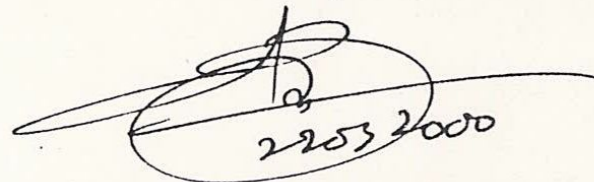


NO. KBCA/O.C/2000/83

Dated:- 22-3-2000

**AGENDA FOR THE MEETING OF (22+) 17TH MEETING
OF THE OVERSEE COMMITTEE TO BE HELD ON
05.04.2000 AT 2.30 P.M. AT CIVIC CENTRE, KDA .**

1. Recitation from Holy Quran
2. Confirmation of the minutes of the (22+) 16th meeting held on 01-03-2000.
3. Action arises from the (22+) 16th meeting held on 01-03-2000.
4. Discussion on the letter of PEC dated 04-02-2000 (copy enclosed).
5. Discussion on Shehri letter dated 19-02-2000.(already circulated)
6. Discussion on letter of Association of Consulting Engineer dated 31-12-99. (already circulated)
7. Discussion on the letter of Mr. Saleem Thariani dated 03-02-2000. (already circulate)
8. Discussion on ABAD letter dated 13-01-2000. (already circulated)



2203 2000

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

Distribution

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

Subject :- MINUTES OF THE (22+) 17TH MEETING OF OVERSEE COMMITTEE ON K.B.C.A. HELD ON 24.04.2000 AT 2.30 P.M. AT CONFERENCE ROOM K.D.A. CIVIC CENTRE, KARACHI.

PRESENT (MEMBERS OR THEIR SUBSTITUTES)

1. Brig.(R) Syed Zaheer Kadri, DG, KDA.
2. Mr. Akhter Iqbal Usmani, CCOB.
3. Mr. Ardeshir Cowasji.
4. Mr. M.M.I.Hussain, Rep of ABAD.
5. Mr. Syed Kalimuddin, Chairman, PCATP.
6. Mr. Nooruddin Ahmed, Nominee of PEC.
7. Mr. Saleem Thariani.
8. Dr. S. Reza Ali Gardezi, Shehri-CBE.
9. Mr. Qazi Faez Isa, Bar-at-Law.
10. Mr. Abdul Qadir Memon, LA, KBCA.

PRESENT (BY INVITATION)

1. Engr. S.M.R. Zaidiul Wasti Co-ordinator, Oversee Committee.
2. Mr. Ali Zafar Qadri, COB(A).
3. Mr. Manzoor Qadir, (Officiating) COB(C).
4. Mr. Badar Salam Baig, (Officiating) COB(D).
5. Mr. Mohammad Sabir (Officiating) COB(E).
6. Mr. Sultan Mohammad Zuberi, (Officiating) COB(F).
7. Mr. Mumtaz Haider, (Officiating), COB(TP).
8. Mr. Sultan Arfeen (Officiating) COB(H).
9. Mr. Mumtaz Ahmed Hashmi, Dy. Co-ordinator.
10. Mr. Mirza Yousuf Ali, PRO.

1. Meeting started with the recitation of Holy Quran by Mr. Akhter Iqbal Usmani, DG, KDA chaired the meeting and in his inauguration message said it is an honour for him to be the member of this august committee. He further said that he being the resident of the City is well aware about the problems faced by the citizen of the Karachi and assured to do his best to solve these problems and to up-hold the supremacy of law with the co-operation of the members of the committee.
2. Minutes of the (22+)16th meeting were confirmed with the following addition/correction.

Addition in para-3.

6. (i) It was suggested by DG, KDA that whenever COB/DCB/ACB carries out a visit of a zone or COB(Demolition), he would make entry in the diary and on return would enter whatever demolition has been done, so that proper progress record of demolition would be maintained and be available.

7. (ii) In para No.10, line No.7, work "restored" replaced by "given".

Action: Members of Oversee Committee.

Action: All COB / Chief COB.

