



SPECIAL AUDIT REPORT

ON

**PRIVATE HOUSING SCHEMES
UNDER RDA RAWALPINDI**

**HUD&PHE DEPARTMENT
GOVERNMENT OF THE PUNJAB**

AUDIT YEAR 2015-16

AUDITOR GENERAL OF PAKISTAN

PREFACE

Articles 169 and 170 of the Constitution of the Islamic Republic of Pakistan 1973, read with sections 8 and 12 of the Auditor General's (Functions, Powers, and Terms and Conditions of Service) Ordinance, 2001 require the Auditor General of Pakistan to conduct audit of the accounts of the Federation, the Provinces and any authority or body established by the Federation or a Province. Special audit of private housing schemes under Rawalpindi Development Authority (RDA) was carried out accordingly on the direction of the Public Accounts Committee-II of the Punjab Assembly.

The report is based on special audit of the record of Metropolitan Planner related to Private Housing Schemes, Urban Development-Wing RDA Rawalpindi for the financial year 2015-16. The Directorate General Audit Works (Provincial), Lahore conducted the audit during 2015-16 with a view to reporting significant findings to the relevant stakeholders.

Audit findings indicated the need for adherence to the regulatory framework besides instituting and strengthening of internal controls to avoid recurrence of similar violations and irregularities in future. Audit observations included in this report have been finalized in the light of discussions in the SDAC meeting.

The Audit Report is submitted to the Governor of the Punjab in pursuance of Article 171 of the Constitution of the Islamic Republic of Pakistan 1973 for causing it to be laid before the Provincial Assembly.

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Islamabad
Dated: 16th March 2017

(Rana Assad Amin)
Auditor General of Pakistan

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ABBREVIATIONS & ACRONYMS

DFR	Departmental Financial Rules
DPR	Director Public Relations
EIA	Environmental Impact Assessment
EM	Estate Management
EPA	Environmental Protection Agency
EPD	Environment Protection Department
KM	Kilometer
LAC	Land Acquisition Collector
LOP	Lay out plan
MP	Metropolitan Planner
M&R	Maintenance & Repair
OPF	Overseas Pakistanis Foundation
PHS	Private Housing Schemes
PPRA	Punjab Procurement Regulatory Authority
RDA	Rawalpindi Development Authority
SDAC	Special Departmental Accounts Committee
Sft	Square Feet
SOPs	Standard Operating Procedures
TE	Traffic Engineer
WASA	Water and Sanitation Agency

EXECUTIVE SUMMARY

This report is based on Special Audit of Metropolitan Planner Urban Development-Wing, Rawalpindi Development Authority (RDA), Rawalpindi regarding Private Housing Schemes. Audit was conducted to assess whether the processes of approval of Private Housing Schemes, sanction of layout plans and formal approvals were according to the laid down criteria and to examine the effectiveness of system of internal controls for the prevention of unauthorized commercial use of property, unauthorized growth of illegal Private Housing Schemes and encroachment of public properties under the jurisdiction of RDA. The special audit was conducted by the Directorate General Audit Works (Provincial) Lahore during the year 2015-16 with a view to reporting significant findings to the stakeholders on the direction of the Public Accounts Committee-II of the Punjab Assembly.

There are 41¹ approved Private Housing Schemes under the jurisdiction of RDA. The record of all 41 schemes was audited. During audit, instances of non-recovery of fees/fines/penalties from the sponsors/developers of Private Housing Schemes were observed which was in violation of Punjab Private Housing Schemes Rules notified from time to time. Further, irregularities relating to unauthorized commercial use of properties, unauthorized growth of illegal Private Housing Schemes and encroachment of public properties were also observed.

Key Audit Findings

- i. According to approved master plan of Rawalpindi, no private housing scheme can be approved outside residential and peri-urban area of master plan nor can execution of construction work be carried out outside the approved master plan of a city and lay out plan of a scheme. Audit observed that private housing schemes were established in violation of Master Plan

1. List of Audited Private Housing Schemes – Annexure-I

and approved Layout Plan on the area worth Rs 3,630.42 million. (Para 4.1.1 to 4.1.2)

- ii. Illegal constructions on open spaces, graveyard and public areas were neither demolished nor the recovery of cost of land, roads, open spaces and graveyards was made from developers – Rs 899.483 million. (Para 4.2.1)
- iii. Recovery of approval fee, infrastructure design fee, and fine on account of illegal sale / purchase of plots worth Rs 7.466 million was not effected. (Para 4.3.1 to 4.3.3)
- iv. As per RDA by-laws/SOP for development of Private Housing Scheme as amended from time to time, the Authority was to get the mutation of public building area, open space, park area, roads, graveyard area and solid waste management area to RDA through transfer deed. Audit observed irregularities with respect to non-mutation worth Rs 31,984.378 (Para 4.4.1 to 4.4.4)
- v. As per Punjab Private Housing Schemes rules/policies, the sponsor of the scheme was required to mortgage 20% saleable area of a scheme as a warranty to ensure completion of development work by the sponsor. It was observed that the Authority did not get the area of mortgage deeds entered in revenue record worth Rs 5,583.438 million (Para 4.5.1)
- vi. Non-demolishing of illegal construction & encroachment in 26 cases of private housing schemes was also observed. (Para 4.6)

Recommendations

In the light of above findings, Audit recommends that:

- i. Penal action against the developers of the Private Housing Schemes be taken under the Punjab Development of Cities Act 1976 (amended upto 13.03.2014) and disciplinary action

against officers/staff who approved schemes outside the Master Plan, also be initiated.

- ii. Execution of Transfer Deeds and mutation in the name of RDA be ensured at the earliest to avoid illegal construction on Public Area.
- iii. Encroachments/illegal construction on public area i.e. public buildings, graveyard, parks and roads are required to be removed / demolished.
- iv. Mortgaged plots be auctioned for completion of the development works, which were delayed by the developers.
- v. Strict measures be taken for recovery of recoverable amounts from the developers/sponsors. The Authority should also develop an effective mechanism for recovery from the defaulters under Land Revenue Act.
- vi. The Authority should follow up the cases being prosecuted in the court of law for imposing penalties / recoveries from the developers.

1. INTRODUCTION

Rawalpindi Development Authority (RDA) Rawalpindi was established in May 1989 under provisions of the Punjab Development of Cities Act 1976. The RDA was responsible to establish a continuous mechanism of planning and development of Rawalpindi area notified under section 17 of Act and to seize all the available opportunities to achieve its objectives in effective, efficient, equitable and sustainable manner.

Under Sections 43 and 44 of the Punjab Development of Cities Act 1976, amended upto 13.03.2014, the Government of the Punjab and Authority may make rules and regulations as may be necessary to carry out the purposes of this Act. Accordingly, the Government of the Punjab and RDA have framed and notified rules and regulations, and policies to be implemented by the Authority to regulate the Private Housing Schemes.

