

MINUTES OF 67TH MEETING OF MDA'S GOVERNING BODY
HELD ON 06-10-2015 IN MDA CONFERENCE ROOM

The meeting started with recitation from the Holy Quran. Mr. Muhammad Ali Khokhar, Chairman MDA welcomed the participants. Following attended the meeting:-

1. Mr. Muhammad Ali Khokhar, MPA/PP-199	Chairman
2. Haji Ehsan-ud-Din Qureshi, MPA, PP-197	Member
3. Mr. Shahzad Maqbool Bhutta, MPA-198	"
4. Mr. Zahid Saleem Gondal, DCO, Multan	"
5. Mr. Wasim Ahmad Bajwa, MD WASA, Multan	"
6. Mr. Sheraz Aslam, (Rep of P&D Department)	"
7. Mr. Tahir Javed, Director PHATA Multan (Rep of HUD&PHED)	"
8. Mr. Habib-Ullah Khan, Assistant Engineer, Local Govt. Multan (Rep of LG&CD Department)	"
9. Mr. Aftab Ahmad, Architect (Technical Expert)	"
10. Mr. Abdul Qadir, Architect (Technical Expert)	"

Following non-members also participated in the meeting to facilitate the Board:-

1. Mr. Altaf Hussain Sario, Addl. DG MDA.
2. Engr. Amjad Shuaib Khan Tareen, Director Finance & Admn MDA.
3. Mr. Nazir Ahmad Chughtai, Director Engineering MDA.
4. Ms. Nighat Jabeen, Director EM MDA.
5. Mr. Abdul Ghaffar, Director TP MDA.

Discussion made and decisions taken are as under:-

Agenda Item#	Working paper	Discussion & decision
1	<p>APPOINTMENT OF MR SABIR KHAN SADOZAI AS ADVISOR (TECHNICAL) IN MDA FROM 10-10-2015 TO 30-06-2016</p> <p>Section 9 of the Punjab Development of Cities Act, 1976, provides as "The Authority may appoint such officers, advisors, experts, consultants and employees, as it considers necessary for the efficient performance of its functions on such terms and conditions as it may deem fit."</p> <p>Punjab Metro Bus Authority (PMA) has authorized Multan Development Authority (MDA) to execute Metro Bus Project Multan. Mr. Sabir Khan Sadozai, Chief Engineer (BS-20) was posted on the Project by C&W Department in MDA on deputation basis. He is retiring on 09-10-2015. Since the Metro Bus System is a flagship and mega project of the Punjab Government and it is almost half-way. It is not appropriate to change the technical team that has initiated the project as it would seriously hamper the project progress.</p> <p>It is, therefore, proposed that Mr. Sabir Khan Sadozai may be appointed as Advisor (Technical) from 10-10-2015 to 30-06-2016 for which emoluments and other benefits shall be as permissible to an officer of BS-20 and the remuneration as per last pay drawn. He will perform functions as may be assigned to him by Governing Body of the Authority or by Director General MDA in connection with the Metro Bus Project.</p>	<p>After due deliberations, the House unanimously approved the proposal.</p>

2 **REGULARIZATION OF PLOT NO. 12, HASAN PARWANA COLONY, MULTAN**
 Peer Fateh Ali Shah submitted an application on 26-04-1955 to the Chairman Multan Improvement Trust with the statement that he had purchased two plots of one Kanal each in Hassan Parwana Colony Multan. He requested that one Plot No.12 may be transferred to Arif Zaman Shah S/O Burkhurdar Shah. The Chairman MIT allowed the transfer of plot No 12 in favour of Mr. Arif Zaman on 27-04-1955 which was confirmed vide resolution No.13 dated 01-11-1957. The possession was delivered on 30-04-1955 and an agreement of sale was also executed with Arif Zaman Shah on 22-08-1955. On 23-07-1971, Mrs Kausar Begum D/O Peer Burkhodar Shah submitted an application to the Chairman MIT that she had purchased the said plot from the Allottee and she had also got a decree from Senior Civil Judge, Multan, in her favour, so plot No.12 may be transferred in her name. The case was referred to Legal Advisor for opinion. The Legal Advisor gave opinion that the plot could not be transferred as the Department was not party in the Civil Suit. The Legal Advisor further reported that the Government decided to charge Rs.15/- per Square Yard but the record containing said orders was lying with the Anti-Corruption Department since 1958. A letter bearing No.1776/MIT dated 20-03-1972 was issued to Deputy Superintendent Anti-Corruption Police Multan for return of record but no response was received. As such the record is not available with MDA. The procedure of allotment in the instant case has been shown as auction but as per record, no auction took place, which shows that allotment was made fake. Therefore, it requires regularization by charging the cost of plot according to valuation table plus 10% penalty being illegal occupation under "Disposal of Land by the Development Authorities (Regulations) Rules 2002". The matter is placed before the Governing Body for kind consideration and decision please.

