, therefore the earlier decision of Committee is re-iterated and concerned Department is requested not to hinder the working of statutory body insert the ads within one week."

Action: Chief COB/ P.R.O

- d) Punctuality in the attendance has been improved all KBCA offices are to be present at 9.05 am, tentative seniority list has been issued and objections are invited within 15 days. All the ACRs shall be completed within next 15 days. The leave account of all the officers/staff has been prepared. Promotion cases shall be decided after the finalization of seniority list.

Action: D.C. (Admin)

- e) That the charge sheets to three officers who were suspended has been issued. 15 officers cases is pending in the High Court and they were reinstated on the directive of the Govt. of Sindh. The committee desired that some positive action to be taken and case to be pursued in High Court vigorously.

Action: Chief COB/DC(Admin).

- f) Mr. deSouza said that in a fit case of illegal construction in Saddar Bazaar Mr. Nadeem Anwar DCB and Mr. Amir Kamal Jafri ACB were suspended on the directive of the Secretary, ITP, and asked about the present status of the officer's / case. Chief COB informed that the officers has been re-instated; It was therefore decided that the complete factual position of the case to be supplied to the Sec. ITP and other members within two days.

Action: Chief COB/DC(Admin)

Distribution:

- g) Regarding transfer/posting of officers for two year tenures (procedure already decided), It was decided that a proposal is prepared by the Chief COB and sent to Secretary, IITP within 2 weeks circulated to members within 2 weeks.

Action: Chief COB

- h) That the ACBs Field Books are being checked and monthly photographs of under construction buildings are being taken. Plinth verification certificate are being issued by virtue of passing the building plans in three stages.

- i) That the order has been issued to send copies of notices of u/a construction under Section-7/A to the concerned legal advisor and to monitor that the comments with photos are to be sent within 3 days by the DCBs. It was further decided that in the comments specific violations alongwith the number of clauses/section of rules and Regulations to be mentioned.

Action: Chief COB/ All COBs.

- j) That the work on the computerization of court cases are being under process and the procedure of daily progress report on the established Performa of the cases from the lawyers has been started. These daily progress of the case must be sent to COBs in order to update their action as decided earlier. This is not yet being done.

Action Chief COB/Co-ordinator O/C

- k) Regarding computerisation of all information of the project and its up dating on daily basis, it was stated by CCOB that the same should be possible after the computerisation of KBCA. The members disagreed, and directed that listing should be started immediately.

Action :Chief COB/Co-ordinate

- l) Further in order to establish the identity of the owner/builder, Mr.Qazi Faez informed that the Govt. has recently amended the stamp duty act and now the power of attorney to be in accordance with the said amendments: the requirements of stamp duty Act shall be followed by KBCA The draft of the said amendment and procedure shall be provided by Qazi Faez Isa.

Action:Chief COB/All COBs/L.A. KBCA.

- m) That the list of suspended professional has been published in the newspaper. PEC/PCATP showed their concerned that the said list alongwith the details of the cases have not been supplied to them. The same shall be done immediately, so that PEC/PCATP can also take action in accordance with their regulations and Act. Criminal prosecution cases under SBCO 79 are also to be filed against professionals.

Action:Chief COB/PEC/PCATP

7. Regarding computerisation of KBCA, a plan prepared by Mr. Fazal Alvi on a turn-key basis was supplied to the members and Mr. Fazal Alvi briefed his plan which cost about Rs.40 lacs. The plan shall be studied by the members and discussed in the next meeting.

Action: All members of Oversee Committee

8. Mr.deSouza supplied copies of additional information for the plot No.10,SR-2 International Trade Centre to the members of the Committee, highlighting the violations. The committee directed to Chief COB to take following action:

- i). Public Warning (DAWN, JANG, MILLAT) advising general public about pending litigation and directing them not to invest, or to enter without mandatory KBCA Occupancy Certificate.
- ii). Initiate action against concerned DCB/ACB for:
 - a) incorrect approval of building plans
 - arcade not provided around shops
 - encroachment on Nicol Road allowed
 - violation of leases conditions allowed
 - non-inclusion of basement in covered area calculations
 - b) collusive action to help builder.
 - Approval of incorrect plinth Verification Certificate (9.1.98)
 - non-action against violations (demolition/sealing etc).
 - c) Similar action as 8 (ii) above against Mr. S.M.Misbah, (Ex-CCOB/DG,KDA.
- iii) Write to BOR to forfeit /determine lease for violation of the lease conditions.
 - a) building plan not submitted to Lessor.
 - b) extent of construction in violation of leases conditions.
- iv) Institution of criminal prosecution proceedings (under SBCO 979 and Anticorruption) against Builder, owner,architect/engineer,DCB,ACB etc.
- v) Criminal prosecution of Owners & Attorney for avoidance of statutory stamp duty on sale/transfer of plot. Irrevocable power of Attorney being mis-used.
- vi) KBCA to apply to High Court for modification of undertaking/order dated 11.12.98. Builder can not be allowed to carryout "finishing work" on illegal construction, even if it is allegedly at his" risk and cost" . Additionally, the builder actually uses purchaser's money, not his own: thus the work is not at the builder's " risk & Cost".

Action: Chief COB

9. The committee decided to withdraw the circular issued by the then DG,KDA vide No.KBCA/PS-CCOB/98/341 dated 8.5.1998, and a clarification to be issued that no building plan (original or revised) is to be approved that has not been forwarded by the lessor. Further the explanation of the then DG,KDA shall be called.

Action:DG/KDA/Secretary,HTP

10. Regarding 'minor violations' and regularisation of sealed buildings' that can be compounded in accordance with the law/regulations, Mr. Qazi Faez Isa pointed out that clause (19) of SBCO and regulation No.16 of building & Town Planning Regulations is quite clear and the issue can only be discussed under the parameter of these law/regulations, until these are amended. Further the judgement of Supreme Court of Pakistan, in case of Mr. Abdul Razzak is clear, that KBCA has no discretionary powers to regularise any buildings constructed in violation of regulations.

Mr. deSouza, pointed out that in regulation 16 (c), (1) & (vi) reproduced as under:-

- i) the building works or part thereof violate any requirements of the provisions of any sanctioned site development scheme;
- vi) for any other violation of the Master Plan not falling in the above category, NOC from the Master Plan and Environmental control Dept(Authority under Sindh Building Control Ordinance, 1979) shall be obtained before compounding of the offence.

clarified that no violation can be compounded if it violates the requirement of provision of any sanctioned site development schemes, which are given in various terms of allowable plot- ratio, allowable covered area on each floor, number of floors, etc.

ABAD dissented from the above and said that law/regulations do not bar regularisation of certain violations. ABAD also emphasised that the housing industry of Karachi should not be discriminated from the rest of country's industry by faulty restrictions, contrary to the law and regulations. The Chairman held that law/regulations should prevail.

Action: Chief COB/ All COBs

11. The Chairman stated that the Governor desired the recommendations of the Overseer Committee on the issue of the 262 sealed buildings and the 35 illegal buildings should be submitted at the earliest. It was unanimously decided that in the case of buildings where the High Court has given a decision, this decision must be complied with immediately by the Government of Sindh. The issue of the rest of the buildings would be taken up when the Sub-Committee report would be received at the next meeting. Shehri also presented a 6-point list of recommendations on what procedures to be adapted under Law to deal with the already constructed illegal buildings, and the builders, officers, and other involved persons.
12. Copies of SBCO and building and Town Planning Regulations (Part-I & II) were supplied to the Members.
13. A detail discussion was held on the issue of use of commercialisation charges money. It was decided that the said amounts should be kept in a separate account by KBCA and that should not be transferred or utilized. The DG KDA is to prepare a detailed recommendation in the matter for the Overseer Committee including a report on how the Rs 1500 crores (as given by ABAD) collected for commercialization / additional floors charges during 1970 - 1995 have been utilized.

Action: DG, KDA
Chief COB / DC

14. ABAD presented the case of the approval granted in respect of the project " Clifton Regency" on Plot no.FL-12, Block-1, Scheme No.5, Karachi which apparently shows that approval was granted beyond the existing building regulations. The Committee directed to Chief COB, to immediately withdraw all NOCs/approval granted in respect of the said project and to call explanation of all the concerned.(DCB, ACB IN TP) by 21-4-99. Report on the matter to be supplied to the Committee members within two weeks

Action: Chief COB

15. Mr. MMI Hussain stated that if any ABAD member were to be found violating the Law as in the case mentioned above, ABAD would take strict action against the member.

Action: ABAD

16. The Oversee Committee set up a sub-committee comprising of the following to scrutinize the cases of High rise buildings submitted for approval:-

1. Nominee of PCATP
2. Nominee of PEC
3. Nominee of ABAD
4. Nominee of Shehri.
5. Chief Controller of Buildings.

The sub committee shall meet ones in a fortnight and Chief COB shall presents Sub-Committee recommendations for approval to the Oversee Committee. It was, however, held by the Chairman that the cases of highrise buildings would be brought before the Oversee Committee who after scrutiny will accord approval.

Action: Chief COB.

17. It was decided that all the professionals employed in KBCA i.e Architects, Engineers and Town Planner shall have the valid registration of their council and a copy of the renewal/life membership should be supplied to PEC and PCATP. However, membership fee/ renewal fee would be arranged by KBCA as per NESPAK practice.

Action: DC (Admin).

18. Mr. Nooruddin of PEC AND Mr. Kalimuddin of PCATP is to organise an informal meeting with engineers & architect of KBCA and KDA to discuss their duties and professional.

Action: PEC/PCATP

19. It was also decided that the sub committee appointed to up-date the building and town planning regulations shall complete the task within three week time keeping in view the urgency of the mater.

Action : Convener of Sub-Committee of Up-dating of B&TP regulation

20. The next meeting of Oversee Committee shall be held on 12.05.1999 at 2.00 P.M. in the Conference room of Civic Centre, KDA as there is two presentation of Malir Development Authority & Lyari Development Authority to Governor, Sindh on 05.05.1999 at 12.30 Hrs. Chairman and Secretary Oversee Committee are invited there. a

(ENGR. S.M.R. ZAIDIUL WASTI) 24041999
CO-ORDINATOR
OVERSEE COMMITTEE ON KBCA

No. KBCA/Oversee C.S./99/19, ~~1999~~
Dated: 24-04-99

Distribution:

All concerned.

Subject:

**MINUTES OF (22+)3RD MEETING OF OVERSEE COMMITTEE
ON K.B.C.A. HELD ON 12.05.1999 AT 2.00 P.M. AT CONFERENCE
ROOM, K.D.A. CIVIC CENTRE, KARACHI.**

PRESENT

MR. SYED FAISAL SAUD
Secretary, HTP.

Chairman

MEMBERS

1. Mr. Allah Rakha Asi, DG,KDA
2. Mr. Rauf Akhtar Farooqi, DG,MDA
3. Mr. Munawwar Opal, DG, L.D.A
4. Syed Muhammad Hussain, Chief COB Secretary
5. Mr. Justice (Retd) Haziqul Khairi.
6. Mr. Nooruddin Ahmed, Nominee of PEC
7. Mr. Syed Kalimuddin, Chairman, PCATP
8. Mr. M.M.I. Hussain, Nominee of ABAD
9. Mr. Roland deSouza, Shehri-CBE
10. Mr. Saleem Thariani, Indus Valley
11. Mr. Iqbal Memon, Legal Advisor, KBCA.

INVITEES

1. Mr. Aftab Mohammad, (PIRCP)
2. Mr. S.M.R. Zaidiul Wasti, Co-ordinator, Oversee Committee
3. Mr. Mumtaz Ahmed Hashmi, DCB
4. Mr. Mirza Yousuf Ali, PRO.

1. The meeting started with the recitation of Holy Quran by Mr. S.M.R. Zaidiul Wasti, COB. Secretary, HTP chaired the meeting. The Chairman /Secretary, HTP who left the meeting due to an urgent work at about 4.00 P.M. and remaining session was chaired by the DG, KDA
2. The request of Dr. Samad Khan of NED University for not attending the meeting due to his pre-occupation in the meeting of academic council of NED was granted.
3. The minutes of the last meeting dated 07.4.99 were confirmed except the following amendments discussed in the meeting dated 12.05.99.
 - a) Due to typing mistake, Serial Nos. of the minutes are re-numbered and S.No. 7 should be read as Para No.4 and so on.
 - b) In item No.3 (J) line 1 words " being" deleted.
 - c) Para-10 last sub para line 1, word " dissented" changed with word 'dis-agreed'
 - d) In item No.17 the following sentence is deleted:-
" However, membership fee/renewal fee would be arranged by KBCA as per NESPAK practice."
 - e) Item No.18, shall be read as follow:-
Mr. Nooruddin of PEC, Mr. Syed Kalimuddin of PCATP and Dr. Samad Khan of NED University of Engg. & Technology alongwith Mr. S.M.R. Zaidiul Wasti Co-ordinator Oversee Committee shall organise a meeting with the Engineers/Architect/Town Planners of KBCA, to discuss the duties and professional conduct in the light of code of conduct of PEC/PCATP.
Action: Co-ordinator/Oversee Committee.
 - f) The following new para is added in the minutes :-
" that " Mr. Ardeshir Cowasjee use language which ABAD member found unparliamentary. The ABAD member took serious view and asked to record his resentment."
4. The members showed their concern for delay in issuing the minutes and therefore it was decided

2
that now onward the draft of the minutes shall be sent to Chairman /Secretary, HTP for approval and after the approval of Chairman the minutes shall be issued within 10 days.

Action: CCOB
Co-ordinator,Oversee

5. ACTION ARISES FROM THE PERVIOUS MINUTES.

- a) Chief COB supplied copies of report on action arises from the minutes of last three meetings alongwith documents. Mr. deSouza pointed out that the reports on action on the minutes of meeting dated 26.1.99 and 24.3.99 were required to be supplied on 21.4.99 which are supplied late. Chief COB informed that the delay is due to the delay in finalization of the minutes. Chairman desired that all the decision taken in the meeting should be implemented promptly without any delay or waiting the finalization of the minutes except in the cases where the decision related with the policy matters. However ABAD showed their disagreement with it and said that action should be taken only after the finalization of the minutes.

Action: Chief COB

- b) Mr. deSouza pointed out that the para-6 of the minutes of meeting dated 26.1.99 has not been complied. Chief COB informed that it is due to non approval of the said minutes . It was therefore decided that the field books of the plots mentioned in the said para shall be checked by M/s. PCATP within a period of one week. Co-ordinator will arrange the said checking.

Action: PCATP

Co-ordinator,Oversee Committee

- c) Chief COB informed that the list of building under litigation has been displayed at Public Information Counter and the same has already been published today in Sindhi newspaper while in Urdu/English newspaper it will be published in a couple of day.

Action: Chief COB.

- d) It was decided that the matter related to the checking of Plinth Verification Certificate of two plois as specified in para-9 of the minutes of the meeting dated 26.1.99 shall be take up by Mr. Nooruddin and Mr.Rauf Akhtar Farooqi,DG,MDA.

Action: Mr.Nooruddin

Mr.Rauf Akhtar Farooqi

Co-ordinator,Oversee Committee

- e) Mr.Roland desouza informed the Chairman that report supplied by the Chief COB about the two officers Mr.Nadeem Anwar DCB and Mr. Amir Kamal Jafri,ACB stated that these two Officers were reinstated on the directives of Secretary, HTP, the Chairman, informed to the Committee that they have taken the action on the report of the Deptt. Chairman ordered that these two officers to be suspended and enquiry to be conducted against them.