Government of the Punjab has notified rules regarding approval of private housing schemes from time to time. These rules encompass ownership of land of schemes, details of development works along with time schedule, recovery of scrutiny fee, planning permission fees, design fees of water supply, etc. and allocation of land for public areas and commercial purposes. According to Punjab Private Housing Schemes and Land Sub-division Rules 2010, the area of roads and percentage of land use was to be reserved at 5% for commercial purpose, 7% for open spaces/parks area, 2% for public buildings, 2% for graveyard and the rest for residential use. The Special Audit was conducted to verify the extent of implementation of these rules.

2. AUDIT OBJECTIVES

The main objectives of audit were to check whether:

- i. The process of issuance of sanction of the schemes was efficient, effective and transparent.

- ii. There was any system of internal controls for prevention of unauthorized commercial use of property, unauthorized growth of illegal Private Housing Schemes and encroachment of public property.
- iii. Any periodic survey of illegal schemes under RDA controlled area was carried out to detect and discourage the encroachments and vacate the properties from unauthorized occupants.
- iv. The developers of Private Housing Schemes were providing all the facilities/civic services to the inhabitants of the schemes in accordance with the approved plan.

3. AUDIT SCOPE AND METHODOLOGY

3.1 Audit Scope

The Authority approved 41 Private Housing Schemes, which were examined during the Special Audit.

3.2 Audit Methodology

The following audit methodology was adopted:

- i. Study of Punjab Development of Cities Act 1976, amended upto 13.03.2014 regulations, private housing scheme rules, policies and reports submitted by Enforcement Cell for Private Housing Schemes etc.
- ii. Data collection.
- iii. Examination of files, record/data, survey reports, etc.
- iv. Discussion with the auditee and other stakeholders.

4. AUDIT FINDINGS AND RECOMMENDATIONS

The field audit was conducted in the office of Metropolitan Planner UD Wing RDA Rawalpindi. The audit findings are as under: -

4.1 Violations of Master Plan/Lay Out Plan

The Authority approves the lay out plan of a Private Housing Scheme as per master plan to ensure the planning standards and development work within approved area of lay out plan depicting the reserved area of roads, open spaces / parks, graveyard, public buildings, commercial area and solid waste management plot etc.

4.1.1 Illegal development work in excess of approved Layout Plan – Rs 2,140.020 million

As per Section 39 (1) of the Punjab Development of Cities Act 1976, if any building structure, work or land is erected, constructed or used in contravention of the provisions of this Act or any rules, regulations or orders made there under, the Authority or any person authorized by it in this behalf, may by order in writing require the owner, occupier, user or person in control of such building, structure, work or land to remove, demolish or alter the building structure or work or to use it in such manner so as to bring such erection, construction or use in accordance with the said provisions of the Act.

Metropolitan Planning Wing RDA Rawalpindi approved lay out plan on 17.03.1993 for an area of 648.64 kanals for “Kohsar Housing Scheme Rawalpindi” whereas development work was being done on the area of 3026.44 kanals by the developer instead of 648.64 kanals. Further, the developer could acquire additional land for approved scheme upto 20% (i.e. 129.728 Kanal) of the total area (648.64 kanal) of the scheme. Instead the developer acquired 2248.072 kanals (i.e.347%) in excess of the admissible limit of 129.728 kanal i.e 20% which is violation of the rules. No action against the developer in this regard was taken by the RDA, Rawalpindi so far.

Violation of the Punjab Private Housing Schemes and Land Sub-division Rules 2010, resulted in illegal development work in violation of the approved layout plan on excess area of land worth Rs 2,140.020 million.

Audit pointed out the irregularity in March 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that the layout plan of the scheme was approved on 17.03.1993 under the prevailing rules. Later on, the sponsor submitted the revised plan with extension of scheme at an area measuring 3,026.44 kanal including the existing approved LOP area in 2008 along with the documents of land additionally purchased. The purchasing of additional area cannot be linked with the acquisition of 20% additional land for the approved scheme. The Authority further explained that no law restricts the sponsor to purchase the additional land and the area measuring 2248.72 kanals has been purchased by the owner, not acquired as 20%. The Authority also added that 20% land acquisition is different from the purchasing of land and if the sponsor has submitted the additional documents of land that has been purchased for the extension of scheme, then the view point of the Authority is maintainable. Audit contended that Authority did not produce the record as per verbal statement.

The Committee directed the Authority to get verification of record i.e. preliminary planning permission, lay out plan, formal sanction of the scheme from Audit. The compliance of the Committee's directive was not reported till finalization of the report.

Audit recommends early verification of revised sanction of the increased area of the scheme or to demolish illegal construction.

(Para 39-J)

4.1.2 Approval of Private Housing Schemes in violation of the Master Plan - Rs 1,490.400 million

As per approved Master Plan Rawalpindi 2004 read with Rule 51 of the Punjab Private Site Development Schemes (Regulations) Rules 2010, no private housing scheme can be approved outside the limits of residential and peri-urban areas of the Master Plan.

Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme “Pakistan Atomic Energy Commission Employees Housing Society Rawalpindi” on 13.05.2003. Audit observed that 810 Kanals land of Mouza Abban Chak was not situated in the controlled area/ Master Plan of RDA, Rawalpindi. Hence, the approval of scheme out of the controlled area/Master Plan of RDA, Rawalpindi was in violation of the rules.

Violation of rules resulted in irregular approval of private housing scheme in violation of Master Plan on land worth Rs 1,490,400,000.

Audit pointed out the lapse in March 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that the subject scheme falls in the limits of both RDA and TMA Potohar Town. Total area of scheme is 1700 kanal, whereas RDA only approved the LOP at an area measuring 890 Kanal & 04 Marlas at Mouza Abban Chak, within the jurisdiction of RDA. The Director MP RDA further stated that site of scheme falls in the residential zone of the Master Plan, hence, no violation of Master Plan has been made by RDA. Audit pointed out that record was not produced which shows that RDA only approved the LOP within its jurisdiction. The Committee agreed with the view point of the Authority especially with reference to subject of the para that if the scheme falls within the residential zone of Master Plan, no violation has been made. As far as the approval of LOP outside the jurisdiction of RDA is concerned, the record may be got verified from Audit accordingly.

The Committee directed the Authority to get verification of record i.e. Master Plan, approval letter, planning permission letter etc. The compliance of the Committee’s directive was not reported till the finalization of the report.

Audit recommends early verification of the master plan depicting the controlled area of the scheme under the jurisdiction of RDA.

(Para 46-G)

4.1.3 Undue favour to developer for not obtaining the detailed design and specifications of water supply & sewerage

According to Section 23(d) of the Punjab Private Housing Schemes and Land Sub-Divisions Rules 2010, the developer has to submit the detailed design and specifications of water supply and sewerage design within 6 months. Furthermore, according to Rule 57 of the Punjab Private Housing Schemes and Land Sub-Divisions Rules 2010, a development authority shall take appropriate action against the developer in case any provision of rules is violated.

Metropolitan Planning Wing RDA Rawalpindi granted planning permission on 15.08.2005 in respect of a Private Housing Scheme “Pakistan Oversees Housing Scheme” (New name Shalimar Town) Mouza Chahan Nasrallah Rawalpindi. The LOP was approved on 27.03.2006 (522 Kanals 25 Marala & 4 Sasari). The revised planning permission was issued on 22.07.2009 (after lapse of 3 years) but sanction was not accorded even after 9 years. Audit scrutiny of the files (PHS-95) of above scheme revealed that despite lapse of more than 06 years (July 2009 to March 2016) the infrastructure design was not submitted. No further action has been taken against the developer under the above rule.