The House discussed the matter at length and rejected the item in principle as the relevant provision of law for regularization of plots on the basis of occupation "Disposal of Land by the Development Authorities (Regulations) Rules 2002" has also been repealed.

3 **RE-AUCTION OF SITES OF PETROL PUMPS OWNED BY MDA**
 At present 07 numbers petrol pumps are under the control of MDA, Multan. The detail of petrol pumps is as under:-

S#	Name of Site	Area			Lease started from	Lease period expired (33 years)	Agreement expired
		A	K	M			
1	2	3			4	5	6
1	Atta Petroleum Service, (PSO) LMQ Road near Eid Gah Multan	0	4	0	16-05-1976	16-05-2009	15-05-2010
2	Shah Rukne Alam Block-E (PSO) Block-E Shah Rukne Alam Colony, Multan	0	4.90	0	01-2-1986	01-02-2019	24-11-2008
3	Haidria Petrol Pump (Zeeshan Haider + PSO) Chah Bohar Wala, Railway Station Road, Multan	0	1	4	21-12-1992	21-12-2025	30-06-2010
4	Key Tees Petroleum (Shell Company) Chungi No.9, LMQ Road, Multan.	0	3	12.5	07-5-1964	07-05-1997	07-05-2009
5	Jinah Petroleum (Ch Muhammad Sadiq + PSO) Block-F Shah Rukne Alam Colony, Multan	0	4	0	02-6-1986	02-06-2019	14-03-2014
6	Sikander & Sons Petrol Pump (PSO) LMQ Road near Eid Gah, Multan	0	2	14	01-1-1966	01-01-1999	30-06-2010
7	Plot No.C-13 Petrol Pump (Mian Model Town By Pass, Multan	0.47	0	0	14-1-2010	14-01-2043	Intact up to 13-01-2016

The lease agreements in respect of Petrol Pumps at Sr No.1 to 6 have been expired as per dates mentioned in column No.6. As per Disposal of Land by Development Authorities (Regulation) (amended) Act 2007, the lease period was 33 years. This Act has been repealed and new Act, the Management and transfer of Properties by Development Authorities Act, 2014 is in field now, in which no such provision regarding lease of sites of Petrol Pumps is available. This office has requested to Government of Punjab, HUD&PHE Department Lahore vide letter No.1912/EM, /MDA dated 28-05-2015 with subsequent reminders for advice / guidance regarding leasing of petrol pump sites already being regulated under the Act, 1998 / Rules 2002 with amendment of 2007, whether their lease will continue till the expiry of 33 years or fresh bidding will be required under the Management and Transfer of Properties by Development

The House discussed the matter at length and approved the proposal that Petrol Pump sites may be re-auctioned as per law except the one mentioned at S.No.7, as the owners of those Petrol Pumps have already enjoyed the compulsory agreement period as per relevant provision of law. However, first right of refusal will be given to the present occupants/proprietors after re-auction.

Authorities Act, 2014. But no response has been received so far from Government of the Punjab HUD & PHE Department in this regard. In view of above, the matter is placed before the Governing Body for appropriate orders regarding re-auction of above mentioned three sites out of seven petrol pumps which have expired the total lease period (33 years) as per Act / policy of the Government, repealed and given savings in Act, 2014.

4 DEVELOPMENT OF ALLAMA IQBAL HOUSING SCHEME, SOUTHERN BYPASS ROAD, PHASE-I, MULTAN INTRODUCTION

Multan City is facing shortage of housing units. To overcome this shortage MDA has been developing housing schemes in the past. There is need of a large size housing schemes on the area along Southern Bypass, Bhudla Road and Vehari Road etc. because most of the area along these sides has been proposed as residential area by the Government and included in Master Plan 2008-2028. Allama Iqbal Housing Scheme will be proposed in this area. Southern Bypass will also pass along this scheme. Along the both side of Southern Bypass 30 ft service road will be provided. Net area available for housing scheme will be approximately 1000 acres excluding the existing abadis / structures / graveyard etc. the scheme will be launched on the pattern of Fatima Jinnah Town which will provide about 80,000 developed plots of different categories to the citizen, out of which one block having 100 Acres will be exclusively reserved for low income houses facilities of Multan City.