ACTION:CCOB

- f) PEC/PCATP stressed that the professionals whose licences were suspended about two years ago may be restored so that they can earn their livelihood. They further pointed out that KBCA has no jurisdictions to grant licence to the professionals and that the professionals are entitled to practice having registered with their statuary bodies. D.G. (KDA) informed that the professionals are licensed by KBCA under licensing Regulation of SBCO and the Authority is competent to take disciplinary action against them violating the terms & conditions of the licence. However it was decided that in future all such cases to be sent to PCATP and PEC to

take action in the light of their act.

Action: PEC/PCATP
Chief COB
All COBs

- g) Report submitted in respect of compliance of para-8 of minutes of the meeting dated 07.04.99 by the COB (B) of Plot No.10, SR-2 (Serai Qrts) Karachi, Mr. Roland desouza said that the publication regarding the above project have not been done. The Committee was informed by the PRO that the concerned COB has stopped for publication with the plea that there is a stay order. Legal opinion from Mr. Iqbal Memon, LA/KBCA was sought who said that if in the stay order the KBCA has been restrained from publication, then it can not be published otherwise there is no harm to publish the same. However it was decided that the same may be published immediately.

Action: Chief COB
Mr. Roland desouza
PRO, KBCA

- h) Chief COB informed that action on the para 14 of the minutes of meeting dated 07-04-99, has been complied with i.e NOC/Approval of plan has been withdrawn.

Action: CHIEF COB

6. On the matter of 262 sealed buildings, Mr. M.M.I. Hussain said that they had already stated in the meeting with Chief Secretary, Sindh to regularize these buildings as a case of fate-a-compile. , Mr. M.M.I. Hussain stressed again that the said buildings may be regularized after charging penalty. In this regard he also distributed a copy of "Fatwah" according to which every violence/crime can be compounded except 'Zina and 'Shirk'. Therefore he stressed for the regularization of these buildings in accordance with the 'Fatwah'. DG,KDA and other members said that they have due respect of Islamic Law and desired for its implementation but the matter shall be scrutinized in accordance with the existing Rules and Regulations.

Shehri also supplied copies of his letter dated 8.5.99 addressed to Chief Secretary, Sindh on the subject matter.

Action: All members.

7. PEC/PCATP enquired about the seniority of the officers to whom officiating charges have been assigned and said that the issue of assigning the officiating charges to the junior is the major cause of heart burning and in-efficiency in performance of KBCA.

Chairman said that the issue related to the administrative measures and not in the preview of the committee and therefore the advice from the Law Deptt. Govt. of Sindh shall be obtained.

Action: Members of Oversee Committee.

8. Regarding up dating of Building and town planning regulation. Mr.Saleem Thariani said that he already informed CCOB , factual position vide his letter dated 01-05-99.as follow:

"that subsequent to the decision taken in the KBCA Oversee Committee meeting of the 29th August, 1998, this issue was taken up by a Sub Committee which has, since then, met about forty times to resolve the needful.

I have therefore suggested to Mr. Jafri, that the substantially vetted document be forwarded alongwith the members views so that this matter may then be concluded in a manner that the Oversee Committee deems fit".

Mr. Afab Mohammad Khan, explained his view about buildings & Town Planning Regulations and said that the documents should be in two volumes. i.e (1) Building Regulations (2) Town Planning Regulations instead of combined it into one and that in this regard he has written letter to all concerned. DG,KDA assured that his view shall be heard at the appropriate form at the time of discussion on the issue.

Action: Convener of Sub-Committee of updating of B&TP Regulations.

- 9. Mr. Roland deSouza distributed the papers where he draw attention towards the wrong calculation of with-holding tax of Project 'Four Square' in 1997, which have been recovered less by KBCA.The DG,KDA said that report be submitted after enquiry in the next meeting :-

Action: Chief COB.

- 10. Mr. deSouza pointed out that illegality is being done on the buildings Kavish Crown and on Plot No. No.567 Gazdarabad, Soldier Bazar,Karachi and it seems that no positive measures being taken to stop illegal construction on these buildings . Chief COB is directed to take all necessary action , stop such illegal constructions and compliance report to be supplied to the Members of the Committee.

Action : Chief COB

- 11. The committee approved the proposal for the computerization of KBCA, prepared under the directives of Sub-Committee formed by GB,KDA. However the matter involving financial implication shall be taken up at appropriate form.

Action : Chief COB
All concerned.

- 12. Mr. Roland deSouza expressed his displeasure's for enclosing the report prepared by Mr.Agha Maqsood Abbas on the charges framed against him by M/s. Shehri. Chief COB informed that he has obtained preliminary comments from the concerned Officers and after examining the report he will appoint an officer to conduct an enquiry. It was therefore decided that an enquiry be conducted in respect of the said allegations and action against the concerned to be initiated. The compliance report in this regard to be submitted within 40 days.

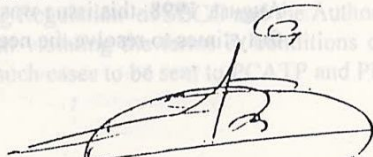
Action: Chief COB

- 13. A meeting of PEC/PCATP & NED University with the Architects/Engineers/Town Planners employed in KBCA will be held to discuss issues relating to their duties and professional conduct on Wednesday dt:19.05.99 at 2.00 P.M.Seminar Hall,Civic Centre,Karachi Mr. S.M.R.Zaidiul Wasti will arrange the said meeting .

Action: Co-ordinator,Oversee

Committee.

- 14. The next meeting of Oversee Committee shall be held on 09.06.99 at 2.00 P.M.in the Conference Room, Civic Centre, KDA.Karachi .


 (ENGR.S.M.R.ZAIDIUL.WASTI)
 CO-ORDINATOR
 OVERSEE COMMITTEE ON KBCA

21051999

No.KBCA/Oversee/99/62
dt: 22.05.1999

Distribution:

**BRIEF REPORT REGARDING THE IMPLEMENTATION OF
OVERSEE COMMITTEE DECISION DATED 12.05.1999.**

S.NO	DECISION	ACTION TAKEN
1	<p>The meeting started with the recitation of Holy Quran by Mr.S.M.R.Zaidiul Wasti, COB. Secretary, HTP chaired the meeting. The Chairman /Secretary,HTP who left the meeting due to an urgent work at about 4.00 P.M. and remaining session was chaired by the DG,KDA</p>	<p>No action require.</p>
2	<p>The request of Dr.Samad Khan of NED University for not attending the meeting due to his pre-occupation in the meeting of academic council of NED was granted.</p>	<p>No action require.</p>
3	<p>The minutes of the last meeting dated 07.4.99 were confirmed except the following amendments discussed in the meeting dated 12.05.99.</p> <ul style="list-style-type: none"> a) Due to typing mistake, Serial Nos. of the minutes are re-numbered and S.No. 7 should be read as Para No.4 and so on. b) In item No.3 (J) line 1 words " being" deleted. c) Para-10 last sub para line 1, word " dissented" Changed with word 'dis-agreed' d) In item No.17 the following sentence is deleted:- " However, membership fee/renewal fee would be arranged by KBCA as per-NESPAK practice." e) Item No.18, shall be read as follow:- Mr. Nooruddin of PEC, Mr. Syed Kalimuddin of PCATP and Dr.Samad Khan of NED University of Engg. & Technology alongwith M r.S.M.R.Zaidiul Wasti Co-ordinator Oversee Committee shall organise a meeting with the Engineers/Architect/Town Planners of KBCA, to discuss the duties and professional conduct in the light of code of conduct of PEC/PCATP. f) The following new para is added in the minutes :- " that " Mr. Ardeshir Cowasjee use language which ABAD member found unparliamentary. The ABAD member took serious view and asked to record his resentment." 	<p>No action require</p>
4.	<p>The members showed their concern for delay in issuing the minutes and therefore it was decided that now onward the draft of the minutes shall be sent to Chairman /Secretary, HTP for approval and after the approval of Chairman the minutes shall be issued within 10 days.</p>	<p>Noted for compliance.</p>
5.	<p align="center"><u>ACTION ARISES FROM THE PERVIOUS MINUTES.</u></p> <ul style="list-style-type: none"> a) Chief COB supplied copies of report on action arises from the minutes of last three meetings alongwith documents. Mr. deSouza pointed out that the reports on action on the minutes of meeting dated 26.1.99 and 24.3.99 were required to be supplied on 21.4.99 which are supplied late. 	<p>Procedure is being followed</p>

	<p>Chief COB informed that the delay is due to the delay in finalization of the minutes. Chairman desired that all the decision taken in the meeting should be implemented promptly without any delay or waiting the finalization of the minutes except in the cases where the decision related with the policy matters. However ABAD showed their disagreement with it and said that action should be taken only after the finalization of the minutes.</p> <p>b) Mr. deSouza pointed out that the para-6 of the minutes of meeting dated 26.1.99 has not been complied. Chief COB informed that it is due to non approval of the said minutes. It was therefore decided that the field books of the plots mentioned in the said para shall be checked by M/s. PCATP within a period of one week. Co-ordinator will arrange the said checking.</p> <p>c) Chief COB informed that the list of building under litigation has been displayed at Public Information Counter and the same has already been published today in Sindhi newspaper while in Urdu/English newspaper it will be published in a couple of day.</p> <p>d) It was decided that the matter related to the checking of Plinth Verification Certificate of two plots as specified in para-9 of the minutes of the meeting dated 26.1.99 shall be take up by Mr. Nooruddin and Mr.Rauf Akhtar Farooqi, DG ,MDA.</p> <p>e) Mr.Roland desouza informed the Chairman that report supplied by the Chief COB about the two officers Mr.Nadeem Anwar DCB and Mr. Amir Kamal Jafri,ACB stated that these two Officers were reinstated on the directives of Secretary, HTP, the Chairman, informed to the Committee that they have taken the action on the report of the Deptt. Chairman ordered that these two officers be suspended and enquiry to be conducted against them.</p> <p>f) PEC/PCATP stressed that the professionals whose licences were suspended about two years ago may be restored so that they can earn their livelihood. They further pointed out that KBCA has no jurisdictions to grant licence to the professionals and that the professionals are entitled to practice having registered with their statuary bodies. D.G. (KDA) informed that the professionals are licensed by KBCA under licensing Regulation of SBCO and the Authority is competent to take disciplinary action against them violating the terms & conditions of the licence. However it was decided that in future all such cases to be sent to PCATP and PEC to take action in the light of their act.</p>	<p>Complied</p> <p>List is being published</p> <p>Plinth Verification certificate has been taken up by Mr.Nooruddin & Mr.Rafu A.Farooqi,and they visited the site.</p> <p>These two officers have already been suspended and enquiry is being conducted.</p> <p>Noted for future compliance</p>
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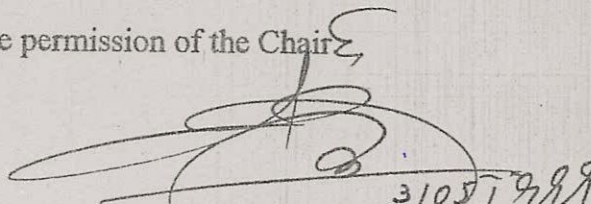
	<p>g) Report submitted in respect of compliance of para-8 of minutes of the meeting dated 07.04.99 by the COB (B) of Plot No.10, SR-2 (Serai Qrts) Karachi, Mr. Roland desouza said that the publication regarding the above project have not been done. The Committee was informed by the PRO that the concerned COB has stopped for publication with the plea that there is a stay order. Legal opinion from Mr.Iqbal Memon, LA/KBCA was sought who said that if in the stay order the KBCA has been restrained from publication, then it can not be published otherwise there is no harm to publish the same. However it was decided that the same may be published immediately.</p> <p>h) Chief COB informed that action on the para 14 of the minutes of meeting dated 07-04-99, has been complied with i.e NOC/Approval of plan has been withdrawn.</p>	<p>Stay order is enclosed and action against the P.R.O. is recommended for delaying .</p> <p>No action required</p>
6.	<p>On the matter of 262 sealed buildings, Mr. M.M.I. Hussain said that they had already stated in the meeting with Chief Secretary, Sindh to regularize these buildings as a case of fate-a-compile. Mr. M.M.I. Hussain stressed again that the said buildings may be regularized after charging penalty. In this regard he also distributed a copy of " Fatwah" according to which every violence/crime can be compounded except 'Zina and 'Shirk'. Therefore he stressed for the regularization of these buildings in accordance with the 'Fatwah'. DG,KDA and other members said that they have due respect of Islamic Law and desired for its implementation but the matter shall be scrutinized in accordance with the existing Rules and Regulations.</p> <p>Shehri also supplied copies of his letter dated 8.5.99 addressed to Chief Secretary, Sindh on the subject matter.</p>	<p>No action required</p>
7.	<p>PEC/PCATP enquired about the seniority of the officers to whom officiating charges have been assigned and said that the issue of assigning the officiating charges to the junior is the major cause of heart burning and in-efficiency in performance of KBCA.</p> <p>Chairman said that the issue related to the administrative measures and not in the preview of the committee and therefore the advice from the Law Deptt. Govt. of Sindh shall be obtained.</p>	<p>Letter has been sent to Secretary (Law).</p>
8.	<p>Regarding up dating of Building and town planning regulation. Mr.Saleem Thariani said that he already informed CCOB, factual position vide his letter dated 01-05-99.as follow:</p> <p>"that subsequent to the decision taken in the KBCA Oversee Committee meeting of the 29th August, 1998, this issue was taken up by a Sub Committee which has, since then, met about forty times to resolve the needful. I have therefore suggested to Mr. Jafri, that the substantially vetted document be forwarded alongwith the members views so that this matter may then be</p>	<p>Honourable Governor of Sindh has formed a committee of seven members to the review the Building & Town Planning Regulation.</p>

	<p>concluded in a manner that the Overseer Committee deems fit".</p> <p>Mr. Aftab Mohammad Khan, explained his view about buildings & Town Planning Regulations and said that the documents should be in two volumes. i.e (1) Building Regulations (2) Town Planning Regulations instead of combined it into one and that in this regard he has written letter to all concerned. DG,KDA assured that his view shall be heard at the appropriate form at the time of discussion on the issue.</p>	
9.	<p>Mr. Roland deSouza distributed the papers where he draw attention towards the wrong calculation of with-holding tax of Project 'Four Square' in 1997, which have been recovered less by KBCA. The DG,KDA said that report be submitted after enquiry in the next meeting :-</p>	<p>Report to be put up in the meeting to be held on 09.06.99.</p>
10.	<p>Mr. deSouza pointed out that illegality is being done on the buildings Kawish Crown and on Plot No. No.567 Gazdarabad, Soldier Bazar, Karachi and it seems that no positive measures being taken to stop illegal construction on these buildings . Chief COB is directed to take all necessary action , stop such illegal constructions and compliance report to be supplied to the Members of the Committee.</p>	<p>Report to be submitted in the meeting to be held on 9.6.99.</p>
11.	<p>The committee approved the proposal for the computerization of KBCA, prepared under the directives of Sub-Committee formed by GB,KDA. However the matter involving financial implication shall be taken up at appropriate form.</p>	<p>Case is under process</p>
12.	<p>Mr. Roland deSouza expressed his displeasure's for enclosing the report prepared by Mr.Agha Maqsood Abbas on the charges framed against him by M/s. Shehri. Chief COB informed that he has obtained preliminary comments from the concerned Officers and after examining the report he will appoint an officer to conduct an enquiry. It was therefore decided that an enquiry be conducted in respect of the said allegations and action against the concerned to be initiated. The compliance report in this regard to be submitted within 40 days.</p>	<p>Enquiry is under process.</p>
13.	<p>A meeting of PEC/PCATP & NED University with the architects/Engineers/Town Planners employed in KBCA will be held to discuss issues relating to their duties and professional conduct on Wednesday dt:19.05.99 at 2.00 P.M.Seminor Hall, Civic Centre,Karachi Mr. S.M.R.Zaidiul Wasti will arrange the said meeting .</p>	<p>Minutes of the meeting are enclosed.</p>
14.	<p>The next meeting of Overseer Committee shall be held on 09.06.99 at 2.00 P.M.in the Conference Room, Civic Centre, KDA.Karachi.</p>	

Recd
3-6-99

**AGENDA FOR THE MEETING OF (22+)4TH MEETING
OF THE OVERSEE COMMITTEE TO BE HELD ON
09.06.1999 AT 2.00 P.M. AT CIVIC CENTRE, K.D.A.**

1. Recitation from Holy Quran
2. Confirmation of the minutes of the meeting dated 12.05.99.
3. Action arises from the Previous meeting.
4. Discussion on updating of Building & Town Planning Regulations.
5. Discussion on the views of M/s. Shehri, M/s. PEC and Mr. Saleem Thariani regarding the recording of minutes dated 12.05.1999.
6. Discussion on the letter of Mr. Saleem Thariani in respect of illegal allotment of plots.
7. Decision require for the computerization of KBCA
8. Any other item with the permission of the Chair


31051999
(ENGR. S.M.R. ZAIDIUL WASTI)
CO-ORDINATOR
OVERSEE COMMITTEE ON KBCA

No. 73
Dt: - 31-5-99.