Violation of rules resulted in undue favour to developer for not obtaining the detailed design and specifications of water supply & sewerage.

Audit pointed out lapse in March, 2016. The Authority did not reply.

Para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that revised LOP of scheme was approved on

22.07.2009. Accordingly, sponsor was asked to complete the rest of formalities including submission of infrastructure design. Reminders have also been issued to sponsor to submit the infrastructure design but the design had not been submitted by the sponsor so far. The case was being followed and fee for the approval of infrastructure design would be recovered prior to the approval. Audit contended that the separate issuance of planning permission and approved lay out plan was not prescribed in Punjab Private Housing Schemes Rules 2005 and formal sanction can only be issued after fulfillment of all requirements prescribed in rule 3 to 8(5). The Committee directed the Authority to expedite the process of design approval and verification from Audit. The para was kept pending for compliance. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early design approval besides disciplinary action against the person(s) responsible for issuance of planning permission and LOP separately instead of the one formal sanction.

(Para 06-A)

4.1.4 Illegal plotting near land of drain and addition / alteration in the scheme without approval of revised layout plan

According to sections 32, 34 and 39 (2) of the Punjab Development of Cities Act, 1976 amended upto 13.03.2014, the Authority was required to take proceedings against the developers for violation of the lay out plan or an act without the approval for imposition of imprisonment upto three years or with fine upto Rs 100,000 or with both and also to demolish the illegal construction.

Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme "Pakistan Atomic Energy Commission Employees Housing Society Rawalpindi" on 13.05.2003 for an area of 1700 kanals. The surveys conducted by RDA on 20.04.2010, 29.04.2010, 02.02.2012, 06.02.2012 and 11.07.2012 revealed that illegal plotting near the land of drain and addition / alteration in the scheme was made which was not provided in the approved LOP dated 13.05.2003. These activities before

approval of the revised layout plan were illegal. RDA, Rawalpindi did not take action under Section 39 of the Act to demolish the illegal construction.

Violation of rules resulted in illegal plotting and addition / alteration in the scheme without approval of revised layout plan.

Audit pointed out lapse in March 2016. The Authority did not reply.

Para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that subject scheme was a private housing society. RDA had already taken legal action against the violation of LOP and directed the society to remove the encroachment from the open area/ drain. In reply, the society submitted that ex-management committee had made illegal allotments after creating new plots and requested the Authority to suggest measures to safeguard the interest of allottees. Accordingly, the society had been directed either to cancel the violation of LOP or submit the revised LOP with the required land use percentages. The case was under process and the Co-operative Department was also being involved to direct the society to rectify the encroachment at site or submit revised LOP.

The Committee directed the Authority to expedite the matter and get the encroachment removed from site and the record be got verified by the Audit. Para was kept pending for compliance. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends for early imposition of penalties against the developers for violation of lay out plan and to produce the demolition report of illegal constructions.

(Para 31-G)

4.2 Encroachments on public buildings, graveyards and open spaces/parks areas

According to section 12 (5) of the Punjab Development of Cities Act 1976, no planning or development of any scheme shall be carried out without concurrence of the Authority and in case of violation, the Authority was vested with powers for imposition of penalties, ejection and demolition of illegal planning/constructions/encroachments under sections 32, 33, 34, 38 and 39 of the Act amended upto 13.03.2014.

4.2.1 Non-demolishing of illegal constructions and non-recovery of cost of land, roads, open spaces & graveyards in 10 Housing Schemes – Rs 899.483 million

In 10 cases, Metropolitan Planning UD-Wing RDA Rawalpindi did not take any action against illegal construction on public areas of 378.633 kanal i.e. open spaces, parks, graveyards, public buildings in violation of the approved layout plan despite the fact that the Authority was empowered to impose penalties, ejection/demolition of illegal construction/encroachments.

Violation of rules resulted in non-ejection/demolition of illegal construction on public areas worth Rs 899,482,540 (Annex-II).

Audit pointed out lapse in March, 2016. The Authority did not reply.

Paras were discussed in the SDAC meeting held on 26.10.2016. The Authority explained that due to legal action, the sponsors have submitted the revised LOP and accommodated the changes made at site as per Rules 2010. Audit contended that the Authority neither initiated process for imposition of penalties (fines/imprisonment) against the developers nor demolished the illegal structures.

The Committee directed the Authority to take penal action under law for imposition of penalties/demolish illegal construction along with revised layout plan and get it verified from Audit. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends for early imposition of penalties against the developers for violation of lay out plan and to produce the demolition report of illegal constructions for verification.

4.3 Recoverables

The Authority was required to impose and recover penalties for delay in completion of development works, scrutiny fee, preliminary planning permission fee and sewerage, trunk/infrastructure fee on the prescribed rates from the sponsors of Private Housing Schemes, but the Authority did not recover such fees at prescribed rates.

4.3.1 Less-recovery of layout plan approval fee - Rs 4.465 million

As per section 38(2)(a) of the Punjab Private Housing Schemes and Land Sub-Divisions Rules 2010 notified by the Government of the Punjab vide notification No. SOR (LG) 38-2/2001-P dated 13.03.2010, a developer shall deposit a fee for approval of scheme at the rate of Rs 1,000 per kanal.

Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme "Baharia Town phase viii, Mouaza Shahpur Rawalpindi on 20.12.2006. The approval of town planning/land use distribution plan was made on 10.08.2007. It was observed that an amount of Rs 1,488,700 had been deposited vide deposit slip No. 0916 dated 15.07.2010 on account of the fee instead of Rs 5,954,000 (5954 Kanals x Rs 1,000 per Kanal) which resulted in less recovery of Rs 4,465,300 (Rs 5,954,000 - Rs 1,488,700).

Violation of the rules resulted in less-recovery of fee amounting to Rs 4,465,300.

Audit pointed out the less recovery in March, 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that the scheme was approved on 10.08.2007 under the provisions of Punjab Private Site Development Scheme Regulations (Rules) 2005 and accordingly RDA charged the requisite fee Rs 1,488,700 under the prevailing rules. Rate as per Rule 38(2) notified on 13.03.2010 cannot be applied with retrospective effect. Audit contended that the Authority did not produce record of recovered fee worth Rs 1,488,700 to Audit for verification.

The Committee reduced the para to Rs 1,488,700 and directed the Authority to get the record verified by Audit. Para was kept pending for compliance. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early verification of recovery.

(Para 17-A)

4.3.2 Non-recovery of fines on account of illegal development / sale / purchase activities without approval from RDA – Rs 2.500 million

As per Rule 56 of the Punjab Private Housing Schemes & Land Sub-Division Rules 2010, Authority was required to take penal action against the illegal housing schemes and against deviations made in sanctioned housing schemes as per law for the time being in force. Further as per section 34(a) of the Punjab Development of Cities Act 1976 amended up to 13.03.2014, the Authority was required to take action against the developers for violation of the lay out plan or an act without the approval for imposition of imprisonment upto three years or with fine upto Rs 100,000 or with both.