LOCATION

The proposed site is situated in between the area of 17 Kassi, Southern Bye Pass & Vehari Road comprising on partially Mouza Nai Wala, Mouza Bhaini, & Mouza Kot Rab Nawaz Khan. This scheme will also falls on both side of the Budhla Road. (Aks Shajra & Location plan is enclosed).

AREA

An area measuring approximately 1000 Acres (excluding existing abadies etc) has been proposed for Allama Iqbal Town. The scheme will be developed on the area excluding the lands of already approved housing schemes/Land Sub-divisions, under process Housing Scheme / LSD existing abadies, graveyards etc.

LAND USE DISTRIBUTION

The scheme will be designed on the following land use distribution:

1.	Residential Area	550 Acre	55%
2.	Commercial	50 Acre	5%
3.	Open Space / Parks / utility sites	70 Acre	7%
4.	Roads	280 Acre	28%
5.	Public Buildings/Institutions	30 Acre	3%
6.	Graveyard	20 Acre	2%
		Total 1000 Acre	100%

DEVELOPMENT STANDARDS

Carpet roads with 30 ft, 40 ft, 60 ft & 120 ft metaled width, main road dual carriage way with, 30-ft service road, water supply, sewerage system, electricity with street lights and sui gas facilities will be provided in the scheme as per standard of Fatima Jinnah Town.

ECONOMICS OF THE SCHEME

(Cost of Land)

Acquisition for 1000 Acres	Approximately 10 Million/Per Acre
Total cost of Land	Rs. 10000 Million

(Cost of Development)

Development cost/Acres	Rs. 6.40 Million
Total Development Cost	Rs. 3520 Million

Total Cost of Land	Rs. 10000 Million
Total Development Cost	Rs. 3520 Million
Grand Total :-	Rs. 13520 Million

(Proposed Rates for the Disposal of developed plots/land)

Residential Plots	Rs. 1,20,000/- per Marla
Commercial plots	Rs. 4,00,000/- per Marla
Public buildings/utility plots	Rs. 60,000/- per Marla.

The House discussed the matter at length and approved the item and decided that actual cost of the scheme shall be determined / worked out after approval of the PC-I. It was also decided by the House that the para of "Administrative Approval" should be omitted.



TOTAL COST	Rs. 13520 Million
TOTAL REVENUE	Rs. 14344 Million
NET PROFIT:	Rs. 824 Million

FINANCING AND IMPLEMENTATION OF THE SCHEME

After processing for land acquisition, MDA will call applications with advance money of Rs. 20,000/- per Marla. Allotment of plots will be made through ballot to the Government employees, General Public & Low Income group on the basis of 40%, 40% & 20% respectively.

RESERVATION OF 10% AREA FOR LOW INCOME GROUP

In the said housing scheme 10% of saleable area of residential plots will be reserved for low income group and 03 Marla plots will be carved out with advance money 10% per Marla. Remaining amount of land will be exempted for low income group and it will be added/recovered in other residential plots. However, the Allottees of the low income have to pay the development cost as per schedule.

The Governing Body of MDA is requested:

- i) To allow launching the Allama Iqbal Town on Southern Bypass towards western side up to 17 Kassi minor pn both side of Budhla Road, an area approximately 1000 Acres on the pattern and terms and conditions of Fatima Jinnah Town.
- ii) To accord administrative approval of the scheme at the estimated cost amounting to Rs. 13520 Million, allowing MDA to dispose plots of the scheme on the rates proposed at Para 6.3 above.
- iii) One block will be reserved for low income group having size of 3-Marla with advance money 5000 per marla. Remaining amount of land will be exempted for low income group and it will be added/recovered in other residential plots. However, the allottees of the low income have to pay the development cost as per schedule.
- iv) To accord the approval of publishing the public notice via print media for general public, investor, shareholder etc to show their expression of interest by offering the land for the development of the scheme;
- v) To allow to issue the notification of sec. 4 (1) of Land Acquisition Act 1894 of the area proposed above and / or offered by the private land owners.