Distribution:

1. All Members of Oversee Committee on KBCA
2. All COBs
3. PRO

SUBJECT: MINUTES OF (22+)4TH MEETING OF OVERSEE COMMITTEE
ON K.B.C.A. HELD ON 09.06.1999 AT 2.00 P.M. AT CONFERENCE
ROOM K.D.A. CIVIC CENTRE, KARACHI.

PRESENT (MEMBERS OR THEIR SUBSTITUTES)

1. Mr. Allah Rakha Asi, DG, KDA
2. Mr. Syed Muhammad Hussain, CCOB
3. Mr. Justice (Retd) Haziqul Khairi
4. Mr. Ardeshir Cowasjee
5. Mr. Syed Kalimuddin, Chairman PCATP
6. Dr. Abdul Samad Khan, Nominee of NED
7. Mr. Saleem Thariani, Indus Valley
8. Mr. M.M.I. Hussain, Rep. of ABAD,
9. Dr. Raza Ali Gardezi, Rep. of Shehri
10. Mr. Amanullah Chachar, Rep. of MDA
11. Mr. Iqbal Memon, LA, KBCA

PRESENT BY INVITATION

1. Mr. S.M.R. Zaidiul Wasti, Co-ordinator, Overseer Committee
2. Mr. Mumtaz Ahmed Hashmi, DCB
3. Mr. Mirza Yousuf Ali, PRO.

1. The meeting started with the recitation of Holy Quran by Mr. S.M.R. Zaidiul Wasti. Since the Chairman/Secretary, ITP was not present due to some other important occupation. On the Proposal of Mr. Saleem Thariani, seconded by Syed Muhammad Hussain Chief COB Mr. Ardeshir Cowasjee took the chair.

2. The minutes of the meeting dated 12.05.1999 were confirmed with the following amendment/ addition in the minutes: -

a) **Item No.:2** the regrets of Mr. Cowasjee at his inability to attend the meeting were also presented.

b) **Item No.5-c** the members emphasised the critical and important role of KBCA's "Public Warning Notices" in raising the awareness of the citizens and in protecting them from being defrauded. It is the duty of the KBCA to safeguard the public interest.

c) **Item No.5-e** PCATP questioned why the report called for in point 3(f) of the previous minutes has not been circulated in time.

Shehri stated very strongly that the case of the illegal structure at Plot No.16/2/2 SB-2 was so blatant, and the corruption and collusion of DCB Mr. Nadeem Anwar and ACB Mr. Kamil Jafri with the builder so transparent, that unless severe/major disciplinary action

was taken, it would not be possible to tackle any corrupt officer in KBCA. Shehri presented all the relevant facts in writing (a copy of which has earlier been circulated to all members). The Secretary, HTP once again directed the CCOB that the two officers be suspended a second time and that an expeditious inquiry be conducted so that further action could be taken against them.

d) **Item no.5g** Action against PRO for his unsatisfactory reply regarding delay in publishing to be initiated. Other actions that were directed in Point -8 of previous meeting are to be discussed by CCOB and Mr. Roland to ensure compliance.

e) **Item no.5h** CCOB also stated that Mr.Agha Maqsood Abbas's explanation has been called.

f) **Item no.5i** the rest of the points of the CCOB's report on the two previous Overseer Committee Meeting decisions would be taken up the next time.

g) Shehri read out a list of names of DCBs and ACBs who had given officiating charges in contravention of:

a) Sanctioned vacant posts being available

b) Seniority ranking in KBCA

A sub-committee (PEC,PCATP, ABAD,Shehri,and CCOB) was set-up to look into the matter. The CCOB is to call the meeting and present the report of the sub-committee at the next Overseer Committee meeting.

h) **Item no.8** regarding up dating of Building on town planning regulation. Mr.Saleem Thariani informed: -

"That subsequent to the decision taken in the KBCA Overseer Committee meeting of the 29th August, 1998, this issue was taken up by a Sub Committee which has, since then, met about forty times, with an average per meeting time of three hours, to resolve the needful.

The Sub-Committee has gone over the Regulations, comprising over 400 pages and about 125 forms, delineating various functions, to scrutinise these, legally, technically and to try and eradicate abuse of the same.

Although the bulk of the document has been substantially vetted, there are certain areas which being sensitive evoked a variety of responses, which have proved in these meetings to be both time-consuming as well as infructuous. My letter to Mr. Zaidiul Wasti, dated the 20th April, 1999, clearly conveys the needful.

Under these circumstances, I issued letters to the committee members to submit their comments and suggestions on all those issues, which they felt, needed to be looked into, within a specified frame of time. These have, since then, been received by Mr. Rais Ahmed Jafri.

I have therefore suggested to Mr. Jafri, that the substantially vatted document be forwarded alongwith the members views so that this matter may then be concluded in a manner that the Oversee Committee deems fit."

M/s. Shehri informed that the comments/views of their nominee in the said sub-committee should be forwarded within a week time. The Members appreciated the efforts and sacrifices made by Mr.Saleem Thariani to complete this difficult task and requested him to take the responsibility of compiling the said document in view of its sensitivity Mr.Saleem Thariani promised to consider the matter.

1) Item no.10 The CCOB is to ensure that contempt applications are filed promptly by KBCA in all cases where Courts orders are contravened by the builder.

j) Item no.11 Mr.deSouza recommended the initial expenditure of Rs.160,000 on additional PC computers for KBCA. This investment could be integrated into whatever future solution was developed for computerisation of KDA and/ or KBCA.

ACTION ARISES FROM THE PERVIOUS MINUTES.

- a) Regarding item No.5/D, it was informed by the Chief COB that the report of Plinth Verification Certificate by the sub-committee have not yet been received and as soon as the report received, the same shall be circulated to the Members. Shehri in this regard circulated copies of Plinth Verification Certificate issued to the Nice Trade Orbit' dt: 12.12.98 and show cause notice issued dt: 24.5.99 and enquire how the changes were made in the structure numbers after Plinth Verification certificate, it was

therefore decided that the matter shall be taken up after the receipt of the report of the sub-committee to check the P.V.C.

Action: Member sub-
Committee

- b) Regarding item No. 5-(e) the Chief COB informed that the enquiry is under process. As soon as the report received the same shall be circulated to the members.

Action: Chief COB

- c) Item No.5/G. Members shows their concerned for delay in publication of the notice of 'International Trade Centre'. Chief COB informed that there is stay order from the High Court in respect of subject publication of the said notice against the said project and told that he has called the explanation of the PRO, who is responsible, for the delay in publication of the notice. It was therefore decided that a sub-committee comprising Mr. Cowasjee and Dr.Gardezi shall investigate the matter and submit their finding before the next Committee.

Action: Ardeshir Cowasjee/
Dr. Gardezi.

- d) Member of the Oversee Committee shows their concern for publication of the advertisement in the newspapers by KBCA of the buildings under litigation without having the name of Project/Owner/Builders and Professionals etc. Mr. M.M.I. Hussain of ABAD in this regard said that this is wastage of money and people could not be guided/benefited from this advertisement. It was therefore decided that in future such advertisement must contain the name of Project/Owner/Builders/Professionals (which are available by KBCA). Dr. Gardezi, rep. of Shehri, shall supply Performa of Advertisement. Further it was decided on the proposal of Justice Khairi that such projects with complete details must be displayed at the notice board at Public Counter of KBCA in order to safe-guard the public interest.

Action: Chief COB/
Dr. Gardezi.

- e) In item No.7, it was decided by the Members that the sub-committee formed in the last meeting for considering the cases of seniority/officiating/promotions of KBCA Officers shall submit his recommendations before the next Oversee Committee meeting.

Action: Member of the
Sub-committee.

- f) Mr. M.M.I. Hussain said that the report of the sub committee for updating Building and Town Planning Regulations was not submitted in the Oversee Committee, and by passing the Oversee Committee, the same was submitted to the Government. Chief COB informed that the Governor has already constituted another committee for the revision of this draft of Building Bye-laws. Mr. M.M.I. Hussain shows his concerned for not inclusion of Town Planner and Engineer in the said Committee. Mr. Kalimuddin clarified that he himself is a Town Planner and further requested to Mr. Saleem Thariani to guide him in the said matter.

Mr.M.M.I. Hussain said that Building Bye-laws and regulations by Sub-Committee of Oversee Committee is not under the purview of Notification issued by the Govt. to Oversee the working of KBCA for the purpose of streamline the Building & Town Planning bye-laws and other working of KBCA.

Chairman, PCATP said that the Committee formed by Government is independent committee and it can not be discussed in the Oversee Committee . If any Member have any objection, he can contact to Government of Sindh.

Action : All Members of
Oversee Committee

- g) Regarding Item No.9, Dr. Gardezi supplied copies of the rejoinder on the statement given by KBCA; therefore it was decided that the report on the matter should be circulated to all the members within 14 days. He further asked to that investigates all other such cases. Director General,KDA assured that if there is any discrepancy found in the subject case, then investigation should also be taken up.

Action: Chief COB

- h) Item No.10, Chief COB said that report on the Kawish Crown has not been supplied, as there is no further development in the matter. As soon as any further progress the same shall be communicated to the Members.

Action: Chief COB.

- i) Item No.11. Regarding computerization , Dr.Gardezi asked Chief COB to issue order to start the work of computerization for which the sub-committee has already completed the homework. The report of sub-committee is available with Chief COB. Chief COB ensured to issue necessary order to start the process and posting of necessary staff.

DG,KDA explained that the sufficient funds should be available in the next budget for the computerization of KBCA.

Action: DG,KDA
Chief COB

j) Mr. Kalimuddin Chairman, PCATP briefed the members that the minutes of the meetings of the sub-committee with Professionals of KBCA have been circulated to all the members and said that in the said meeting many problems/difficulties faced by the KBCA Officers to perform their duties were pointed out alongwith their solution, hence all the members are requested to come with preparation to discuss the issue in the next meeting of Overseer Committee.

Action: All Members.

4. Mr. Saleem Thariani presented a case of illegal allotment by KDA in Gulshan-e-igbal as pointed out by the public to him to present the case in the Overseer Committee and asked for necessary action on it. Since the matter was not pertains with the KBCA and allotment of plot is concerned with KDA, therefore it was decided that matter might be referred to KDA for investigation and report.

Action: DG,KDA.

5. Chairman, PCATP said that the action on the part of KBCA for suspension of Professional licenses is illegal and unlawful as the PCATP act is a Federal Act and the Professional registered under this Act are not bound to get licences from any other institution like KBCA, therefore the Action of KBCA for restraining the professional to submit building plans is the violation of the Federal Act and the same should have to be rectified and they should be allowed to perform their professional practice.

DG,KDA clarified that licences are to be issued by KBCA under Sindh Building Control Ordinance and licences terms and conditions and any violation of the terms and conditions the authority can suspend /cancel the licenses issued by the Authority.

PCATP further said that any complaint or violation committed by the Professional might be referred to PCATP who is competent to take the action against them under their Act and the Act of KBCA is the encroachment on Federal Jurisdiction.

DG,KDA again clarified that we are bound to perform our duties/functions as per SBCO and question of encroachment of federal act is not arising. Further DG,KDA assured that the cases of suspended professionals shall be taken up on case to case basis as the matter has already been delayed shall have to be decided.


Justice Haziqal Khairi said that this is legal issue therefore legal opinion from the legal experts should be taken as their is conflict between two laws.

Action: All concerned

5. Mr. Saleem Thariani presented the case of Hussaini Blood Bank, Thalaessmia research and treatment centre on Plot No.SNPA-17/J for allowing F.A.R of 1:2 instead of 1:1 keeping in view that the project is research and philanthropy and discussed in the light of clause-V of Karachi Building & Town Planning Regulations is available. Mr. M.M.I. Hussain of ABAD supported the view and said that the same to be allowed keeping in view the sincerity and humanitarian purpose. Chairman said that the discretion could not be allowed, although there is no doubt about the sincerity and purpose of the project. Mr. Saleem Thariani assured that sufficient funds are available for this noble purpose. Mr. Cowasjee also assured that he shall provide sufficient funds in this noble purpose but no discretion should be allowed. Further DG,KDA said that the matter might be processed in accordance with the procedure of law, rule and regulations.

Action: All concerned.

6. The next meeting of Oversec Committee shall be held on 14.07.1999 at 2.00 P.M. at Conference room of KDA Civic Centre, Karachi.


1906/1999
(ENGR.S.M.R.ZAIDIUL, WASTI)
CO-ORDINATOR
OVERSEE COMMITTEE ON KBCA

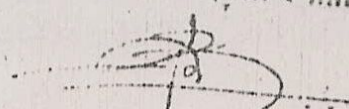
No.KBCA/Oversec/99/91
Dt: 21.06.1999

Distribution

All Members.

AGENDA FOR THE MEETING OF 2218111 MEETING
OF THE OVERSEE COMMITTEE TO BE HELD ON
14.07.1999 AT 2.00 P.M. AT CIVIC CENTRE, KDA.

1. Recitation from Holy Quran
2. Confirmation of the minutes of the meeting dated 09.06.1999.
3. Action arises from the previous meeting.
4. Discussion on the report of the meeting of the sub-Committee with the professionals of KBCA.
5. Discussion on the report of the sub Committee regarding delay in publication of public notice in respect of "International Trade Centre"
6. Discussion on the minutes of the Sub-Committee formed to finalize Transfer / posting / seniority of KBCA officers.
7. Discussion on report of calculation of with-holding tax in respect of project " Four Square"
8. Any other item with the permission of the Chair.



06071999
(ENGR. S.M.R. ZAIDUL WASTI)
CHIEF CONTROLLER OF BUILDINGS
K.B.C.A.