4.3.2.1 Audit scrutiny of files revealed that illegal development works had been carried out (without approval of RDA). Notices and challans U/S 34 of the Punjab Development of Cities Act 1976 were served to the developers but no further legal actions were taken against the illegal developers according to section 34 (a) of the Act.

Violation of the rules resulted in non-recovery of Rs 2,000,000 in shape of fine due to illegal development/sale/purchase activities.

Audit pointed out the non-recovery in March, 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that RDA had already taken action against the illegal development of scheme mentioned in the audit para. The Kashmir and Sarhad Valley Housing Schemes' offices had been sealed and development had been abandoned due to RDA legal action and owner had submitted an affidavit to the effect that he will not start illegal development till the approval from RDA. Demolition operation against Kings Town had been carried out along with the team of NAB, Rawalpindi and development had been demolished and office had been sealed by NAB. Whereas, Garden City (old Serene City) had been merged with /taken over by DHA. Authority further submitted that after legal action, the Bahria Town had applied for the approval of scheme with the name of Rafi Block which is under process. The Director MP, RDA further explained that RDA had already forwarded Challan U/s 34 of Act to the court of Senior Special Magistrate and the charging of penalty falls in the purview of Magistrate/ Court. Audit contended that as per Section 34 of the Punjab Development of Cities Act 1976 penalty was required to be imposed and recovered from the offender.

The Committee did not agree with the explanation of the Authority and directed to follow the cases in court for imposition/recovery of fines and to stop the illegal development without approval. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early imposition of penalty/recovery and its verification from Audit.

(Para 05)

4.3.2.2 Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme “Bahria Town phase viii, Mouaza Shahpur Rawalpindi on 20.12.2006. The approval of town planning /land use distribution plan was made on 10.08.2007. It was observed that the developer had started the development works of the scheme without permission and fulfillment of the requisite requirements as under the rule 3 and 4 of the Punjab Private Housing Schemes (Regulations) Rules 2005, and rule 17 of the Punjab Private Housing Schemes Rules 2010.

Violation of rules resulted in non-recovery of Rs 500,000 in shape of fine due to illegal development activities.

Audit pointed out lapse in March, 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that the notices were issued for violation of LOP and Challan U/s 34 of the Punjab Development of Cities Act 1976 was also forwarded to the court of Senior Special Magistrate on 07.08.2009. The amendment in section 34(a) of the said Act was notified on 19.03.2014 and it cannot be applied with retrospective effect. Audit pointed out that as per Section 34(a) of Punjab Development of Cities amendment Act 1976, a penalty was required to be imposed and recovered from the offender through court.

The Committee directed that the Authority should process the case for approval of revised LOP and follow the case in court. The compliance of the Committee’s directive was not reported till the finalization of the report.

Audit recommends early imposition of penalties along with verification of revised lay out plan from Audit.

(Para 17-B)

4.3.3 Non-recovery of infrastructure design fee – Rs 501,000

According to Rules 23, 25 and 38(b)&(c) of the Punjab Private Housing Schemes and Land Sub-Divisions Rules, 2010 a developer was required to get the approval of design and specifications in respect of water supply, sewerage, drainage and roads networks from WASA and Authority on payment of fee @ Rs 500 per kanal.

Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme “PARC Employees Cooperative Housing Scheme Mouza Bagga Sheikh Rawalpindi” on 25.05.2012. Planning permission was granted on 23.10.2009. A period of more than 03 years (May 2012 to March 2016) had elapsed but the developer of the scheme had neither deposited the fee for approval of design and specifications for water supply, sewerage and drainage as well as the fee for approval of design and specification of roads, bridges and footpaths in the account of RDA Rawalpindi nor the Metropolitan UD Wing RDA, Rawalpindi made any effort to recover the same from the developer on violation of the Act / rules *ibid*.

Violation of the rules resulted in non-recovery of infrastructure design fee of Rs 501,000.

Audit pointed out the non-recovery in March 2016. The Authority did not reply.

Para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that scheme was approved on 25.05.2012 and the Society was asked to submit the mortgage & transfer deeds which were the pre-requisites for the sanction of scheme as per Rule 17 of Punjab Private Housing Schemes & Land Sub-divisions Rules 2010 whereas according to Rule 23(d), submission of the infrastructure design was required within 06 months of sanction of scheme. In the subject case, since sanction of scheme had not been issued by the Authority so far, charging of infrastructure design fee as per Rule 38 (2)(b) was not justifiable. Audit contended that the Preliminary Planning Permission was valid for six

months only which was not cancelled despite expiry of six months. Furthermore, the Authority neither got the infrastructure design from the developer nor got the design fee.

The Committee directed the Authority that design approval fee be charged prior to approval of the scheme. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early recovery of infrastructure/design fee.

(Para 25-C)

4.4 Non-mutation of land

The area of public buildings, open spaces, parks, roads, graveyards and solid waste management prescribed in Transfer Deed executed between sponsor of a Private Housing Scheme and RDA was required to be incorporated in revenue record through mutation in the name of RDA, whereas, the transferable area to RDA was not incorporated in revenue record.

4.4.1 Non-mutation of land of public buildings, roads, parks, open spaces and graveyards in the name of RDA - Rs 27,664.330 million

As per rule 17 (e)(i) (ii) (f) of the Punjab Private Housing Schemes and Land Sub-Division Rules 2010 and rule 8(4) of the Punjab Private Site Development Schemes (Regulation) Rules, 2005, a Development Authority shall, prior to issuance of sanction for scheme require a developer to submit transfer deed free of cost for transfer of area reserved for roads, open spaces, parks & graveyards, solid waste management and for public buildings and to get mutation in revenue record.

Metropolitan Planning Wing RDA Rawalpindi did not get the mutation in revenue record as per transfer deed of the public area i.e. open spaces, parks, roads, graveyards, public buildings and solid waste

management in favour of RDA in respect of 29 cases of the Private Housing Schemes.

Violation of the rules resulted in non-mutation of land in the name of RDA Rawalpindi for Rs 27,664,330,292 (Annex-III).

Audit pointed out lapse in March 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that transfer deeds had already been executed and mutation as per transfer deeds was under process in favour of RDA. The Authority further explained that as per Punjab Private Site Development Scheme (Regulation) Rules 2005 there was no time limit for the mutation of land. Moreover, case was under process in LD&EM / LAC branch RDA for mutation. Audit contended that according to Rule 8 (4) of the Punjab Private Site Development Scheme (Regulation) Rules 2005, the transfer deed was required to be executed prior to issuance of the formal sanction of a Private Housing Scheme, the transfer deeds were also required to be entered in mutation register and relevant revenue record under para 7.16 and 7.18 of Land Record Manual.

The Committee directed the Authority to get the mutation in revenue record as per transfer deeds and get it verified from Audit. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early mutation of land as per transfer deed in the name of RDA and its verification from Audit.