- On the request of Dr. Gardezi, it was decided that further action would be expedited in the case of suspended officers to whom charge sheets had been issued.
- Action: Chief COB.
3. Members showed their concerned for not completing the task of demolition as mentioned in the para-3 of the minutes of (22+) 16th meeting and as well as referred in the resolution No. 9/99. In this connection Mr. Kalimuddin pointed the example of plot no. 76-P, Block-2, PECHS, Karachi and said that the action has not been taken by the concerned circle even after passing considerable time and thus allowing people to occupy the building. It was therefore decided that a list of the buildings constructed in violation of approved plan from 1998 shall be prepared by KBCA and to be submitted in the next meeting. Further demolition action shall initiated on the 57 buildings on which the court has ordered for demolition and the buildings mentioned in the resolution no. 29/99 and compliance report shall be submitted in the next meeting. ABAD dissented from it and said that demolition should be stopped till the time a policy decision about the buildings constructed in violation of approved plan is taken, otherwise all such buildings should be demolished in-discreminationary.

proposal and said that every person involved including those who were granted approval in relaxation of Rules & Regulations may also be taken into task. Action: All COBs / Chief COB.

4. Regarding plot NO. 220, J.M. Quarters Mr. S.M.R.Zaidiul Wasti, informed that the preliminary enquiry has been completed and file has been sent for taking decision of it to the CCOB/DG(KDA). However, other action i.e. publication of notice in the newspapers and serving of notice for demolition to the owner has been taken. Further the COB(D) informed that owner has started the demolition of unauthorized construction on the portion of the building constructed in violation of the plan. M/s. Shehri objected that owner can not be allowed to demolish the building himself without having plan of demolition and supervision of professional and showed their apprehension that owner shall complete the buildings under the shelter of demolition to induct the occupants. COB(D) assured that the unauthorized portion of the building shall be demolished. Further it was decided that the licence of professionals involved in the said case be suspended immediately. Latest report of demolition of the building with photographs shall be submitted in the next meeting of Oversee Committee.

Action: COB (D) / Chief COB.

5. Mr. Badar Salam Baig informed the committee the difficulties being faced by the officers in completing the task of demolition and said as per resolution No. 29/99, about all the buildings in his circle have been demolished. He further said that on verbal orders of DC, Commissioner and higher ups etc. the demolition action was suspended. Mr. Kalimuddin, Chairman, PCATP also said the behavior of district administration with the KBCA officers is not up to the mark and they always create hinderance in performing their duties by wasting their time. In this regard Mr. Qazi Faez Isa quoted resolution No. 2/2000, in which it is stated that if an officer has any difficulty, they shall inform the same to the Chief COB who will resolve the matter. He further said, KBCA officers are not bound to obey the verbal order from any quarter.

Action: All COBs / Chief COB.

6. Dr. Gardezi pointed out that the unauthorized construction on Plot No. 42 and 42-A, Adamjee Nagar Karachi has not been demolished. The DG, KDA directed KBCA that progress report along with photographs should be submitted in the next meeting.

Action: COB(F) / Chief COB.

7. Dr. Gardezi also showed their concerned for not implementing the various resolutions and decisions of the committee and said that it was decided that every letter of Oversee Committee Members be responded within three days which is not being implemented. All COBs assured that the reply of all the letters shall be given within couple of day of the letter.

Action: All COBs / Chief COB.

8. On the request of Dr. Gardezi, it was decided that further action would be expedited in the case of suspended officers to whom charge sheets had been issued.

Action: Chief COB.

9. It was decided that amalgamation and subsequent approvals granted on Plot No. 44-A, Block-6, PECHS, Karachi (Nice Trade Orbit) shall immediately be cancelled and identification of the officers involved in the said irregularities shall be brought to the notice of the Committee in the next meeting.

Action: COB(TP) / COB(F) / COB(H)

10. Dr. Gardezi informed that in certain cases, copies of the notices under section 7/A are not issued as per directives of the Oversee Committee i.e. copy of the notice is not being issued to the professionals concerned. COBs present there assured that the same is being complied and notices are also being served to the professionals concerned. It was therefore decided that a list of the professionals / builders involved in unauthorized construction shall be submitted in the next meeting. Mr. M.M.I. Hussain Rep of ABAD dissented with the proposal and said that every person involved including those who were granted approval in relaxation of Rules & Regulations may also be taken into task.

Action: All COBs / Chief COB.

11. Chief Controller of Buildings assured for the implementation of the Resolution No. 5/99 of the Oversee Committee in the letter and spirit.

Action: All COBs / Chief COB.