O.C
No. 104
Dt 6-7-99

Distribution:

1. All Members of Oversee Committee on KBCA
2. All COB's
3. PRO

Subject MINUTES OF THE (22nd) 5TH MEETING OF OVERSEE COMMITTEE
ON K.B.C.A. HELD ON 14.07.1999 AT 2.00 P.M. AT CONFERENCE
ROOM K.D.A. CIVIC CENTRE, KARACHI.

PRESENT (MEMBERS OR THEIR SUBSTITUTES)

1. Mr. Allah Rakha Asi, DG,KDA
2. Mr. Rauf Akhtar Farooqi, DG,MDA
3. Mr. Shed Muhammad Hussain, CCOB
4. Mr. Ardeshir Cowasjee
5. Mr. Syed Kalimuddin, Chairman,PCATP
6. Dr. Abdul Samad Khan, Nominee of NED
7. Mr. M.M.I.Hussain, Nominee of ABAD
8. Dr. S.Raza Ali Gardezi, Shehri,CBE
9. Mr. Iqbal Memon, LA, KBCA.

(PRESENT (BY INVITATION))

1. Mr.S.M.R.Zaidiul Wasti, Co-ordinator,Oversee Committee
2. Mr. Muntaz Ahmed Hashmi, DCB
3. Mr. Mirza Yousuf Ali, PRO.

1. Meeting started with the recitation of Holy Quran by Mr. Allah Rakha Asi, Secretary , HTP was not present due to some other occupation, therefore on the proposal of Mr. M.M.I. Hussain, seconded by Mr. Cowasjee, DG,KDA took the chair.
2. Minutes of the meeting dated 09.06.1999 were confirmed with the following addition/amendment :-

i) Addition in point No.3 (a) of minutes of meeting dt:09.06.99,

" Shehri inquired as to how a plinth that was certified in Dec.98 could suddenly become a violation after only five months. The position and dimension of columns once cast can not be changed. CCOB informed that a sub-committee has already been formed by the Oversee Committee and the report in this regard will be submitted by Mr. Nooruddin. which would be presented in the next Oversee meeting."

ii) Addition in 3 (c) : In the 1st line word 'deliberate is added before delay.

Further addedCCOB accepted the fact that delay was caused in the publication of the public notice for which he held the PRO personally responsible, to which Shehri disagreed and they have submitted report to the Oversee Committee , the Chief COB refuted the findings of the Sub-Committee. The Oversee Committee has decided to investigate the issue by Chief COB himself and put up the report within one month.

iii) Point 3 (d) Shehri also submitted copies of the Public Notices regarding misuse of car parking, which also lacked the project name. It was therefore decided that in future public notices include project/Owner/Builders name.

- iv) In point No.3 (g), word 'should' be replaced by 'would' and further be added of other projects after 'taken up'.
- v) Change of word in point No.3 (I) from 'explained' to 'assured' and from 'should be available' to 'shall be available'

Action: All Members of
Oversee Committee.

3. Regarding point No.3 (a), Dr.Gardezi inquired about the report of sub-Committee on the Project 'Nice Trade Orbit', Mr. Rauf Akhtar Farooqi said that report is with Mr. Nooruddin, Of PEC and same shall be submitted after his arrival and after receipt of the report, the matter shall be taken up:-

Action: Members of Sub-Committee

4. Report regarding the inquiry against Mr. Agha Maqsood Abbas as mentioned in item No.2(e) of minutes of meeting dated 9.6.99, the copies of the inquiry have already been circulated to the Members on which M/s. Shehri said that they will submit their report after studying the report.

Action: M/s.Shehri

5. Regarding allocation of the amount in Budget for computerization of the KBCA, the Chief COB told that we had moved a note for allocation of Rs.30,00,000/- it was cut down by A/c Depty and Rs.3,00,000/- have been allocated in the current budget for computerization. It was therefore decided that the recommendation of the Oversee Committee for allocation of Rs.30,00,000/- for computerization of the KBCA should be again moved to the Accounts Depty for recommendation.

Action: DG,KDA/ Chief COB.

6. It was decided that the minutes of the meeting of the sub-Committee held with the professionals of KBCA shall be re-circulated and the members are requested to come with full preparation for discussion in the next Oversee Committee meeting. Comments on the minutes of the Sub-Committee from the officials members shall also to be communicated to the Members before the next meeting.

Action: All Members of Oversee
Committee/
Co-ordinator

7. Chief COB read out the minutes of the meeting of sub-committee formed for finalization of transfer/posting/ seniority of officers of KBCA dated 05.0.99. Mr. Kalinuddin informed that the other members except He and CCOB could not attend the meeting. It was therefore decided that the meeting of sub-committee will again be arranged to discuss the issue and findings of the sub-committee be circulated to all the members.

Action: Member of Sub-Committee.

8. Regarding calculation of with-holding Tax and 2% Security deposit of the Project "Four Square" It was informed that the withholding Tax was calculated as per notification of Govt. dated 22.6.93 reproduced as under:-

"It has been decided by the Board that for the purposes of withholding tax, cost of construction of a building shall be adopted on the basis of cost of construction specified by the Pak-PWD, or Provincial building Deptt. Or the Development authority or local authority concerned, whichever is the highest for comparable type of construction in that area."

The calculation of withholding tax were done as per prescribed formula. Therefore issue regarding withholding tax stands clarified.

9. Syed Kalimuddin, Chairman PCATP asked whether the prices offered by the Builders are fixed by the KBCA or otherwise. It was explained that the prices supplied by the Builder are approved after proper scrutiny except on the category of 'FL and 'ST' which are allotted by the KDA on the subsidized rates to the Builder, where the prices are fixed by KBCA as per approved formula. It was therefore decided that in future the advertisement should contain that whether the prices are offered by the Builder or fixed by the KBCA.

Action: Chief COB

10. Mr. Syed Kalimuddin asked regarding the charge of 50% security scrutiny fees as legal fee on the every building plan submitted in KBCA. Chief COB explained that the said fees are charged in accordance with the notification and the said amount is used to meet the expenditure of legal and advertisement charges etc. It was decided that the said notification shall be circulated to all the Members and the matter shall be discussed in detail in the next meeting.

Action: Chief COB

11. Matter regarding updating of Building and Town Planning Regulations should be brought on the Agenda of the next Oversee Committee meeting.

Action: All members of Oversee Committee/ Coordinator

12. The Committee comprising the following shall look into specifically the possibility of accepting of 2% cash security deposit instead of Guarantee issued by the ABAD for public sale project to the Builder.

1. M/s. ABAD
2. Shehri-CBE
3. Chief COB.

ABAD shall supply the list of all its Members to the Oversee Committee Members.

Action: Member of Sub-Committee
ABAD

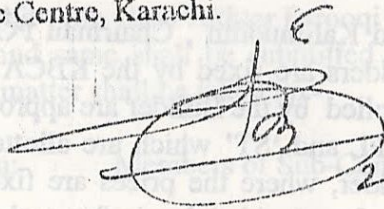
13. Mr. M.M.I. Hussain presented a case of widow received in CPLC regarding the Project 'Rabi Square' and requested that the said case may be taken up by the KBCA on priority. The Chief COB said that the meeting shall be arranged on 20.07.99 at 2.00 P.M. to sort out the issue of complainant.

Action: Chief COB

14. Mr. Cowasjee supplied a copy of court order regarding dismissal of review petition filed in respect of project 'Coasta livina' at Clifton, Karachi and said that immediate action may be taken. Chief COB assured to comply the court orders.

Action: Chief COB

15. The next meeting of the Overseer Committee shall be held on 11.08.1999 at 2.00 P.M. at Conference Room of KDA Civic Centre, Karachi.



24/07/1999

(ENGR.S.M.R.ZAIDIUL WASTI)
CO-ORDINATOR
OVERSEE COMMITTEE ON KBCA

No.KBCA/Oversee/99/122
Dt:

Distribution:

All concerned.

1. Mr. ABAD
2. Chief COB
3. Chief COB

ABAD shall supply the list of all its Members to the Overseer Committee
Mr. M.M.I. Hussain presented a case of review received in CIRC regarding the
Project 'Rah Sagar' and requested that the said case may be taken up by the
KBCA. The Chief COB said that the meeting shall be arranged on
13.08.1999 at 2.00 P.M. at Conference Room of KDA Civic Centre, Karachi.

BRIEF REPORT REGARDING THE IMPLEMENTATION
OF OVERSEE COMMITTEE DECISION DATED 14-07-99.

S.NO	DECISION	ACTION
1	Meeting started with the recitation of Holy Quran by Mr. Allah Rakha Asi, Secretary. HTP was not present due to some other occupation, therefore on the proposal of Mr. M.M.I. Hussain, seconded by Mr. Cowasjee, DGI, KDA took the chair.	
2	<p>Minutes of the meeting dated 09.06.1999 were confirmed with the following addition/amendment :-</p> <p>i) Addition in point No.3 (a) of minutes of meeting dt:09.06.99. " Shehri inquired as to how a plinth that was certified in Dec.98 could suddenly become a violation after only five months. The position and dimension of columns once cast can not be changed. CCOB informed that a sub-committee has already been formed by the Oversee Committee and the report in this regard will be submitted by Mr. Nooruddin, which would be presented in the next Oversee meeting."</p> <p>ii) Addition in 3 (c) : In the 1st line word 'deliberate' is added before delay. Further added ...CCOB accepted the fact that delay was caused in the publication of the public notice for which he held the PRO personally responsible, to which Shehri disagreed and they have submitted report to the Oversee Committee, the Chief COB refuted the findings of the Sub-Committee. The Oversee Committee has decided to investigate the issue by Chief COB himself and put up the report within one month.</p> <p>iii) Point 3 (d) Shehri also submitted copies of the Public Notices regarding misuse of car parking, which also lacked the project name. It was therefore decided that in future public notices include project/Owner/Builders name.</p> <p>iv) In point No.3 (g), word 'should' be replaced by 'would' and further be added of other projects after 'taken up'.</p>	<p>Since explained. The report of Engr. Nooruddin is awaited.</p> <p>Explanation of COB (B) PRO has been called for. The reply is awaited.</p> <p>PRO has been instructed to publish the list as desired by Oversee Committee.</p> <p>Since done</p>

v) Change of word in point No.3 (1) from 'explained' to 'assured' and from 'should be available to' shall be available'

Since done.

Regarding point No.3 (a), Dr. Gardezi inquired about the report of sub-Committee on the Project 'Nice Trade Orbit'. Mr. Rauf Akhtar Farooqi said that report is with Mr. Nooruddin, of PEC and same shall be submitted after his arrival and after receipt of the report, the matter shall be taken up:-

Mr. Nooruddin is expected on 15.8.99. The report will be submitted in the next Overseer Committee meeting.

Report regarding the inquiry against Mr. Agha Maqsood Abbas as mentioned in item No.2(e) of minutes of meeting dated 9.6.99, the copies of the inquiry have already been circulated to the Members on which M/s. Shehri said that they will submit their report after studying the report

No action

Regarding allocation of the amount in Budget for computerization of the KBCA, the Chief COB told that we had moved a note for allocation of Rs.30,00,000/- it was cut down by A/c Deptt and Rs.3,00,000/- have been allocated in the current budget for computerization. It was therefore decided that the recommendation of the Overseer Committee for allocation of Rs.30,00,000/- for computerization of the KBCA should be again moved to the Accounts Deptt for recommendation.

Note has been moved by the DCA(P) to DG,KDA.

It was decided that the minutes of the meeting of the sub-Committee held with the professionals of KBCA shall be re-circulated and the members are requested to come with full preparation for discussion in the next Overseer Committee meeting. Comments on the minutes of the Sub-Committee from the officials members shall also to be communicated to the Members before the next meeting.

The minutes of meeting dated 19.6.99 have already been provided.

Comments attached.

Chief COB read out the minutes of the meeting of sub-committee formed for finalization of transfer/posting/ seniority of officers of KBCA dated 19.07.99. Mr. Kalimuddin informed that the other members except He and CCOB could not attend the meeting. It was therefore decided that the meeting of sub-committee will again be arranged to discuss the issue and finding of the sub-committee be circulated to all the members.

The minutes of meeting dated 19.7.99 have already been provided and it was decided to discuss this issue in the next Overseer Committee.

Regarding calculation of with-holding Tax and 2% Security deposit of the Project "Four Square" It was informed that the withholding Tax was calculated as per notification of Govt dated 22.6.93 reproduced as under:

No action.

"It has been decided by the Board that for the purposes of withholding tax, cost of construction of a building shall be adopted on the basis of cost of construction specified by the Pak-PWD, or Provincial building Deptt. Or

the Development authority or local authority concerned, whichever is the highest for comparable type of construction in that area."

The calculation of withholding tax were done as per prescribed formula.

Therefore issue regarding withholding tax stands clarified.

Syed Kalimuddin, Chairman PCATP asked whether the prices offered by the Builders are fixed by the KBCA or otherwise. It was explained that the prices supplied by the Builder are approved after proper scrutiny except on the category of "F1" and "S1" which are allotted by the KDA on the subsidized rates to the Builder, where the prices are fixed by KBCA as per approved formula. It was therefore decided that in future the advertisement should contain that whether the prices are offered by the Builder or fixed by the KBCA.

It has been directed to COB (H) to act accordingly.

Mr. Syed Kalimuddin asked regarding the charge of 50% security scrutiny fees as legal fee on the every building plan submitted in KBCA. Chief COB explained that the said fees are charged in accordance with the notification and the said amount is used to meet the expenditure of legal and advertisement charges etc. It was decided that the said notification shall be circulated to all the Members and the matter shall be discussed in detail in the next meeting.

Notification attached.

Matter regarding updating of Building and Town Planning Regulations should be brought on the Agenda of the next Oversee Committee meeting.

It is being brought

The Committee comprising the following shall look into specifically the possibility of accepting of 2% cash security deposit instead of Guarantee issued by the ABAD for public sale project to the Builder.

1. M's. ABAD
2. Shehri-CBE
3. Chief COB.

ABAD shall supply the list of all its Members to the Overseer Committee Members.

13 Mr. M.M.I. Hussain presented a case of widow received in CPLC regarding the Project 'Rabi Square' and requested that the said case may be taken up by the KBCA on priority. The Chief COB said that the meeting shall be arranged on 20.07.99 at 2.00 P., to sort out the issue of complainant.

4 Mr. Cowasjee supplied a copy of court order regarding dismissal of review petition filed in respect of project 'Coasta livina' at Clifton, Karachi and said that immediate action may be taken. Chief COB assured to comply the court order.

5 The next meeting of the Overseer Committee shall be held on 11.08.1999 at 2.00 P.M. at Conference Room of KDA Civic Centre, Karachi.

This issue may be discussed in the next meeting of Overseer Committee as desired by Dr Gundezi.

Mr. M.M.I.Hussain informed that matter has been resolved at his end.
Thanks to Mr.M.M.I. Hussain.

The plan submitted by the owner were already rejected and demolition action has been initiated.