4.4.2 Non-transfer of the scheme land in the revenue record for mutation in the name of allottees / owners of plots – Rs 3,610.416 million

As per Rule 48 (1) of the Punjab Private Housing Schemes and Land Sub-division Rules 2010, a development authority shall, not before

12 months of approval / sanction of scheme and not later than 18 months of approval / sanction of scheme shall get the scheme land transferred in the revenue record. Further, as per Rule 48 (2) of the Punjab Private Housing Schemes and Land Sub-Division Rules 2010, a development authority shall within 09 months of approval / sanction, get land transferred in its name in revenue record as per transfer deed.

4.4.2.1 Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme “Up-Country Housing Scheme Rawalpindi” on 05.04.2013 and “PARC Employees Cooperative Housing Scheme Mouza Bagga Sheikh Rawalpindi” on 25.05.2012. The Authority could not get the scheme’s land transferred in the name of allottees in the revenue record for mutation even after 3-4 years after the approval.

Violation of rules resulted in non-getting the scheme’s land worth Rs 2,887,094,000 transferred in the name of allottees in the revenue record for mutation.

Audit pointed out lapse in March 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that Punjab Private Housing Schemes & Land Sub-division Rules 2010 including Rule 48 (i) were notified on 13.03.2010 and the scheme Layout Plan was approved on 25.05.2012 under the provisions of Punjab Private Housing Schemes & Land Sub-Division Rules 2010. However, sanction of scheme had not been issued as the society had not got executed mortgage deed which was one of the requirements for sanction of scheme. Since the final order i.e. sanction of scheme had not been issued so far, the para was unjustifiable. Audit contended that despite the lapse of 4 years, the area of the scheme was not got transferred in Revenue record.

The Committee directed the Authority to get the scheme transferred in the revenue record within 09 months after sanction of

scheme. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early transfer of scheme's land in Revenue record.

(Paras 37-F, 38-C)

4.4.2.2 The scrutiny of record of scheme "Safari Villas-II Scheme Rawalpindi" revealed that the scheme was approved on 11.10.2006 by the Metropolitan Planning Wing, RDA, Rawalpindi. A period of 09 years had elapsed since the approval but the Authority could not get the scheme's land transferred in the revenue record for mutation in the name of allottees for an area of 124 kanal @ Rs 280,000 per marla, as per rules ibid.

Violation of the rules resulted in non-getting the scheme's land transferred in the revenue record for mutation in the name of allottees for Rs 694,400,000.

Audit pointed out the lapse in March 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that Punjab Private Housing Schemes & Land Sub-division Rules 2010 including Rule 48 (1) was notified on 13.03.2010 and the scheme layout plan was approved on 11.10.2006 under the provision of Punjab Private Site Development Scheme (Regulation) Rules 2005. Rule 48 (1) could not be applied as nothing had been mentioned in the Rules 2010 regarding its applicability with retrospective effect. Audit contended that the scheme was revised on 27.01.2012 vide letter No.RDA/MP&TE.F-PHS-85/23 dated 27.01.2012 under the Punjab Private Housing Schemes and Land Sub division Rules 2010, therefore the scheme land was required to be transferred in revenue record.

The Committee directed the Authority to get clarification from Finance Department. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early transfer of scheme's land in Revenue record.

(Para 26-H)

4.4.2.3 Metropolitan Planning Wing, RDA, Rawalpindi approved the scheme "Foreign Office Employees Housing Scheme Rawalpindi" on 15.06.2004 and revised on 05.07.2009. A period of 5 ½ years (07 years - 1½ years) had elapsed but the Authority could not get the scheme's land transferred in the revenue record for mutation in the name of allottees for 54.06 kanal @ Rs 535,000 per kanal as per rules ibid.

Violation of the rules resulted in non-getting the scheme's land transferred in the revenue record for mutation in the name of allottees for Rs 28,922,100.

Audit pointed out the lapse in March 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that Punjab Private Housing Schemes & Land Sub-division Rules 2010 including Rule 48 (1) was notified on 13.03.2010 and the scheme layout plan was revised on 05.07.2009 under the provision of Punjab Private Site Development Scheme (Regulation) Rules 2005. Rule 48 (1) cannot be applied as nothing had been mentioned in the Rules 2010 regarding its applicability with retrospective effect. Audit contended that the scheme had not yet been completed, therefore, all the new rules becomes applicable from the date of enactment 17.03.2010 so that the transfer fee on property prescribed under Stamp Act could be earned by the Government.

The Committee directed the Authority to get clarification from Finance Department. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early transfer of scheme's land in Revenue record and its verification from Audit.

(Para 18-E)

4.4.3 Less transfer/mutation of 268.80 kanal land in the name of RDA - Rs 709.632 million

As per para 17 of the Punjab Private Housing Schemes and Land Sub-Division Rules 2010, a Development Authority shall, prior to the issuance of sanction for the scheme require a developer (a) to submit a approved layout plan also indicating the plots proposed to be mortgaged to submit transfer deed in the name of RDA, Rawalpindi. Furthermore, as per rule 8(4) of the Punjab Private Site Development Schemes (Regulation) Rules, 2005, if the development authority proceeds to sanction/approve the scheme, then prior to issuance of such sanction/approval, it shall require the developer to execute transfer deed within 15 days.

Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme “Clifton Town Rawalpindi” on 08.05.2008 and the area of 57.80 Kanals for amenities was transferred in the name of RDA, Rawalpindi by the developer instead of 326.60 Kanals as required according to the approved LOP in violation of rules *ibid*.

Violation of the rules resulted in less transfer/mutation of 268.80 kanals in the name of Authority for Rs 709,632,000.

Audit pointed out the lapse in March 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that the scheme was approved as-built and the sponsor executed the transfer deed. During the process of mutation of land in favor of RDA, it was revealed that there was some sort of calculation errors in the area of residential plot & that for roads. The case is under process and would be got verified after the ground verification and redemption of transfer deed.

The Committee directed the Authority to expedite the process of ground verification and execution of transfer deed for correct area. The

compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early mutation of land as per transfer deed in the name of RDA.

(Para 16-A)

4.4.4 Delay in adjustment of transfer deed/mutation of land as per revised approved plan of the scheme

As per para 17 of the Punjab Private Housing Schemes and Land Sub-Division Rules 2010, a Development Authority shall, prior to issuance of sanction for scheme require a developer to submit an approved layout plan also indicating the plots proposed to be mortgaged, and also to submit the transfer and mortgage deeds in the name of RDA, Rawalpindi. Furthermore, according to rule 8(4) of the Punjab Private Site Development Schemes (Regulation) Rules, 2005, if the Development Authority proceeds to sanction/approve the scheme, then prior to issuance of such sanction / approval, it shall require the developer to execute transfer deeds in favour of the Authority for Public area within 15 days.

Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme "Top City Housing Scheme Rawalpindi" on 02.11.2004 and revised on 24.11.2007 and again revised on 16.05.2013. The area under public amenities like roads, open spaces, public buildings, parks etc. had been changed/revised as a result of which LOP was revised on 16.05.2013. A period of 11 years had elapsed since original approval of the scheme but the transfer deed in relation to LOP/Plan was not redeemed/changed by the Metropolitan Planning Wing, RDA, in violation of the rules.