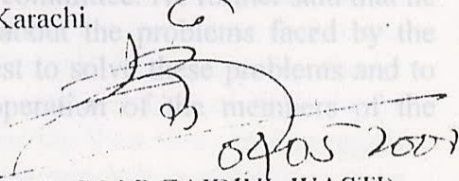
12. Mr. Nooruddin of PEC read out SRO No. 568(1)/87 and said that the same is not being implemented by the KBCA and asked for its implementation. Mr. Kalimuddin of PCATP showed his reservation on it and requested to defer the matter. It was therefore decided that the matter shall be discussed in the next meeting when it will be the 1st item of the agenda. Further if any member has any observation / comments on it, the same should be circulated well before the next meeting to the members.

Action: All Members.

13. The other item of the agenda was deferred till next meeting.

Action: All Members.

14. The next meeting of the Oversee Committee shall be held on 10.05.2000 at 2:30 P.M. at conference room, KDA Civic Centre, Karachi.


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

NO. KBCA/Oversee/2000/113
Dated: 5-5-2000

Distribution:

1. All Members.
2. All COBs, KBCA.
3. PRO, KBCA.

BRIEF REPORT REGARDING THE IMPLEMENTATION OF DECISION OF OVERSEE COMMITTEE MEETING (22+)17TH HELD ON 24.4.2000 AT 2.30 P.M AT CONFERENCE ROOM KDA CIVIC CENTRE, KARACHI

S.NO	ACTION	DECISION
1.	<p>Meeting started with the recitation of Holy Quran by Mr. Akhter Iqbal Usmani. DG, KDA chaired the meeting and in his inauguration message said it is an honour for him to be the member of this august committee. He further said that he being the resident of the City is well aware about the problems faced by the citizen of the Karachi and assured to do his best to solve these problems and to up-hold the supremacy of law with the co-operation of the members of the committee.</p>	
2.	<p>Minutes of the (22+)16th meeting were confirmed with the following addition/correction.</p> <p>Addition in para-3.</p> <p>i) It was suggested by DG, KDA that whenever COB/DCB/ACB, carries out a visit of a zone or COB(Demolition), he would make entry in the diary and on return would enter whatever demolition has been done, so that proper progress record of demolition would be maintained and be available.</p> <p>ii) In para No.10, line No.7, work "restored" replaced by "given".</p>	<p>It has been directed accordingly.</p>
3.	<p>Members showed their concerned for not completing the task of demolition as mentioned in the para-3 of the minutes of (22+) 16th meeting and as well as referred in the resolution No. 9/99. In this connection Mr. Kalimuddin pointed the example of plot no. 76-P, Block-2, PECHS, Karachi and said that the action has not been taken by the concerned circle even after passing considerable time and thus allowing people to occupy the building. It was therefore decided that a list of the buildings constructed in violation of approved plan from 1998 shall be prepared by KBCA and to be submitted in the next meeting. Further demolition action shall initiated on the 57 buildings on which the court has ordered for demolition and the buildings mentioned in the resolution no. 29/99 and compliance report shall be submitted in the next meeting. ABAD dissented from it and said that demolition should be stopped till the time a policy decision about the buildings constructed in violation of approved plan is taken, otherwise all such buildings should be demolished in-discreminationary.</p>	<p>Concerned COBs to submit the report in the next meeting.</p>

4.

Regarding plot NO. 220, J.M. Quarters Mr. S.M.R.Zaidiul Wasti, informed that the preliminary enquiry has been completed and file has been sent for taking decision of it to the CCOB/DG(KDA). However, other action i.e. publication of notice in the newspapers and serving of notice for demolition to the owner has been taken. Further the COB(D) informed that owner has started the demolition of unauthorized construction on the portion of the building constructed in violation of the plan. M/s. Shehri objected that owner can not be allowed to demolish the building himself without having plan of demolition and supervision of professional and showed their apprehension that owner shall complete the buildings under the shelter of demolition to induct the occupants. COB(D) assured that the unauthorized portion of the building shall be demolished. Further it was decided that the licence of professionals involved in the said case be suspended immediately. Latest report of demolition of the building with photographs shall be submitted in the next meeting of Oversee Committee.

The preliminary inquiry report was returned back to the enquiry officer for want of the name of the person involved which have since been received now and after action with regards to issuance of charge sheet is being taken with the approval of competent authority / DG, KDA. Meanwhile the owner has obtained status quo order from High Court. Since the owner is continuing the violations, therefore, all lawful action such as filing of contempt application, filing of application for inspection of Nazaf of High Court, sealing of the building and filing of prosecution against the defaulters, have to be taken by the concerned circle.

5.