S.NO	DECISION	ACTION
1.	Meeting started with recitation of Holy Quran	-
2.	Mr. Nooruddin in his inaugural address, informed the professional about their responsibilities and duties in the light of code of conduct of PEC. He said that he attended three meetings of Overseer committee in which he realized that KBCA professionals are not performing their duties properly. He briefly read out the Article from the PEC code of conduct.	-
3.	Mr. Nooruddin asked the professionals to perform their duties with devotion and best professional capabilities in the light of the code of conduct of PEC/PCATP. He also informed them that if they are facing any problem in performing their duties and the council would do its best to resolve these problems with the relevant authority.	-
4.	Mr. Kaleemuddin PCATP fully endorsed the view expressed by Mr. Nooruddin said that the code of conduct of the council is so strict to develop professionalism, that any one who violates can be debarred from practicing his profession throughout the country.	-
4.	<p>Demand by Mr. Sahibzada Hussain, DCB.</p> <ul style="list-style-type: none"> i) Stressed for service rules & job description. ii) Security measures for the officer during duties. iii) Promote training programmes at NIPA iv) Employment of SDM/police force v) COB (Admn-Tech) may be allowed to work vi) KBCA funds may only be used for KBCA 	<p>At present KDA service rules are being used. Police Station has been established. So far there is no such training. Magistrate has been posted.</p> <p>There is no such post.</p> <p>Agreed</p>

Demand by Mr.Mumtaz Hashmi.DCB

- i) Service Regulations as available in PEC/PCATP Acts.
- ii) Organizational set up bifurcated into the following two parts:-
 - a)Architectural/town Planning Wing
 - b)Engineering Wing.
- iii) Streamlining the working of KBCA
- iv) Regarding posting, he said that the present system of posting of the officers is based on the favoirtism and not on the merit. It is major casue of heart burning and therefore effecting the efficiency of the Authority
- v) Re-organization of Demolition section.
- vi) Posting of Magistrate.
- vii) Streamlining the procedures.
- viii) Service structure for the professionals of KBCA
- viii) Suggestions regarding improvement in General.

He suggested that KBCA incollaboration with the lessors,i.e KDA/KMC/BOR etc. shall launch public housing. The professional capabilities of KBCA officers may be utilized in the said scheme. It will serve two purposes:

- a) To provide citizens a better living environment in accordance with the rule regulations and thus discouraging unauthorised construction .
- b) The fund so generated may be utilized for the betterment of the Authority.
- ix) All the officers officiating on higher posts shall be send back to their original post.
- x) Officiating charge shall be assigned in accordance with the seniority.
- xi) All the deputationist may be sent back to their parent departments.
- xii) Requisite qualification/experience for a post may not be relaxed.

Mr.Ashique Ali, ACB

He was very sad due to his deprival from his genuine promotion./Posting of

KDA service rules are being used

No neet for this bifurcation.

A sub-committe has been formed studying.

-do-
Posted.

Sub-committee has been formed.
-do-

This is the job of Public Housing Scheme, KDA.

A sub-committee has been formed for this purpose.
-do-

-do-

-do-

Demand by S.Mehmood Ali.DCB

He was very much aggrieved about the existing Dist. Adm. system of removal of unauthorised construction in narrative he evidence how he was once failed to stop the unauthorised const. due to involvement of police with the builders.

Mr. Ashique Ali, ACB.

He was very sad due to his deprivation from his genuine promotion/ Posting of SDM /Magistrate.

Arch.Farhatullah Qureshi.

- i) Duties of Building Inspectors to be clarified.
- ii) Conveyance to be provided for site inspection.
- iii) Posting may be made on merits.
- iv) Officiating charges to be discouraged.
- v) Proper furniture/space to be provided for the officers.

Sub-committee has been found for this purpose.

Agreed

Agreed

Agreed

Space available is being given to all the officers according to their posting.

Subject; **MINUTES OF THE (22+)6th MEETING OF OVERSEE COMMITTEE
ON K.B.C.A.HELD ON 11.08.1999 AT 2.00 P.M. AT CONFERENCE
ROOM K.D.A. CIVIC CENTRE, KARACHI.**

PRESENT (MEMBERS OR THEIR SUBSTITUTES)

1. Mr. Allah Rakha Asi, DG,KDA
2. Mr. Misbah Tunio Acting DG, MDA
3. Mr. Syed Muhammad Hussain, CCOB
4. Mr. Justice (Retd) Haziqul Khairi
5. Mr. Syed Kalimuddin, Chairman, PCATP
6. Mr. M.M.I.Hussain, Nominee of ABAD
7. Mr. Roland deSouza Shehri-CBE
8. Dr. S.Raza Ali Gardezi, Shehri
9. Mr. Qazi Faez Isa.

(PRESENT (BY INVITATION)

1. Mr.S.M.R.Zaidiul Wasti,Co-ordinator,Oversee Committee
2. Mr. Mumtaz Ahmed Hashmi, DCB
3. Mr. Mirza Yousuf Ali, PRO.

1. Meeting started with the recitation of Holy Quran by Mr. S.M.R.Zaidiul Wasti. Secretary , HTP was not present due to some other occupation, therefore on the proposal of Mr. Qazi Faez Isa seconded by Mr. M.M.I. Hussain , DG,KDA took the chair.
2. Regrets from Mr. Cowasjee at his inability to attend the meeting were conveyed by Mr.Roland deSouza and leave of absence was granted.
3. The minutes of the meeting dated 1-1.07.1999 were confirmed with the following addition:-
 - a) **Point 4.** In the meantime Shehri pointed out two obvious illegalities in the said report. One regarding Plot No.4,RC-6 and the other 83-F,Block-2,PECHS
 - i) **Plot No.4 RC-6:** The report gave a plot ratio of 1:4 whereas the approved plan gives a plot ratio of 1:6
 - ii) **83-F/2,PECHS:** It was stated in the report that the file of the said plot is with the anti-corruption department. This does not absolve the KBCA from explaining as to how a commercial project came up on a plot which was never commercialized.

The Chief COB had stated that the answer to these queries would be provided in the next meeting.

- b) **Point 8:** Shehri observed that the KBCA's estimated cost of construction of Rs.300/- per sqft. It is too low and needs to be revised up, to which DG,KDA said since this is a separate issue it should be taken up later on separately.

Regarding the calculation of the Security deposit it reveals, that security deposit is never collected. Instead all the builders submit ABAD undertaking. Mr. M.M.I.Hussain on the other hand stated that ABAD gives undertaking only for ABAD members. It was therefore decided that a report would be prepared for the Oversee Committee.

Subsequently regarding the incorrect calculation of security deposit on Four Square Project". DG,KDA observed that irrespective of the fact that whether security deposit is collected or not, since it is calculated under set rules it can at least be verified by the calculation done was correct or not. Chief COB replied that report in this regard has already been submitted to Oversee Committee .

Action: All Members

4. It was decided that all the points raised by M/s. Shehri vide their letter dated 21.06.99 in respect of Project 'Nice Trade Orbit' Plot No.44-A, Block-6, PECHS, Karachi shall be replied by Chief COB within 15 days.

Action: Chief COB

5. Chief COB submitted detailed report on the action arising from the minutes of the meeting held on 1-1.07.1999.

6. Mr. Kalimuddin pointed out that the sub-committee formed to finalize the seniority/ posting and officiating charges is working on the said issue while the Chief COB informed that the Governing Body, KDA has also formed a committee to finalize the seniority of KBCA Officers. In this regard the Members showed their concern over the interference of GB, KDA in the jurisdiction of Oversee Committee of KBCA. However, DG, KDA explained that KDA is the Authority notified under Section-4 of SBCO and that GB KDA can exercise full authority in all the matters of KBCA. After detailed discussion on the issue it was decided that all the current, previous, prevailing repealed, notification issued by the Sindh Govt. under Section-4 shall be supplied to all the members within two weeks and the same shall be discussed in the next Oversee Committee meeting.

Action: Chief COB

Members of sub-Committee

7. Regarding wrong calculation of 2% security deposit amount in respect of Project "Four Square" pointed out by M/s. Shehri was discussed and it was decided that the following shall be supplied within 15 days to all the Members:-

- a) Formula for calculation of 2% security deposit.
- b) Example of application of the said formula including this case.
- c) Clarification regarding the calculation of the 2% security deposit of the said project.

Action: Chief COB

8. Mr. M.M.L. Hussain said that they have explained in their letter dated 20.07.1999 the consequences of charging of 2% cash security deposit in lieu of ABAD undertaking and quoted the example of Faiza Heights' on which ABAD contributed a lot of money to compensate the allottees and also to the injured and deceased families and said that 2% security deposit is sufficient to handle such type of cases. It was therefore decided that the sub-committee formed earlier to ascertain the possibilities of charging 2% security deposit in lieu of ABAD Guarantee shall decide the issue and letter of ABAD to be taken into consideration by the sub-committee.

Action: Members of Sub-Committee

9. Mr. Kalimuddin quoted the example of the case of Jamshed Qrts' where the KBCA is not applying the Karachi Building & Town Planning rule and instead insisting the KMC Resolution 1935 and said that the sub-committee has already decided that the only Karachi Building & Town Planning regulations shall prevail. It was therefore decided that the issue would be sorted out by Mr. Kalimuddin and Mr. Roland deSouza and put up in the next meeting.

Action: PCATP/ Shehri

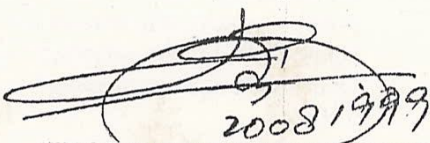
10. ABAD stressed the need of early updating the Karachi Building & Town Planning Regulations. DG, KDA and other members also showed their concern and stressed the early preparation and asked the concerned to expedite the matter.

Action: All Concerned.

11. DG, KDA proposed that in the cases where deviations from the approved plan have been committed in such a way that if the violations are within rules and regulations in such cases, regularization to be allowed. Mr. Roland and other members supported the proposal of DG, KDA. The matter was deferred on the observation of ABAD that the regularization should be carried out in accordance with the categorization already submitted by ABAD and it was decided that Mr. Qazi Faaz Isa shall prepare the synopses of the judgement of the Supreme Court in case of Glass Tower and to be supplied to all the Members and also to the Advocates of KBCA within 2 weeks for their guidance and following the cases in the courts.

Action: Qazi Faaz Isa

12. Shehri supplied copies of the some resolution, which will be discussed in the next meeting of Overseer Committee.
- Action: All Members
13. ABAD inquired about the issuance of any type of NOC to the Scheme of Prime Minister Housing in the name and style " MAIRA GAHAR ". Chief COB informed that no such NOC has been sought from KBCA.
14. The left over items of the Agenda will be discussed in the next meeting.
- Action: All Members
15. The next meeting of Overseer Committee shall be held on 08.09.1999 at 2.00 P.M. at Conference Room of KDA Civic Centre.


2008/1999
(ENGR.S.M.R.ZAIDIUL WASTI)
CO-ORDINATOR
OVERSEE COMMITTEE ON KBCA

No.KBCA/Oversee/99/159
Dated: 21-8-99

Distribution:

1. All Members

2. Regrets from Mr. Cowasjee at his inability to attend the meeting were conveyed by Mr. Roland de Souza and leave of absence was granted.

The minutes of the meeting dated 11.07.1999 were confirmed with the following addition:-

a) Point 4. In the meantime Shehri pointed out two obvious illegalities in the said report.

One regarding Plot No.4,RC-6 and the other 83-F,Block-2,PECBS

i) Plot No.4 RC-6: The report gave a plot ratio of 1:4 whereas the approved plan gives a plot ratio of 1:6

ii) 83-F/2,PECBS: It was stated in the report that the file of the said plot is with the anti-corruption department. This does not absolve the KBCA from explaining as to how a commercial project came up on a plot which was never commercialized.

The Chief COB had stated that the answer to these queries would be provided in the next meeting.

b) Point 8: Shehri observed that the KBCA's estimated cost of construction of Rs.300/- per sq.ft. is too low and needs to be revised up, to which DG,KDA said since this is separate issue it should be taken up later on separately.

Regarding the calculation of the Security deposit it is stated that the same should be revised

**BRIEF REPORT REGARDING THE IMPLEMENTATION
OF OVERSEE COMMITTEE DECISION DATED 11.08.1999.**

.NO	DECISION	ACTION
1.	Meeting started with the recitation of Holy Quran by Mr. S.M.R.Zaidiul Wasti. Secretary, HTP was not present due to some other occupation, therefore on the proposal of Mr. Qazi Faez Isa seconded by Mr. M.M.I. Hussain, DG,KDA took the chair.	
2.	Regrets from Mr. Cowasjee at his inability to attend the meeting were conveyed by Mr.Roland deSouza and leave of absence was granted.	
3.	<p>The minutes of the meeting dated 14.07.1999 were confirmed with the following addition:-</p> <p>a)Point 4. In the meantime Shehri pointed out two obvious illegalities in the said report. One regarding Plot No.4,RC-6 and the other 83-F,Block-2,PECHS</p> <p>i) Plot No.4 RC-6: The report gave a plot ratio of 1:4 whereas the approved plan gives a plot ratio of 1:6</p> <p>ii) 83-F/2,PECHS: It was stated in the report that the file of the said plot is with the anti-corruption department. This does not absolve the KBCA from explaining as to how a commercial project came up on a plot which was never commercialized.</p> <p>The Chief COB had stated that the answer to these queries would be provided in the next meeting.</p> <p>b) Point 8: Shehri observed that the KBCA's estimated cost of construction of Rs.300/- per sqft. It is too low and needs to be revised up, to which DG,KDA said since this is separate issue it should be taken up later on separately.</p> <p>Regarding the calculation of the Security deposit it reveals, that security deposit is never collected. Instead all the builders submit ABAD undertaking. Mr. M.M.I.Hussain on the other hand stated that ABAD gives undertaking only for ABAD members. It was therefore decided that a report would be prepared for the Oversee Committee.</p> <p>Subsequently regarding the incorrect calculation of security deposit on Four Square Project" DG,KDA observed that irrespective of the fact that whether security deposit is collected or not, since it is calculated under set rules it can at least be verified by the calculation done was correct or not. Chief COB replied that report in this regard has already been submitted to Oversee Committee.</p>	<p>Report is attached</p> <p>Letter to ACE is attached</p> <p>Clarification from COB (Design) is attached</p> <p>Report will be submitted in the meeting dated 8.9.99</p>
4.	It was decided that all the points raised by M/s. Shehri vide their letter dated 21.06.99 in respect of Project ' Nice Trade Orbit' Plot No.44-A, Block-6, PECHS, Karachi shall be replied by Chief COB within 15 days.	Reply has already been given to Shehri.
5.	Chief COB submitted detailed report on the action arising from the minutes of the meeting held on 14.07.1999.	