Violation of the rules resulted in delay in adjustment of transfer deeds/ mutation of land as per revised approved plan of the scheme.

Audit pointed out lapse in March, 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that revised LOP was approved on 16.05.2013. Accordingly, the transfer deed as per revised LOP was also required which had been processed and forwarded to the office of Additional District Collector (R), Rawalpindi and would be verified accordingly after the mutation of revised transfer deed.

The Committee directed the Authority to get the record of transfer deed and mutation on actual area verified from Audit. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early verification of transfer deed/mutation.

(Para 15-B)

4.5 Non-execution of Mortgage Deed

According to the Punjab Private Housing Schemes rules/policies, the sponsor of the scheme was required to mortgage 20% saleable area of a scheme as a warranty to ensure completion of development work by the sponsor. It was observed that the Authority did not get the area of mortgage deeds entered in revenue record.

4.5.1 Non-entry of mortgage deed in revenue record in the name of RDA – Rs 5,583.438 million

As per rule 17(f)(i) of the Punjab Private Housing Schemes and Land Sub-Division Rules 2010 and rule 8(4)(iii) of the Punjab Private Site Development Schemes (Regulation) Rules, 2005, a Development Authority shall, prior to issuance of sanction for scheme require a developer to submit the mortgage deed of 20% saleable area of the scheme as a warranty for completion of the development works and to get entered the mortgage deed in revenue record (mutation register) under para 7.16 & 7.18 of the Land Records Manual.

Metropolitan Planning Wing RDA Rawalpindi did not check and get the mortgage deeds in respect of 20% of saleable area of 29 private housing schemes in revenue record (mutation register) as a warranty for completion of development works by the developers.

Violation of the rules resulted in non-entry of mortgage deeds in revenue record (mutation register) in the name of RDA Rawalpindi for Rs 5,583,438,256. (Annex-IV)

Audit pointed out the lapse in March 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that the mortgage deed has already been executed. Audit contended that according to Rule 8 (4)(iii) of the Punjab Private Site Development Scheme (Regulation) Rules 2005, the mortgage deed was required to be executed prior to issuance of the formal sanction of a private housing scheme, whereas, mortgage deed was neither produced nor entered in revenue record (mutation register) as per para 7.16 & 7.18 of Land Record Manual.

The Committee directed the Authority to get the mortgage deeds entered in revenue record (mutation register) and get it verified from Audit. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early execution of Mortgage Deed in the name of RDA.

4.6 Non-demolition of illegal constructions

According to rule 56 of the Punjab Private Housing Schemes and Land Sub-division Rules 2010, the development authority shall take appropriate action against illegal housing schemes and against deviations committed in approved housing schemes. The developer was required to

be penalized under Sections 34, 38 and 39 of the Punjab Development of Cities Act, 1976 for ejection and demolition of the illegal construction.

4.6.1 Non-demolition of illegal constructions in 26 illegal schemes

The examination of record of Metropolitan Planning Wing RDA, Rawalpindi revealed that the developers of 26 illegal/ unapproved private housing schemes were carrying out development works in their illegal/unapproved schemes. The Metropolitan Planning Wing RDA, Rawalpindi took no action despite lapse of considerable period against the developers of illegal schemes.

Violation of rules resulted in non-demolishing of illegal construction in 26 illegal schemes.

Audit pointed out the lapse in March, 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that 42 illegal housing schemes existed prior to the establishment of RDA in 1989. Out of these schemes, owners of 19 schemes completed the required documents and got their schemes approved. Further, the demolition/seal orders had also been carried out against the illegal schemes and the concerned departments were also requested that utility services should not be provided to the illegal schemes. Further, the Governor State Bank had also been requested to impose ban on the opening of accounts in the name of illegal schemes. Detail of illegal schemes had also been furnished to OPF for the information of overseas Pakistanis. Audit contended that under section 12 (5) of the Punjab Development of Cities Act 1976, no planning or development of any scheme should be prepared without the concurrence of the Authority and in case of violation, the Authority was vested with powers for imposition of penalties, ejection and to demolish illegal planning/constructions under sections 32, 33, 38 and 39 of the Act. However, penal action was not taken by the Authority against the illegal planning/ constructions.

The Committee upheld view point of Audit and directed the Authority to take penal action under the law for imposition of penalties/ demolition of illegal construction and get it verified from Audit.

Audit recommends early imposition of penalties and demolition of illegal structure and its verification from Audit.

(Para No. 03)

4.7 Grievances of the general public

The Authority was required to make regulations/SOP under section 44 of the Punjab Development of Cities Act 1976 amended upto to 13.03.2014, for the redressal of the grievances of an aggrieved person, whereas the Authority did not make the regulations/SOP for redressal of the grievances of general public.

4.7.1 Non-redressal of the grievances of the general public

As per rule 56 of the Punjab Private Housing Schemes and Land Sub-division Rules 2010, the development authority shall take appropriate action against illegal housing schemes and against deviations from layout plan.

Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme “Gulshan-e-Abad Housing Society Rawalpindi” for an area of 2505.15 kanals on 29.05.2000. The reports in files dated 10.04.2004, 23.04.2004, 17.06.2006, 06.01.2010, 17.09.2012, 26.12.2012, 14.03.2014, 21.11.2015 and 31.12.2015 revealed that an illegal private school was constructed on the complainant’s plot number 56-A, House number 820/67-A in violation of approved plan. Further, plot number 2849 and 2850 do not exist in approved plan of the scheme, illegal excess area to plot number 1281 was provided, despite ownership of Khasra No. 1123, 1798 and 1799 in Mouza Morgah, the possession of plot number 1540 was not given and there were commercial activities on 10 Marla residential plot No 2010. The Authority did not take action under the rules.

In view of situation no forum was constituted for redressal of the grievances of allottees/public.

Violation of the rules resulted in non-redressal of the grievances of the allottees/general public.

Audit pointed out the lapse in March, 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that it always took legal action on the receipt of grievances on the issues within the preview of RDA. All such grievances relating to ownership rights of the allottees in the cooperative society fall in the purview of Co-operative Department. The Authority further submitted that grievances pointed out by the Audit had already been resolved and action has been taken against the offenders. Audit pointed out that the reply of the Authority was evasive and not relevant for the redressal of the grievances of the complainants.

The Committee directed that Authority may submit certificate that no grievance falling within the purview of RDA was pending. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early redressal of the grievances of the allottees.

(Para 35-G)

4.8 Non-obtaining of NOC from Environmental Protection Agency

According to section 12 of the Pakistan Environmental Act 1976 read with Rule 17(g) of Punjab Private Housing Schemes and Land subdivision Rules 2010, NOC was required from the Environmental Protection Department prior to the sanction of scheme.

4.8.1 Non-obtaining of NOC from Environment Protection Department for protection of health hazards prior to approval of scheme/ construction work

Metropolitan Planning Wing RDA Rawalpindi approved Private Housing Scheme “Doctor’s Town Rawalpindi” on 24.07.2004 without obtaining NOC from the EPD, required under section 12 of the Pakistan Environmental Act 1976 from the developer of the society. A period of 11 years has elapsed but the NOC by EPD was not obtained from the developer so far, despite the fact that the scheme was revised in 2013 without obtaining NOC.