Mr. Badarus Salam Baig informed the committee the difficulties being faced by the officers in completing the task of demolition and said as per resolution No. 29/99, about all the buildings in his circle have been demolished. He further said that on verbal orders of DC, Commissioner and higher ups etc. the demolition action was suspended. Mr. Kalimuddin, Chairman, PCATP also said the behavior of District Administration with the KBCA officers is not up to the mark and they always create hinderance in performing their duties by wasting their time. In this regard Mr. Qazi Faez Isa quoted resolution No. 2/2000, in which it is stated that if an officer has any difficulty, they shall inform the same to the Chief COB who will resolve the matter. He further said, KBCA officers are not bound to obey the verbal order from any quarter.

Noted by all COBs.

b) List of cancelled licences of professionals / Builders will be provided by the COB licences.

Noted.

All Members

6.	Dr. Gardezi pointed out that the unauthorized construction on Plot No. 42 and 42-A, Adamjee Nagar Karachi has not been demolished. The DG, KDA directed KBCA that progress report along with photographs should be submitted in the next meeting.	COB(F) to submit report.
7.	Dr. Gardezi also showed their concerned for not implementing the various resolutions and decisions of the committee and said that it was decided that every letter of Oversee Committee Members be responded within three days which is not being implemented. All COBs assured that the reply of all the letters shall be given within couple of day of the letter.	It has been recirculated and compliance is being done.
8.	On the request of Dr. Gardezi, it was decided that further action would be expedited in the case of suspended officers to whom charge sheets had been issued.	Charge sheets have been given and inquiry is under process with Mr. S.M.R. Zaidiul Wasti.
9.	It was decided that amalgamation and subsequent approvals granted on Plot No. 44-A, Block-6, PECHS, Karachi (Nice Trade Orbit) shall immediately be cancelled and identification of the officers involved in the said irregularities shall be brought to the notice of the Committee in the next meeting.	Action of cancellation of amalgamation of plots have been taken. Rest of action is under process.
10.	Dr. Gardezi informed that in certain cases, copies of the notices under section 7/A are not issued as per directives of the Oversee Committee i.e. copy of the notice is not being issued to the professionals concerned. COBs present there assured that the same is being complied and notices are also being served to the professionals concerned. It was therefore decided that a list of the professionals / builders involved in unauthorized construction shall be submitted in the next meeting. Mr. M.M.I. Hussain Rep of ABAD dissented with the proposal and said that every person involved including those who were granted approval in relaxation of Rules & Regulations may also be taken into task.	<p>a) It has been implemented. The notices were got published and supplied to each COB.</p> <p>b) List of cancelled licences of professionals / Builders will be provided by the COB licences.</p>
11.	Chief Controller of Buildings assured for the implementation of the Resolution No. 5/99 of the Oversee Committee in the letter and spirit.	Noted.
12.	Mr. Nooruddin of PEC read out SRO No. 568(1)/87 and said that the same is not being implemented by the KBCA and asked for its implementation. Mr. Kalimuddin of PCATP	All Members.

13.	The other item of the agenda was deferred till next meeting.	All Members.
14.	The next meeting of the Oversee Committee shall be held on 10.05.2000 at 2:30 P.M. at conference room, KDA Civic Centre, Karachi.	All Members.
2.	<p>Minutes of the (22+)16th meeting were confirmed with the following addition/correction.</p> <p>Addition in para-3.</p> <p>i) It was suggested by DG, KDA that whenever COB/DCB/ACB, carries out a visit of a zone of COB(Demolition), he would make entry in the diary and on return would enter whatever demolition has been done, so that proper progress record of demolition would be maintained and be available.</p> <p>ii) In para No.10, line No.7, work "restored" replaced by "given".</p>	It has been directed accordingly.
3.	<p>Members showed their concern for not completing the task of demolition as mentioned in the para-3 of the minutes of (22+) 16th meeting and as well as referred in the resolution No. 9/99. In this connection Mr. Kalimuddin pointed the example of plot no. 76-P, Block-2, PECHS Karachi and said that the action has not been taken by the concerned circle even after passing considerable time and thus allowing people to occupy the building. It was therefore decided that a list of the buildings constructed in violation of approved plan from 1998 shall be prepared by KBCA and to be submitted in the next meeting. Further demolition action shall be initiated on the 7 buildings on which the court has ordered for demolition and the buildings mentioned in the resolution no. 29/99 and compliance report shall be submitted in the next meeting. ABAD dissented from it and said that demolition should be stopped till the time a policy decision about the buildings constructed in violation of approved plan is taken, otherwise all such buildings should be demolished in-discriminatory.</p>	Concerned COBs to submit the report in the next meeting.