6.	<p>Mr. Kalimuddin pointed out that the sub-committee formed to finalize the seniority/ posting and officiating charges is working on the said issue while the Chief COB informed that the Governing Body, KDA has also formed a committee to finalize the seniority of KBCA Officers. In this regard the Members showed their concern over the interference of GB, KDA in the jurisdiction of Overseer Committee of KBCA. However, DG, KDA explained that KDA is the Authority notified under Section-4 of SBCO and that GB KDA can exercise full authority in all the matters of KBCA. After detailed discussion on the issue it was decided that all the current, previous, prevailing repealed, notification issued by the Sindh Govt. under Section-4 shall be supplied to all the members within two weeks and the same shall be discussed in the next Overseer Committee meeting.</p>	<p>Letter from DG, KDA is attached.</p> <p>Copies of Notification already supplied.</p>
7.	<p>Regarding wrong calculation of 2% security deposit amount in respect of Project "Four Square" pointed out by M/s. Shehri was discussed and it was decided that the following shall be supplied within 15 days to all the Members:-</p> <ul style="list-style-type: none"> d) Formula for calculation of 2% security deposit. e) Example of application of the said formula including this case. f) Clarification regarding the calculation of the 2% security deposit of the said project. 	<p>Reply to be given by COB Circle-II</p>
8.	<p>Mr. M.M.I. Hussain said that they have explained in their letter dated 20.07.1999 the consequences of charging of 2% cash security deposit in lieu of ABAD undertaking and quoted the example of Faiza Heights' on which ABAD contributed a lot of money to compensate the allottees and also to the injured and deceased families and said that 2% security deposit is sufficient to handle such type of cases. It was therefore decided that the sub-committee formed earlier to ascertain the possibilities of charging 2% security deposit in lieu of ABAD Guarantee shall decide the issue and letter of ABAD to be taken into consideration by the sub-committee.</p>	
9.	<p>Mr. Kalimuddin quoted the example of the case of Jamshed Qrts' where the KBCA is not applying the Karachi Building & Town Planning rule and instead insisting the KMC Resolution 1935 and said that the sub-committee has already decided that the only Karachi Building & Town Planning regulations shall prevail. It was therefore decided that the issue would be sorted out by Mr. Kalimuddin and Mr. Roland deSouza and put up in the next meeting.</p>	<p>N/A</p>
10.	<p>ABAD stressed the need of early updating the Karachi Building & Town Planning Regulations. DG, KDA and other members also showed their concern and stressed the early preparation and asked the concerned to expedite the matter.</p>	<p>N/A</p>
11.	<p>DG, KDA proposed that in the cases where deviations from the approved plan have been committed in such a way that if the violations are within rules and regulations in such cases, regularization to be allowed. Mr. Roland and other members supported the proposal of DG, KDA. The matter was deferred on the observation of ABAD that the regularization should be carried out in accordance with the categorization already submitted by ABAD and it was decided that Mr. Qazi Faez Isa shall prepare the synopses of the judgement of the Supreme Court in case of Glass Tower and to be supplied to all the</p>	<p>N/A</p>

	Members and also to the Advocates of KBCA within 2 weeks for their guidance and following the cases in the courts.	
12.	Shehri supplied copies of the some resolution, which will be discussed in the next meeting of Oversee Committee.	
13.	ABAD inquired about the issuance of any type of NOC to the Scheme of Prime Minister Housing in the name and style "MAIRA GAHAR". Chief COB informed that no such NOC has been sought from KBCA.	N/A
14.	The left over items of the Agenda will be discussed in the next meeting.	N/A
15.	The next meeting of Oversee Committee shall be held on 08.09.1999 at 2.00 P.M. at Conference Room of KDA Civic Centre.	

NO. KBCA/OC./99/160
 DT- 1-9-99.

**AGENDA FOR THE MEETING OF (22+)7TH MEETING
OF THE OVERSEE COMMITTEE TO BE HELD ON
08.09.1999 AT 2.00 P.M. AT CIVIC CENTRE, KDA.**

1. Recitation from Holy Quran
2. Confirmation of the minutes of the meeting dated 11.08.1999.
3. Action arises from the previous meeting.
4. Left over item of the Agenda of previous meeting.
5. Any other item with the permission of the Chair.

(ENGR.S.M.R.ZAIDIUL WASTI)
COORDINATOR
OVERSEE COMMITTEE ON KBCA

Distribution

1. All Members of Overseer Committee on KBCA
2. All COBs
3. PRO

Subject; MINUTES OF THE (22+)7th MEETING OF OVERSEE COMMITTEE
ON K.B.C.A.HELD ON 08.09.1999 AT 2.00 P.M. AT CONFERENCE
ROOM K.D.A. CIVIC CENTRE, KARACHI.

PRESENT (MEMBERS OR THEIR SUBSTITUTES)

1. Mr. Syed Muhammad Hussain, CCOB
2. Mr. Ardeshir Cowasjee
3. Mr. Syed Kalimuddin, Chairman,PCATP
4. Mr. M.M.I.Hussain, Nominee of ABAD
5. Dr. S. Raza Ali Gardezi, Shehri
6. Mr. Nooruddin Ahmed, Nominee of PEC
7. Mr. Saleem Thariani, Indus Valley
8. Dr. Abdul Samad Khan, Nominee of NED
9. Prof. M.Amin Shaikh, Nominee of Dawood College.
10. Mr. Amanullah Chachar, PD, MDA.
11. Mr. Iqbal Memon, LA,KBCA

(PRESENT (BY INVITATION))

1. Mr.S.M.R.Zaidiul Wasti,Co-ordinator,Oversee Committee
2. Mr. Mumtaz Ahmed Hashmi, DCB
3. Mr. Mirza Yousuf Ali, PRO.

1. Meeting started with the recitation of Holy Quran by Mr. S.M.R.Zaidiul Wasti. Mr. Ardeshir Cowasjee chaired the meeting on the proposal by Dr. Raza Gardezi seconded by Mr. M. Amin Shaikh.
2. Nomination of Dr. Gardezi as the nominee of Shehri instead of Mr. Roland deSouza was accorded by the Committee. Regret of Mr. Faez Isa conveyed by Dr. Gardezi was granted.
3. Minutes of the meeting dated 11.08.99 were confirmed with the following addition:-

In para-6 the Charter of Governing Body, KDA shall be provided to all the Members.

Action: CCOB

4. Dr. Raza Gardezi pointed out that the reply of the KBCA in respect of Plot No.4 RC-6, Karachi is wrong and said that actually the plan was reinstated in 1:6 ratio. In this connection ABAD supplied documentary proof to the Members. It was decided that the action shall be initiated against the concerned officer for allowing plot ratio 1:6 instead of allowable plot ratio 1:4 and the said report to be submitted within a week time. The Chief COB shall supply the complete report including the action taken against the unauthorised construction on the said plot also within a week time. Further decided the report on Plot No.83-F, Block-2, PECHS, shall be supplied before the next meeting to all the Members.

Action: CCOB

5. Regarding wrong calculation of 2% Security deposit in respect of project " Four Square" the reply of KBCA was discussed. Shehri said that KBCA has now accepted that they had wrongly calculated 2% security deposit. Mr. M.M.I. Hussain said that no undertaking or guarantee was issued by the ABAD for the said project. It was therefore decided that show cause notice to concerned officer may be issued for the wrong calculation of security deposit amount and issuance of NOC for sale without ABAD undertaking or 2% security deposit. Action against the concerned officers as well as his senior who was supposed to check the figures, also against all those people who tried to suppress it over a period of 4-5 months. Furthermore, 2% security deposit of approx. 10 different project would be rechecked and report submitted. ABAD to supply a list of projects on which they have given an undertaking.

Action: CCOB

Resolution No.1/99

6. Shehri supplied copy of the rejoinder on the reply of the KBCA dated 16.8.99 in respect of project "Nice Trade Orbit" and said that KBCA had admitted that they are following the long standing practices/policies, instead of Rule and Regulations. Therefore it was resolved that only Rule and Regulations shall be followed in letter and spirit and no old standing practices/policies shall be followed. No resolution of GB, KDA can override the statutory Rule and Regulations. Reply of Shehri rejoinder shall be supplied within 10 days. Further it was decided that action against the concerned officers for not following Rule and Regulations, committing irregularities in the issuance of Plinth verification certificate and delaying the action on the said project for 6 months shall be initiated.

Action: CCOB

7. Mr. M.M.I. Hussain said that the Governing Body, KDA has no authority on the KBCA affairs and read out the PLD-980 of High Court of Sindh and said that in the above Judgement, High Court has declared that KDA and KBCA are two separate Authorities. Mr. Iqbal Memon, Legal Advisor also endorsed the same and said that GB, KDA can not exercise his power on KBCA. Mr. Kalimuddin Chairman, PCATP also supported these views and it was therefore decided that the opinion/views shall be supplied by the concerned members in writing alongwith supporting documents so that the legal opinion on the issue to be obtained. It was further decided that sub-committee formed for finalization of seniority/posting and transfer etc of KBCA officers shall continue to work. Shehri pointed out that the non-technical/ lower staff has also some grievances in respect of seniority/posting etc. requested to the sub-committee to look into this matter also.

Action: All members of oversee committee/sub-committee

8. ABAD questioned regarding the legalities of demanding of 2% Security deposit amount for public sale projects from the Builders. Shehri said that the ABAD guarantee should not be accepted, only Security deposit amount should be collected which will be confiscated on violation of approved plan. Shehri questioned the role of ABAD for taking action against their members involved in unauthorised construction. Mr. M.M.I. Hussain said that ABAD has a committee to take action against the members who are involved in unauthorised construction. ABAD strongly resented the view of Shehri and said the issue of unauthorised construction can not be resolved till the outdated Buildings and Town planning Regulations are updated and that ABAD has contributed a lot in resolving grievances of the allottees and quoted the example of 'Faiza Heights' where they have contributed about 15% of the amount of the project for the compensation. It was therefore decided that a report on the legal status of charging 2% security deposit amount shall be supplied to the members within 15 days

Mr. Nooruddin said that in PWD there is a procedure of obtaining CAR insurance policy to cover the risk. ABAD said that they are already submitting the CAR insurance policy. It was observed that CAR Insurance policy cover the risk of earthquake and design defect only but not to safeguard the interest of allottees. Shehri said that CAR insurance policy become infectious when approved design is violated in the construction. It was therefore decided that Mr. Nooruddin shall work out the procedure in this regard to safeguard the interest of allottees and to ensure the implementation of approved design during construction. The CCOB stated that the issue of deposit had cropped up twice before in the Oversee Committee meetings. He was asked to provide the minutes of those meetings.

Action : CCOB/Mr. Nooruddin

Resolution No.2/99

9. On the proposal of Mr. Kalimuddin Chairman PCATP and Mr. Roland, it was resolved that only the Karachi Building & Town Planning Regulations Part-I & II shall be followed in letter and spirit and nothing else including previous notifications/orders/long standing practices etc. if any.

Action: CCOB

10. Mr. M.M.I. Hussain expressed serious concerned over the delay of updating of Building & Town Planning Regulations and said that the draft prepared by the sub-committee formed by Oversee Committee for this purpose has been forwarded by the Governor of Sindh to another Committee for vetting. Mr. Saleem Thariani Chairman of the sub-committee for updating of Building & Town Planning Regulations said that he has already expressed his views in the committee on the issue. Mr. Kalimuddin Chairman of PCATP and convener of the Committee for updating of Building Regulations formed by Governor of Sindh said that all the Members of Committee are well known professionals who are working with hardly and great zeal for bringing comprehensive, positive and professional approach in the Building and Town planning Regulations and about 75 % of work has been completed.

Action: Mr.Kalimuddin

11. Regarding preparing the synopsis by Qazi Faez Isa in respect of judgement of Supreme Court in the case of project " Glass Tower", Shehri informed that they are organizing a Seminar on 09.10.1999 for KBCA officers and lawyers. Members were also requested to attend the same. Chief COB shall make sure the attendance of officers and lawyers in the seminar.

Action:CCOB /All members of the oversee committee

Resolution No.3/99

12. On the proposal of Shehri, it was resolved that in the cases where deviation from the approved plan have been committed in such a way that if the violation are within rule and regulations in such cases regularization shall be allowed.

Examples of such cases are as under:-

- a) Where ground +4 was allowed as per Regulation but the approval for Ground+2 was obtained but constructed G+4, provided that no other Regulations are violated.
- b) Where C.O.S. of 15' ft. was applicable as per the Regulation and the approval was obtained leaving the COS 20 ft. but construction was carried out leaving COS 15' provided that no other Regulations is violated.
- c) If a plot ratio of 1:2 was allowed as per Regulations and the approval was obtained for the plot ratio 1:175 but the construction was carried out on the plot ratio 1:2, provided that no other Regulations are violated.

ABAD resented the above and said that as per SBCO-1979, Section-19/A, Karachi Building and Town Planning Regulations Part-I, Section-16, the regularization shall to be carried out.

Action: CCOB

13. It was resolved by the Committee that the Prime Minister Housing Authority shall be asked to get approval of Building plan in respect of Scheme " Maira Gahr" launched in Karachi division in accordance with the law and the same shall be done upto 15.09.1999.

Action: CCOB

Resolution No.5/99

14. It was resolved that on all unauthorised construction , within 1 week of action becoming due and observing violations the DCB and ACB shall take the following steps:

- i) Serve notice u/s 7/A of SBCO-79(in approved format) on owner/builder and architect/engineer (with a copy to PEC/PCATP/DC/High Court)
- ii) Demolish the unauthorised construction after notice period and withdraw the approved plan. Photographs will be taken of the building from all four sides, including from inside, as evidence that proper rather than cosmetic demolition has been carried out.

- iii) Seal the unauthorised premises and inform DC, SMD, SHO.
 - iv) File criminal prosecution under SBCO-79 of owner/builder and architect Engineer.
 - v) Lodge FIR against seal violators (Owner/builder, any occupier/tenant)
 - vi) Write to lessor (with reminder) to forfeit/resume plot.
- On weekly basis
- vii) If owner/allottee files suit/petition submit counter affidavit (with copy of notice u/s 7-A all details of violations, photos of unauthorised construction, list of other cases/orders on the same plot etc.) & W.S. within 1 week.
 - viii) Publish warning (within two weeks) in newspapers if necessary. (Dawn/Jang/Millat) so that public does not invest.
 - ix) Suspend licence of Architect/Engineer, if satisfactory response not received within 1 week.
 - x) File contempt of court application against builders/allottees suit/CP, where builder has violated courts order within 1 week.

Failure to comply or delay in complying with the above procedures will result in immediate suspension and disciplinary action of the concerned officers under Efficiency and Discipline Rules.

Resolution No.6/99

Action: CCOB

15. Resolved that action against DCB Mehmood shall be taken in light of Shehri's complaint on 73 Mu'limabad for this following deliberate acts of commission and omission.

- i) Approval of basement for parking without providing a ramp for access
- ii) Lying & misrepresentation of facts by stating initially that the only violation by builder was the non provision of ramp in the basement.
- iii) On site inspection several violations come to light: excess covered area, misuse of basement parking, and clear indication of additional floor.
- iv) In spite of the fact that almost two months have passed, the DCB has not taken any definitive action against the illegal structure, owner/builder, architect, engineer.

This sustained and continuous inaction of the DCB leads to one and only one conclusion that the said DCB is in collusion with the builder. Moreover, when Shehri as a Member of Oversee Committee requested for a copy of the approved plan, the DCB passed on the request to the Builder. Does KBCA requires builders pre-approval before releasing the approved plan.

For the above reasons, severe action (immediate suspension and investigation leading to major penalties) shall be taken against DCB Mr. Mehmood. CCOB promised to personally take action on the resolution and submit a compliance report within a week.

Action: CCOB

16. The Oversee Committee approved the recommendations of the sub-committee on high rise Buildings formed by Oversee Committee in respect of Plot No.11, SR-5. Further resolved that in future only such cases would be placed before the Oversee Committee, where there is difference of opinion among the members for final decision.

Action: members of sub-committee/CCOB

17. Shehri pointed out in efficiency of Mr. Iqbal Memon, LA, KBCA dealing with the case in respect of Plot No.322 Garden West. It was therefore decided that the action shall be initiated against the concerned LA.

Action: CCOB

Resolution No.7/99

18. It was resolved that a special meeting of Oversee Committee shall be held on 22.09.1999 specifically to discuss/finalize the issues raised in the minutes of the sub-committee meeting held with the professionals of KBCA on 19.05.99.