Non compliance of the rules resulted in non-obtaining of NOC from EPD for protection of health hazards.

Audit pointed out the lapse in March, 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that the Punjab Private Housing Schemes & Land Sub-division Rules 2010 including Rule 17(g) was notified on 13.03.2010 and the scheme was approved on 24.07.2004 under the provisions of Punjab Private Site Development Scheme (Regulation) Rules 2005. Rule 17(g) cannot be applied as nothing has been mentioned in the Punjab Private Housing Schemes Rules and Land Sub-division Rules 2010 regarding its applicability with retrospective effect. The Director MP, RDA added that NOC was a pre-requisite for sanction of scheme whereas in the instant case only LOP had been approved but sanction would be issued after getting the NOC from EPD. Audit contended that the scheme was also revised in the year 2013 and the NOC was mandatory as per section 12 of the Act and rule 17(g) of the Punjab Private Housing Schemes & Land Sub-division Rules 2010 prior to the sanction of scheme.

The Committee directed the Authority to get NOC issued by EPD and get it verified from Audit. The compliance of the Committee’s directive was not reported till the finalization of the report.

Audit recommends early verification of NOC issued by EPD.

(Para 21-C)

4.8.2 Metropolitan Planning Wing RDA Rawalpindi approved a Private Housing Scheme “Sonobar City/Housing Scheme” on 27.06.2015 without prior obtaining of NOC by EPD required under section 12 of the Punjab Environmental Act 1997 from the developer of the society which is serious violation of the rules *ibid*. Survey conducted by the staff of RDA, during 2015 revealed that the construction / development activities were being made in the society without obtaining NOC by EPD. The detailed design of sewerage treatment plant of the scheme was yet to be vetted as required within six month. After taking of suo moto action by the Honorable Supreme Court of Pakistan regarding the contamination of Rawal lake by the residential/commercial establishment in the catchment area through discharging their untreated sewer water in the lake, a letter dated 08.09.2010 was issued by the Director MP, RDA, Rawalpindi to the developer of the scheme involved in suo moto action to submit the detailed design of Sewerage Treatment Plant of the scheme for vetting. The detailed design of Sewerage Treatment Plant of the scheme was still not vetted. A period of one (01) year has elapsed but neither the NOC was obtained nor the detailed design of sewerage treatment plant of the scheme was vetted by RDA, Rawalpindi.

Violation of the rules resulted in non-obtaining of NOC before approval of scheme / construction of work.

Audit pointed out the lapse in March, 2016. The Authority did not reply.

The para was discussed in the SDAC meeting held on 26.10.2016. The Authority explained that LOP of the scheme was approved on 27.06.2015, whereas EPD NOC is one of the pre-requisites for issuance of formal sanction of scheme. The Director MP, RDA further explained that the Authority did not issue the sanction of scheme therefore para is not justifiable. However, the case for issuance of NOC is under process in the Environmental Protection Department (EPD), Lahore. No sanction of

scheme will be issued prior to the issuance of NOC from the EPD. Audit contended that the LOP was approved on 27.06.2015 therefore, the NOC from EPD was mandatory as per section 12 of the act and rule 17(g) of the Punjab Private Housing Schemes & Land Sub-Division Rules 2010 prior to the sanction of scheme.

The Committee directed the Authority to get the NOC from EPD prior to sanction of scheme and get it verified from Audit. The compliance of the Committee's directive was not reported till the finalization of the report.

Audit recommends early obtaining of NOC from EPD.

(Para No. 23-D)

5. CONCLUSION & RECOMMENDATIONS

5.1 Keeping in view the audit findings it was concluded that no effective mechanism was exercised by the Metropolitan Planner RDA Rawalpindi for getting transfer of reserved area and mortgage of 20% saleable area as warranty for completion of development works in the name of RDA, to recover the government dues, to prevent encroachment of public utility areas and compliance of rules. It was also observed that in many cases open space, parks, graveyard areas were encroached by sponsors/developers.

5.2 In view of audit findings, audit recommends that:

- vii. Penal action under the Punjab Development of Cities Act 1976 amended upto 13.03.2014 be taken against the developers of the Private Housing Schemes and disciplinary action against officers/staff who approved schemes outside the master plan be initiated.
- viii. Execution of Transfer Deeds and mutation in the name of RDA be ensured promptly to avoid illegal construction on Public Area.

- ix. Illegal encroachments on public area i.e. public buildings, graveyard, parks and roads are required to be ejected / demolished.
- x. Mortgaged plots be auctioned for completion of the development works, which were delayed by the developers.
- xi. Strict measures be taken to ensure recovery of dues/charges from the developers/sponsors. The Authority should also develop an effective mechanism for recovery from the defaulters under arrears of Land Revenue Act.
- xii. The Authority should follow up the cases being prosecuted in the court of law for imposing penalties / recoveries from the developers.

ACKNOWLEDGEMENT

We wish to express our appreciation to the Management and staff of RDA for the assistance and cooperation extended to the auditors during this assignment.

ANNEX – I

**LIST OF PRIVATE HOUSING SCHEMES AUDITED DURING
SPECIAL AUDIT**

Sr. No.	Name of Schemes Audited	Area (kanal)
1	Faisal Town Housing Scheme	1231.91
2	Commoners Sky Garden	3100
3	Northern Area Resident Corporative Housing Society (New Name of Golden Jubilee)	291
4	Pakistan Oversees Housing Scheme (New Shalimar Town)	523
5	Fizaia Housing Scheme	461
6	T & T Housing Society	344
7	Railway Employees Cooperative Housing Society	357.42
8	Bostan Avenue Housing Society	312
9	Ternol Housing Society	1733
10	Khudad City Housing Society	757
11	Top City Housing Society	5906
12	Clifton Town	700
13	Baharia Town Phase-VIII	5954.15
14	Foreign Office Employees Housing Scheme	1654.18
15	Municipal Corporation Housing Scheme	709.7
16	Safari Villas-I Housing Scheme	562.05
17	Doctor's Town	387.16
18	Central Board of Revenue Employees Co-operative Housing Scheme	1400
19	Sonobar City Housing Scheme	407.7
20	PIA Housing Scheme	212
21	PARC Employees Cooperative Housing Scheme	501.5
22	Safari Villas-II Housing Scheme	310.75
23	Kehkashan Town	
24	Garden Villas Housing Scheme	1342.50
25	Bahria Paradise Housing Scheme	168.15
26	Rabia Bungalows Village	52.20
27	Pakistan Atomic Energy Commission Employees Housing Society	890
28	Judicial Housing Scheme	305
29	Gulshan-e-Abad Housing Society	2505.15