Action: All members of oversee committee

Resolution No.8/99

19. Shehri expressed apprehension at the quality of construction particularly of highrise buildings when viewed in light of Earthquake resistance. The tragic aftermath of Turkey earthquake was also cited. Mr. Saleem Thariani endorsed Shehri's view and conveyed to Committee the necessity of ensuring as far as possible both the accuracy of good seismic designing as well as implementation of the design in the construction. It was therefore resolved that Mr. Saleem Thariani be requested to present the methodology of such step to safe-guard the construction that could be implemented during the construction.

Action: Mr. Saleem Thariani

20. CCOB to submit a report on the findings of his inquiry report regarding the delay caused in the publication of the public notice of International Trade Centre. This report is to be submitted within a week for discussion in the next Overseer Committee meeting.

Action: CCOB

21. The next meeting of Overseer Committee will be held on 13.10.1999 at 2.00 P.M. in the conference room of KDA Civic Centre.

(PRESENT (BY INVITATION))

Action: All members of overseer committee

1. Mr.S.M.R.Zaidiul Wasti, Co-ordinator, Overseer Committee
2. Mr. Mumtaz Ahmed Hashmi, DCB
3. Mr. Mirza Yousuf Ali, PRO.

Sd/- dt:18.09.99

(ENGR.S.M.R.ZAIDIUL WASTI)

CO-ORDINATOR

OVERSEER COMMITTEE ON KBCA

No.KBCA/Oversee/99/183
dated: 18/09/99.

Distribution:

All concerned.

3. Minutes of the meeting dated 11.08.99 were confirmed with the following addition:-

In para-6 the Charter of Governing Body, KDA shall be provided to all the Members.

Action: CCOB

4. Dr. Raza Gardezi pointed out that the reply of the KBCA in respect of Plot No 4 RC-6, Karachi is wrong and said that actually the plan was reinstated in 1:6 ratio. In this connection ABAD supplied documentary proof to the Members. It was decided that the action shall be initiated against the concerned officer for allowing plot ratio 1:6 instead of allowable plot ratio 1:4 and the said report to be submitted within a week time. The Chief COB shall supply the complete report including the action taken against the unauthorised construction on the said plot also within a week time. Further decided the report on Plot No.83-F, Block-2, PECHS, shall be supplied before the next meeting to all the Members.

Action: CCOB

5. Regarding wrong calculation of 2% Security deposit in respect of project "Four Square" the reply of KBCA was discussed. Shehri said that KBCA has now accepted that they had wrongly calculated 2% security deposit. Mr. M.M.L Hussain said that no undertaking or guarantee was issued by the ABAD for the said project. It was therefore decided that show cause notice to concerned officer may be issued for the wrong calculation of security deposit amount and issuance of NOC for sale without ABAD undertaking or 2% security deposit. Action against the concerned officers as well as his senior who was supposed to check the figures, also against all those people who tried to suppress it over a period of 4-5 months. Furthermore, 2% security deposit of approx. 10 different project would be rechecked and report submitted. ABAD to supply a list of projects on which they have given an undertaking.

Action: CCOB

SUBJECT: MINUTES OF (22+)8TH SPECIAL MEETING OF OVERSEE COMMITTEE ON K.B.C.A. HELD ON 22.09.1999 AT 2.00 P.M. AT CONFERENCE ROOM K.D.A. CIVIC CENTRE, KARACHI.

PRESENT (MEMBERS OR THEIR SUBSTITUTES)

1. Mr. Allah Rakha Asi, DG,KDA
2. Mr. Syed Mohammad Hussain CCOB
3. Mr. Ardeshir Cowasjee
4. Mr. Justice (Retd) Haziqul Khairi
5. Mr. M.M.I.Hussain, Nominee of ABAD
6. Mr. Syed Kalimuddin Chairman,PCATP
7. Mr. Nooruddin Ahmed, Nominee of PEC
8. Dr. Abdul Samad Khan, Nominee of NED
9. Dr. S.Raza Ali Gardezi, CBE-Shehri.
10. Mr. Amanullah Chachar, PD, MDA.
11. Mr. Iqbal Memon, LA,KBCA

PRESENT (BY INVITATION)

1. Mr.S.M.R.Zaidiul Wasti,Co-ordinator,Oversee Committee
 2. Mr. Mumtaz Ahmed Hashmi. DCB
 3. Mr. Mirza Yousuf Ali, PRO.
1. Meeting started with the recitation of Holy Quran by Mr. S.M.R.Zaidiul Wasti. Mr. Ardeshir Cowasjee chaired the meeting on the proposal by Mr.Roland seconded by Mr. Nooruddin Ahmed,PEC.
 2. Mr. Nooruddin Representative of PEC on behalf of the Sub-Committee formed by the Oversee Committee to hold the meeting with the professionals of KBCA informed the background of formation of said sub-committee. He said that after attending the meeting of Oversee Committee they realized that the professionals of KBCA are not aware of professional conduct as available in PEC & PCATP actin performing their duties and it was therefore necessary to inform them about their responsibilities in the light of code of conduct of PEC and PCATP. The sub-committee held the meeting with the professionals of KBCA on 19.05.99 in which the professionals clearly informed about the code of conduct of PEC and PCATP in performing their duties. Further professionals were informed that in case of non-observation of code of conduct, the council i.e PEC and PCATP can take disciplinary action against the professionals in the light of code to the extent that their licences to practice as professional may be cancelled which may also result in the cancellation of their professional degrees from the respective Universities.

Mr. Nooruddin said that in the said meeting with the professionals of KBCA, the sub-Committee asked the professionals of KBCA to present their difficulties and problems if any they are facing in performing their professional duties and observed the code of conduct. He further said that many professionals of KBCA explained detail of the problems they are facing in performing their duties in KBCA which are

the main cause of in-efficiency in the working of KBCA. The issues raised by the professionals of KBCA were recorded in the minutes of the sub-committee meeting and same were circulated to all the Members of Oversee Committee for their information. After which the sub-committee finalize its recommendations in the form of resolutions in the light of the minutes of sub-committee meeting which has been placed before the Oversee Committee and said that if these issues/ recommendations are adopted than there is fair chance to improve the efficiency and developing the professional approach in their working. Than he read out the said resolutions one by one.

Resolution No.9/99

3. It was resolved that a consultant (well versed with services rules and regulations) to be appointed to frame the service regulations for KBCA employees with the consultation of PEC and PCATP nominees in a period of three months.

The said consultant also be assigned the job of finalization of seniority of different cadres of KBCA in a period of two months in consultation with the sub-committee formed by Oversee Committee KBCA. After finalization of seniority the promotions shall be made in accordance with the framed service regulations. PEC , PCATP and KBCA nominees shall determine the terms of reference of the consultant.

Resolution No.10/99

4. It was resolved that no person shall be allowed to work on a post except against a regular post, which falls vacant or created by the Competent Authority.

Action: CCOB/Member of Sub-committee.

Resolution No.11/99

5. It was resolved that against six approved/sanctioned posts of Controller of Buildings (COBs), the following four regular Controller of buildings are holding these posts;

- a) Mr.Syed Mohammad Hussain (Chief COB)
- b) Mr. S.M.R. Zaidiul Wasti.
- c) Mr. Akhtar Iqbal Usmani
- d) Mr. Rais Ahmed Jafri

Since three posts of (COBs) one because of holding charge of Chief COB by Mr. Syed Muhammad Hussain, and the two posts by virtue of non promotion, the following three (DCBs) who are senior most as per tentative seniority list circulated vide No.KBCA/DC(Admn-P) 99/161 dated 05.04.99, are recommended to give officiating charge of COBs, against the regular sanctioned posts so that the work of the Authority does not suffer:

- a) Mr. Syed Ali Zafar Qadri
- b) Mr. F.H. Mughat
- c) Mr. Dawood Khan.

It was further resolved that if Mr.Muhammad Hussain will provide documentary evidence showing approval of the Competent Authority in which the strength of

Resolution No.17/99

13. It was resolved that Government be requested to post two full times magistrate in KBCA alongwith the establishment of court in the premises of KBCA for the speedy disposal of the cases and award exemplary punishment to the violators and thus

the COB's has been raised to Ten only then the above will be adjusted accordingly failing which the strength of the COB's will continue to be Six.

Action: CCOB

Resolution No.12/99

6. It was resolved that (DCBs) officiating as (COBs) shall be reverted back as DCBs, Similarly ACBs officiating as DCBs will also revert back to ACBs and all the regular /officiating posts henceforth will be filled strictly to according to seniority list.

Action CCOB

Resolution No.13/99

7. It was resolved that all the officers not assigned relevant duties (e.g. Mr. Akhtar Iqbal Usmani. COB) should immediately be assigned proper duties according to their designation.

Action: CCOB

Resolution No.14/99

8. It was resolved that all officers of KBCA working with KDA or else where, request will be made to the competent authority which had initially ordered the transfer on deputation, repatriate the officers back to their parent department.

Action: CCOB

9. Resolution regarding non filling of ACR by officiating officers of the officers having the same grade was dropped due to the adoption of resolution at serial No.5 regarding officiating charge to the senior most officers.

Action: CCOB

Resolution No.15/99

10. It was resolved that requisite qualification/experience for a post shall not be relaxed in any circumstances.

Action: CCOB

Resolution No.16/99

11. It was resolved all the disciplinary action shall be taken as per rules and regulations i.e after issuing show cause notice copies of KDA service rule book under which KBCA Officers are presently Governed would be supplied to all the members within a week.

Action: CCOB

12. Resolution regarding registration of demolition contractor was deferred till the next meeting.

Action: All member of Oversee Committee.

Resolution No.17/99

13. It was resolved that Government be requested to post two full times magistrate in KBCA alongwith the establishment of court in the premises of KBCA for the speedy disposal of the cases and award examplatory punishment to the violators and thus

discouraging unauthorised construction. Further it was decided that the additional criminal cases for the enhancement of punishment due to continuous violations and illegal occupations to be filed . ABAD dissented from the above and said that one offence only one case can be filed.

Action: CCOB

Resolution No.18/99

14. It was resolved that transport contractors/car rental Agencies should be appointed to provide conveyance facility for the officers to perform official duties.

Action: CCOB

Resolution No.19/99

15. It was resolved that seats arrangement for the officers to be improved to provide a healthy working environment.

Action: CCOB

16. It was decided that the resolutions presented by M/s.Shehri regarding procedural improvements in the working of KBCA shall be discussed by the sub-committee including representative of ABAD and Shehri.

Action :Member of Sub-committee.

17. SHEHRI suggested that in order to better organize the functioning of oversee committee, the resolutions passed by it should be numbered as 1/99, 2/99, 3/99... and so on, as it is done with G.B KDA resolutions. This suffixing of numbers & the resultant indexing should begin with the various resolutions passed in the 22+ 7th meeting of the oversee committee meeting held on 08/09/99

18. The next special meeting of Oversee Committee shall be held on 06.10.1999 at 2.00 P.M. at conference room of KBCA Civic Centre, Karachi.

Action: All member.of Oversee Committee.

Sd/- 29.9.99

(ENGR.S.M.R.ZAIDIUL WASTI)
CO-ORDINATOR
OVERSEE COMMITTEE ON KBCA

No.KBCA/Oversee/99/

Dated:

Distribution:

All concerned.

BRIEF REPORT REGARDING THE IMPLEMENTATION OF
OVERSEE COMMITTEE DECISION DATED 22ND SEPTEMBER, 1999.

S.NO	DECISION	ACTION TAKEN
1	Meeting started with the recitation of Holy Quran by Mr. S.M.R.Zaidiul Wasti. Mr. Ardeshir Cowasjee chaired the meeting on the proposal by Mr.Roland seconded by Mr. Nooruddin Ahmed,PEC.	No action
2	<p>Mr. Nooruddin Representative of PEC on behalf of the Sub-Committee formed by the Oversee Committee to hold the meeting with the professionals of KBCA informed the background of formation of said sub-committee . He said that after attending the meeting of Oversee Committee they realized that the professionals of KBCA are not aware of professional conduct as available in PEC & PCATP actin performing their duties and it was therefore necessary to inform them about their responsibilities in the light of code of conduct of PEC and PCATP. The sub-committee held the meeting with the professionals of KBCA on 19.05.99 in which the professionals clearly informed about the code of conduct of PEC and PCATP in performing their duties. Further professionals were informed that in case of non-observation of code of conduct, the council i.e PEC and PCATP can take disciplinary action against the professionals in the light of code to the extent that their licences to practice as professional may be cancelled which may also result in the cancellation of their professional degrees from the respective Universities.</p> <p>Mr. Nooruddin said that in the said meeting with the professionals of KBCA, the sub-Committee asked the professionals of KBCA to present their difficulties and problems if any they are facing in performing their professional duties and observed the code of conduct. He further said that many professionals of KBCA explained detail of the problems they are facing in performing their duties in KBCA which are the main cause of in-efficiency in the working of KBCA. The issues raised by the professionals of KBCA were recorded in the minutes of the sub-committee meeting and same were circulated to all the Members of Oversee Committee for their information. After which the sub-committee finalize its recommendations in the form of resolutions in the light of the minutes of sub-committee meeting which has been placed before the Oversee Committee and said that if these issues/ recommendations are adopted than there is fair chance to improve the efficiency and developing the professional approach in their working. Than he read out the said resolutions one by one.</p>	<p>No action</p> <p><i>Draft prepared and submitted to the members for their approval comments if any</i></p> <p><i>Report submitted to DG,KDA</i></p> <p>-do-</p>

3	<p><u>Resolution No.9/99</u> It was resolved that a consultant (well versed with services rules and regulations) to be appointed to frame the service regulations for KBCA employees with the consultation of PEC and PCATP nominees in a period of three months.</p> <p>The said consultant also be assigned the job of finalization of seniority of different cadres of KBCA in a period of two months in consultation with the sub-committee formed by Oversee Committee KBCA. After finalization of seniority the promotions shall be made in accordance with the framed service regulations. PEC , PCATP and KBCA nominees shall determine the terms of reference of the consultant.</p>	<p>Draft prepared and submitted to the members for their approval /comments if any.</p>
4	<p><u>Resolution No.10/99</u> It was resolved that no person shall be allowed to work on a post except against a regular post, which falls vacant or created by the Competent Authority.</p>	<p>Report submitted to DG.KDA</p>
5	<p><u>Resolution No.11/99</u> It was resolved that against six approved sanctioned posts of Controller of Buildings (COBs), the following four regular Controller of buildings are holding these posts:</p> <ul style="list-style-type: none"> e) Mr.Syed Mohammad Hussain (Chief COB) f) Mr. S.M.R. Zaidiul Wasti. g) Mr. Akhtar Iqbal Usmani h) Mr. Rais Ahmed Jafri 	<p>List of all such officers has been submitted to Govt. of Sindh.</p>
10	<p>Since three posts of (COBs) one because of holding charge of Chief COB by Mr. Syed Muhammad Hussain, and the two posts by virtue of non promotion, the following three (DCBs) who are senior most as per tentative seniority list circulated vide No.KBCA DC(Admn-P) 99 161 dated 05.04.99, are recommended to give officiating charge of COBs, against the regular sanctioned posts so that the work of the Authority does not suffer:</p>	<p>-do- Noted</p>
11	<ul style="list-style-type: none"> d) Mr. Syed Ali Zafar Qadri e) Mr. F.H. Mughat f) Mr. Dawood Khan. 	<p>Being followed</p>
12	<p>Resolution regarding demolition contractor was deferred till the next meeting.</p>	<p>No action</p>