Sr. No.	Name of Schemes Audited	Area (kanal)
30	Revenue Employees Cooperative Housing Scheme	2340
31	Up-Country Housing Scheme	2014.42
32	Kohsaar Housing Scheme	648.64
33	East ridge Housing Scheme	391
34	Pakistan Employees Cooperative Housing Scheme	758
35	Gulshan-e-Fatima Housing Scheme	258
36	Mumtaz City (Old Name Top City-II) Housing Scheme	1054
37	Al-Shifa Housing Scheme	206
38	Bharia Town Phase-I, II, & III	1912
39	University Town Housing Scheme (Khyber Housing Society)	429
40	Army Welfare Housing Scheme Rawalpindi	
41	Agosh Housing Scheme Rawalpindi	

ANNEX - II
(Referred in para No. 4.2.1)
Illegal Construction land worth -Rs 899,482,540

Sr. No.	Para No.	Name of Scheme	Violation	Area (Kanal)	Amount (in Rs)
1	20-D	Safari Villas-I Housing Scheme	Illegal construction on open space and graveyard	55.19	309,064,000
2	31-F	Pakistan Atomic Energy Commission Employees Housing Society	Illegal construction on green area, graveyard and open space	126.94	233,569,600
3	07-D	Fizaia Housing Scheme	Illegal construction on green area, graveyard and public buildings	46.11	139,252,000
4	30-E	Rabia Bungalows Village	Illegal construction on open space	8.213	45,992,800
5	23-C	Sonobar City Housing Scheme	Illegal construction on green area, graveyard and open space	36.91	34,104,840
6	27-D	Kehkashan Town	Illegal construction on streets /road,	98.87	14,830,500
7	35-F	Gulshan-e-Abad Housing Society	Illegal construction on open space	6.4	122,668,800
8	23-F	Sonobar City Housing Scheme	Illegal construction, development, infrastructures and road work and sale and purchase of plots without approval of layout plan	-	0
9	17-D	Baharia Town Phase-VIII	Illegal construction on land of river Sowan	-	0
10	29-H	Bahria Paradise Housing Scheme	Illegal construction on bridge and commercial buildings without approval of layout plan.	-	0
Total					899,482,540

ANNEX – III
(Referred in para No.4.4.1)
Non- mutation of land – Rs 27,664.330 million

Sr. No.	Para No.	Name of Schemes	Area (kanal)	Amount (in Rs)
Non- mutation of transfer deed area				
1	17-E	Baharia Town Phase-VIII	3026.85	9,080,550,000
2	45-A	Bharia Town Phase-I, II, & III	1070.49	5,994,744,000
3	38-A	Up-Country Housing Scheme	879.71	2,199,275,000
4	31-A	Pakistan Atomic Energy Commission Employees Housing Society	779.76	1,443,758,400
5	35-A	Gulshan-e-Abad Housing Society	944.87	907,075,200
6	29-A	Bahria Paradise Housing Scheme	145.12	812,672,000
7	40-A	East ridge Housing Scheme	143.18	801,808,000
8	12-A	Bostan Avenue Housing Society	142.13	795,928,000
9	07-A	Fizaia Housing Scheme	175.05	528,651,300
10	43-A	Mumtaz City (Old Name Top City-II) Housing Scheme	1492.85	374,712,500
11	46-A	University Town Housing Scheme (Khyber Housing Society)	1470.41	367,602,500
12	13-A	Ternol Housing Society	1384.47	347,867,500
13	11-A	Railway Employees Cooperative Housing Society	111.84	250,597,512
14	10-A	T & T Housing Society	99	198,000,000
15	39-A	Kohsaar Housing Scheme	209.4	188,460,000
16	22-A	Central Board of Revenue Employees Co-operative Housing Scheme	623	185,031,000
17	01-A	Faisal Town Housing Scheme	494	163,862,000
18	23-A	Sonobar City Housing Scheme	83.14	148,671,600
19	41-A	Pakistan Employees Cooperative Housing Scheme	321.09	105,931,650
20	06-E	Pakistan Oversees Housing Scheme (New Shalimar Town)	182.8	45,700,000
21	25-A	PARC Employees Cooperative Housing Scheme	227.12	34,068,000
22	32-A	Judicial Housing Scheme	94.58	8,606,780
23	44-A	Al-Shifa Housing Scheme	79.35	2,142,400
24	20-A	Safari Villas-I Housing Scheme	258	1,444,800,000
25	26-A	Safari Villas-II Housing Scheme	70.78	890,120,000
26	02-A	Commoners Sky Garden	1580	131,193,950
27	27-A	Kehkashan Town	135.3	20,301,000
Non-execution of transfer deed				
28	26-D	Safari Villas-II Housing Scheme	310.75	17,402,000
29	24-C	PIA Housing Scheme	1212	1,818,000
Total				27,664,330,292

ANNEX - IV
(Referred in para No.4.5.1)
Non-execution of mortgage deed land worth Rs 5,583,438,256

Sr. No.	Para No.	Name of Scheme	Area to be Mortgaged	Amount (in Rs)
1	17-F	Baharia Town Phase-VIII	494.822	1,484,466,000
2	44-B	Al-Shifa Housing Scheme	24.612	664,524,000
3	38-B	Up-Country Housing Scheme	226.942	567,355,000
4	20-B	Safari Villas-I Housing Scheme	60.81	340,536,000
5	31-B	Pakistan Atomic Energy Commission Employees Housing Society	183.848	338,280,320
6	35-B	Gulshan-e-Abad Housing Society	312.057	299,573,670
7	40-B	East ridge Housing Scheme	43.592	244,115,200
8	16-B	Clifton Town	73.248	193,374,720
9	12-B	Bostan Avenue Housing Society	33.946	190,097,600
10	07-B	Fizaia Housing Scheme	57.118	172,496,360
11	26-B	Safari Villas-II Housing Scheme	29.696	170,016,000
12	30-B	Rabia Bungalows Village	5.588	156,464,000
13	13-B	Ternol Housing Society	487.306	121,826,500
14	46-B	University Town Housing Scheme (Khyber Housing Society)	417.718	104,429,500
15	10-B	T & T Housing Society	48.2	96,400,000
16	11-B	Railway Employees Cooperative Housing Society	43.98	80,113,968
17	39-B	Kohsaar Housing Scheme	80.84	75,483,000
18	22-B	Central Board of Revenue Employees Co-operative Housing Scheme	151.26	45,458,820
19	23-B	Sonobar City Housing Scheme	49.29	45,453,960
20	25-B	PARC Employees Cooperative Housing Scheme	67.092	40,255,200
21	01-B	Faisal Town Housing Scheme	139.138	36,694,000
22	41-B	Pakistan Employees Cooperative Housing Scheme	807.404	28,842,000
23	02-B	Commoners Sky Garden	55.862	23,182,730
24	29-B	Bahria Paradise Housing Scheme	3.618	20,260,800
25	42-B	Gulshan-e-Fatima Housing Scheme	29.54	16,247,000
26	06-F	Judicial Housing Scheme	8.636	10,795,000

Sr. No.	Para No.	Name of Scheme	Area to be Mortgaged	Amount (in Rs)
27	27-B	Kehkashan Town	47.614	7,141,500
28	18-B	Foreign Office Employees Housing Scheme	10.848	5,840,060
29	32-B	Judicial Housing Scheme	40.828	3,715,348
Total				5,583,438,256