	<p>It was further resolved that if Mr. Muhammad Hussain will provide documentary evidence showing approval of the Competent Authority in which the strength of the COB's has been raised to Ten only then the above will be adjusted accordingly failing which the strength of the COB's will <u>continue</u> to be Six.</p>	Under process
6	<p><u>Resolution No.12/99</u></p> <p>It was resolved that (DCBs) officiating as (COBs) shall be reverted back as DCBs, Similarly ACBs officiating as DCBs will also revert back to ACBs and all the regular /officiating posts henceforth will be filled strictly to according to seniority list.</p>	Report submitted to DG,KDA
7	<p><u>Resolution No.13/99</u></p> <p>It was resolved that all the officers not assigned relevant duties (e.g. Mr. Akhtar Iqbal Usmani COB) should immediately be assigned proper duties according to their designation.</p>	-do-
8	<p><u>Resolution No.14/99</u></p> <p>It was resolved that all officers of KBCA working with KDA or else where, request will be made to the competent authority which had initially ordered the transfer on deputation, repatriate the officers back to their parent department.</p>	List of all such officers has been submitted to Govt. of Sindh.
9	<p>Resolution regarding non filling of ACR by officiating officers of the officers having the same grade was dropped due to the adoption of resolution at serial No.5 regarding officiating charge to the senior most officers.</p>	No Action
10	<p><u>Resolution No.15/99</u></p> <p>It was resolved that requisite qualification/experience for a post shall not be relaxed in any circumstances.</p>	Noted
11	<p><u>Resolution No.16/99</u></p> <p>It was resolved all the disciplinary action shall be taken as per rules and regulations i.e after issuing show cause notice copies of KDA service rule book under which KBCA Officers are presently Governed would be supplied to all the members within a week.</p>	Being followed
12	<p>Resolution regarding registration of demolition contractor was deferred till the next meeting.</p>	No action

13	<p><u>Resolution No.17/99</u></p> <p>It was resolved that Government be requested to post two full times magistrate in KBCA alongwith the establishment of court in the premises of KBCA for the speedy disposal of the cases and award examplatory punishment to the violators and thus discouraging unauthorised construction. Further it was decided that the additional criminal cases for the enhancement of punishment due to continuous violations and illegal occupations to be filed . ABAD dissented from the above and said that one offence only one case can be filed.</p>	Under process
14	<p><u>Resolution No.18/99</u></p> <p>It was resolved that transport contractors/car rental Agencies should be appointed to provide conveyance facility for the officers to perform official duties.</p>	Under process
15	<p><u>Resolution No.19/99</u></p> <p>It was resolved that seats arrangement for the officers to be improved to provide a healthy working environment.</p>	-do-
16	<p>It was decided that the resolutions presented by M/s.Shehri regarding procedural improvements in the working of KBCA shall be discussed by the sub-committee including representative of ABAD and Shehri.</p>	No action
17	<p>SHEHRI suggested that in order to better organize the functioning of oversee committee, the resolutions passed by it should be numbered as 1/99, 2/99, 3/99... and so on, as it is done with G.B KDA resolutions. This suffixing of numbers & the resultant indexing should begin with the various resolutions passed in the 22+ 7th meeting of the oversee committee meeting held on 08/09/99</p>	Being done.
18	<p>The next special meeting of Oversee Committee shall be held on 06.10.1999 at 2.00 P.M. at conference room of KBCA Civic Centre, Karachi.</p>	-

Resolution No 20/99
Subject; MINUTES OF THE (22+)9th MEETING OF OVERSEE COMMITTEE ON K.B.C.A HELD ON 06.10.1999 AT 2.00 P.M. AT CONFERENCE ROOM K.D.A. CIVIC CENTRE, KARACHI.

PRESENT (MEMBERS OR THEIR SUBSTITUTES)

1. Mr. Allah Rakha Asi, DG, KDA
2. Mr. Ardeshir Cowasjee
3. Mr. Syed Kalimuddin, Chairman, PCATP
4. Mr. M.M.I. Hussain, Nominee of ABAD
5. Dr. S.Raza Ali Gardezi, Shehri
6. Mr. Nooruddin Ahmed, Nominee of PEC
7. Mr. Saleem Thariani, Indus Valley
8. Prof. M.Amin Shaikh, Nominee of Dawood College.
9. Mr. Amanullah Chachar, PD, MDA.
10. Mr. Iqbal Memon, LA, KBCA

(PRESENT (BY INVITATION))

1. Mr. S.M.R. Zaidiul Wasti, Co-ordinator, Overseer Committee
2. Mr. Muntaz Ahmed Hashmi, DCB
3. Mr. Mirza Yousuf Ali, PRO.

1. Meeting started with the recitation of Holy Quran by Mr. Saleem Thariani. Mr. Ardeshir Cowasjee chaired the meeting on the proposal by Dr. Raza Gardezi seconded by Mr. Saleem Thariani.

2. Minutes of the 22+(8th) meeting were confirmed with the following corrections/ addition.

- a) In item No.1, the proposal to chair the meeting was moved by Mr. Gardezi instead of Mr. Roland deSouza.
- b) Item No.3 line No.5 in consultation with changed with ' as per report'
- c) In item No.6 line (3) after according, the deletion of 'to seniority list' and addition of 'to tentative seniority list till such time the seniority is finalized'

Action: All Members

3. It was informed by KBCA that the meeting of the sub-committee on seniority has held several times and the matter is under process for finalization of report regarding seniority for the Officers. It was decided that KBCA shall supply all required documents including notification regarding the promotion of the officers of Grade-19 & 20 to the Sub-Committee. On the pointation of Dr. Gardezi, regarding KDA service rule book, Mr. Wasti stated that KDA has supplied them with only 3 rule books, copies of which are being made for distribution to the Members.

Action: CCOB/Member of
the sub-Committee

4. Resolution No.20/99

In the light of notification of Government dated 28.12.99, it was clarified that the sanctioned/approved posts of COBs are six. It was therefore resolved that Item No.5 & 6 of the minutes of meeting dated 22.9.99 should be implemented immediately. Further DG,KDA informed that matter regarding the assigning of the duties to the Officers specially Mr. Akhtar Iqbal Usmani, COB, shall automatically be solved with the implementation of item No.5 & 6.

Action: Chief COB.

5. Resolution No.21/99

It was resolved that the word 'officiating' shall always be mentioned with all the officiating officers in order to distinguish them from the regular ones in accordance with the law.

Action: Chief COB

6. It was decided that KBCA shall supply the compliance report on the minutes of the special meeting dated 22.09.99 in the next meeting of Oversee Committee.

Action: Chief COB.

7. Resolution No.22/99

The Member of Oversee Committee showed their concern for non implementation of decision of Oversee Committee regarding computerization of KBCA. Therefore, it was resolved that the computerization of KBCA as recommended by the Oversee Committee shall immediately be implemented from the available resources till that time the amount for net working system of computerization is sanctioned by the Competent Authority.

Action: Chief C.O.B

8. Resolution No.23/99

It was resolved that all the details regarding plans/NOC's submitted approvals, file movement, objections conveyed (if any) action taken on unauthorised construction complaints, legal status and all the details of the plot shall be feed into the computer alongwith record of other miscellaneous activities of the circle. This record shall be up-dated on day to day basis and shall be readily available as and when required.

Action: Chief COB

9. Resolution No. 24/99

It was resolved that plans /NOCs/ complaints/ requests submitted at the public counter shall be forwarded to the concerned circle alongwith all the information within 12 working hours.

Action: Chief COB.

10. Resolution No.25/99

Consolidated objections/observations shall be conveyed by KBCA within 15 days to the concerned professionals and a meeting shall be held with the owner professionals to discuss such objections and rectified objections shall be submitted to the Authority

Action: Chief COB.

11. Resolution No.26/99.

It was resolved that after the receipt of rectified objections the plans/NOCs etc. shall be processed within 3 days from each officer ACB/DCB/COB/ CCOB. No file shall be sent without proper diary / despatch and the same shall be recorded in the Computer.

Action: Chief COB

12. Resolution No.27/99

In case the plans/ NOCs pertain to plots where sub-division/ amalgamation or change of land use is involved, all the stipulations of Schedule 'D' Part-I & II as given on pages 48-51 of Karachi Building & Town Planning Regulations as well as KDA order No.5 of 1957 will be fulfilled.

Action: Chief COB

13. Members showed their concern that KBCA is not taking proper action against unauthorized construction. In this regard pointed out the following plot No. where the unauthorized construction is in progress:-

Plot No.427, GRE,
Plot No.61-S,BI-2,PECHS
Plot No.73, JM

Plot No.76, Block-2,PECHS
Plot No.572, JM
Plot No.259 GRE.

KBCA to supply a compliance report on these plots in the next Oversee Committee meeting.

Action: Chief COB

14. Resolution No.28/99

Shehri pointed out the case of Plot No.427, where it was reported by Magistrate, KBCA that the Member of Area Khidmat Committee was sitting their on the site with Arms and obstructing KBCA from performing their official duties , therefore demolition action could not be taken.

It was therefore resolved that DG,KDA shall write a letter to Chief Secretary ,Sindh and other concerned for taking immediate action in this regard so that the KBCA can perform its duties without any obstruction. Further it was also decided that FIR and prosecution case against those persons who obstructed the KBCA from performing their duties shall immediately be registered.

Action: DG,KDA/CCOB

15. It was decided that the committee formed to scrutinize the cases of high rise buildings shall scrutinize the proposal submitted by the owner of 'Coasta Livina' Clifton Karachi in its meeting to be held on 12.10.99 in the light of Supreme Court /High Court decision. The copy of the decision shall also be supplied to the Members of Sub-Committee within 3 days.

Action: CCOB

(ENGR.S.M.R.ZAIDIUL WASTI) 30/10/1999
CO-ORDINATOR
OVERSEE COMMITTEE ON KBCA

No.KBCA/Oversee/99 / 239
Dt: 30/10/1999

Distribution:

All concerned.

Action: CCOB/Member of
the sub-committee

BRIEF REPORT REGARDING THE IMPLEMENTATION
OF OVERSEE COMMITTEE DECISION DATED.06.10.1999.

S.No.	Decision	Action taken
1.	Meeting started with the recitation of Holy Quran by Mr. Saleem Thariani. Mr. Ardeshir Cowasjee chaired the meeting on the proposal by Dr. Raza Gardezi seconded by Mr. Saleem Thariani.	Noted
2.	Minutes of the 22+(8 th) meeting were confirmed with the following corrections/ addition. a) In item No.1, the proposal to chair the meeting was moved by Mr. Gardezi instead of Mr. Roland deSouza. b) Item No.3 line No.5 in consultation with changed with ' as per report' c) In item No.6 line (3) after according, the deletion of 'to seniority list' and addition of 'to tentative seniority list till such time the seniority is finalized'	Complied
3.	It was informed by KBCA that the meeting of the sub-committee on seniority has held several times and the matter is under process for finalization of report regarding seniority for the Officers. It was decided that KBCA shall supply all required documents including notification regarding the promotion of the officers of Grade-19 & 20 to the Sub-Committee. On the pointation of Dr.Gardezi, regarding KDA service rule book, Mr. Wasti stated that KDA has supplied them with only 3 rule books, copies of which are being made for distribution to the Members. <u>Resolution No.20/99</u>	Supplied. As regard the other documents Secretary, KDA has been asked to supply the same.
4.	In the light of notification of Government dated 28.12.99, it was clarified that the sanctioned/approved posts of COBs are six. It was therefore resolved that Item No.5 & 6 of the minutes of meeting dated 22.9.99 should be implemented immediately. Further DG,KDA	Report has been submitted to the DG, KDA.

informed that matter regarding the assigning of the duties to the Officers specially Mr. Akhtar Iqbal Usmani, COB, shall automatically be solved with the implementation of item No.5 & 6.

Resolution No.21/99

It was resolved that the word 'officiating' shall always be mentioned with all the officiating officers in order to distinguish them from the regular ones in accordance with the law.

Instruction issued.

6. It was decided that KBCA shall supply the compliance report on the minutes of the special meeting dated 22.09.99 in the next meeting of Overseer Committee .

Supplied.

Resolution No.22/99

7. The Member of Overseer Committee showed their concern for non implementation of decision of Overseer Committee regarding computerization of KBCA . Therefore, it was resolved that the computerization of KBCA as recommended by the Overseer Committee shall immediately be implemented from the available resources till that time the amount for net working system of computerization is sanctioned by the Competent Authority.

The work of computerization has been started two computers as decided have been purchased KDA has already been requested to provide Rs. 30 lacs in the KBCA budget.

Resolution No.23 99

8. It was resolved that all the details regarding plans/NOCs submitted approvals, file movement, objections conveyed (if any) action taken on unauthorised construction/complaints, legal status and all the details of the plot shall be feed into the computer alongwith record of other miscellaneous activities of the circle. This record shall be up-dated on day to day basis and shall be readily available as and when required.

Computerization of the legal department has been started. The work of computerization of the building plans is in progress.

Resolution No. 24 99.

9. It was resolved that plans NOCs complaints/ requests submitted at the public counter shall be forwarded to the concerned circle alongwith all the information within 12 working hours.

It is being done.

Resolution No.25 99

10. Consolidated objections observations shall be conveyed by KBCA within 15 days to the concerned professionals and a meeting shall be held with the owner professionals to discuss such objections and rectified objections shall be submitted to the Authority.

Instructions has been issued.

Resolution No.26 99.

11. It was resolved that after the receipt of rectified objections the plans/NOCs etc. shall be processed within 3 days from each officer ACB DCB COB CCOB. No file shall be sent without

-do-

proper diary / despatch and the same shall be recorded in the Computer.

Resolution No.27/99

12

In case the plans/ NOCs pertain to plots where sub-division/ amalgamation or change of land use is involved, all the stipulations of Schedule 'D' Part-I & II as given on pages 48-51 of Karachi Building & Town Planning Regulations as well as KDA order No.5 of 1957 will be fulfilled.

Instructions has been issued.

13.

Members showed their concern that KBCA is not taking proper action against unauthorized construction. In this regard pointed out the following plot No. where the unauthorized construction is in progress:-

Report attached.

Plot No.427, GRE,
Plot No.76,BI-2,PECHS
Plot No.61-S,BI-2,PECHS
Plot No.572, JM
Plot No.73, JM
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KBCA to supply a compliance report on these plots in the next Oversee Committee meeting.

Resolution No.28/99

14.

Shehri pointed out the case of Plot No.427, where it was reported by Magistrate, KBCA that the Member of Area Khidmat Committee was sitting their on the site with Arms and obstructing KBCA from performing their official duties , therefore demolition action could not be taken.

Report attached.

It was therefore resolved that DG,KDA shall write a letter to Chief Secretary ,Sindh and other concerned for taking immediate action in this regard so that the KBCA can perform its duties without any obstruction. Further it was also decided that FIR and prosecution case against those persons who obstructed the KBCA from performing their duties shall immediately be registered.

It was decided that the committee formed to scrutinize the cases of high rise buildings shall scrutinize the proposal submitted by the owner of 'Coasta Livina' Clifton Karachi in its meeting to be held on 12.10.99 in the light of Supreme Court /High Court decision. The copy of the decision shall also be supplied to the Members of Sub-Committee within 3 days.

It is under consideration of the High Rise Committee.

15.

In the light of notification of Government dated 28.12.99, it was clarified that the sanctioned/approved posts of COBs are six. It was therefore resolved that item No.5 & 6 of the minutes of meeting dated 22.9.99 should be implemented immediately. Further DG,KDA

Report has been submitted to the DG, KDA.

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Report has been submitted to the DG, KDA.