Working paper is placed before the Governing Body for kind consideration and decision.

5 FORMATION OF MDA PRIVATE HOUSING SCHEMES RULES

Multan Development Authority is performing its functions under the Punjab Development of Cities Act 1976. The matters pertaining to Private Housing Schemes are also being dealt with under the provisions of the Punjab Private Housing Schemes & Land Sub-division Rules, 2010, notified by Government of the Punjab.

MDA is facing hardships in implementation of the Punjab Private Housing Schemes & LSD Rules, 2010. The hardships were discussed with the authorities in LDA, who informed that LDA was also facing similar difficulties in implementation of Punjab Private Housing Schemes & Land Sub-division Rules, 2010. In order to resolve the issues, LDA has framed its own rules i.e. "Lahore Development Authority Private Housing Schemes Rules, 2014".

After comparative study of the Punjab Private Housing Schemes & LSD Rules, 2010 and Lahore Development Authority Private Housing Schemes Rules, 2014, it has transpired that the rules of LDA on the subject matter are very precise, appropriate and logical than the Punjab Private Housing Schemes & LSD Rules, 2010. Therefore, it seems expedient to frame Private Housing Rules for MDA as well on the pattern of LDA. The main hardships in implementation of Punjab Private Housing Schemes & LSD Rules, 2010 compared to LDA Rules 2014 are indicated as under:

S#	Punjab Private Housing Schemes & LSD Rules, 2010	Lahore Development Authority Private Housing Schemes Rules, 2014
1.	Access road should not be less than 60 ft.	Scheme should fall on an adequate access road.
2.	There is no provision regarding major roads of the scheme	The provision of major roads has been prescribed on the basis of scheme area, which varies from 40 to 150 ft (minimum).

The House approved the item with the directions that the matter should be got vetted by the Governing Body before sending it to the Govt. for approval.



3.	The developer will deposit a preliminary planning permission fee Rs. 5000 upto 2000 kanal and Rs. 10000 above 2000 kanal.	The sponsor will deposit a preliminary planning permission fee @ Rs. 1000/- per kanal for the total scheme area.
4.	Sanction fee Rs. 1000 per kanal	Sanction fee Rs. 10,000/- per kanal
5.	There is no provision for penalty, in case the developer launches a scheme without approval of Authority or fails to develop a housing scheme within the stipulated period after approval of the Authority.	In case the developer launches a scheme without approval of Authority or fails to develop a housing scheme within the stipulated period after approval of the Authority, penalties have been prescribed, which may be from Rs. 5000/- to 20000/- per day on the basis of scheme area.
6.	There is no provision to control individual construction in unplanned housing.	Provision to control individual constructions in unplanned housing is available.

Many other similar provisions do not exist in Punjab Private Housing Schemes & Land Sub-division Rules, 2010. By framing **MDA Private Housing Schemes Rules** various difficulties may be resolved and MDA will also enable to control mushroom/ unplanned growth of Private Housing Schemes besides to generate more income (**Annex- A**).

It is also important to mention here that under Rule 44 of the Punjab Development of Cities Act 1976, the Authority may make regulations as may be necessary to carry out the purposes of this Act. In case, the Governing Body allows MDA to frame Private Housing Schemes Rules, the draft rules will be prepared and forwarded to the Administrative Department (HUD & PHE) for getting final approval from Government of the Punjab, as has been done by LDA. The proposal is presented before the Governing Body for kind consideration and decision.

6 ISSUANCE OF NOC REGARDING TRAFFIC IMPACT ASSESSMENT STUDY REGARDING NON-RESIDENTIAL BUILDINGS UNDER PUNJAB BUILDING AND ZONING REGULATIONS 2007

MDA has adopted Punjab Building and Zoning Regulations 2007 and all the building plans i.e. residential, commercial, non-residential etc. are being processed according to these regulations. According to clause No. 10.3.3(h) of these regulations:
 "The prospective builder shall conduct a Traffic Impact Assessment Study for the construction project if the project falls within any of the following conditions. The builder shall acquire a NOC from the Traffic Engineering Agency: -

- i) Non-residential building having plot area of 4 kanals (1673 sqm) or above
- ii) Non-residential building having 5 storeys and above"

At present, there is no Traffic Engineering Agency functioning in MDA Multan that can issue such NOC while in LDA Transportation Engineering and Planning Agency (TEPA) is authorized to issue such NOC within jurisdiction of LDA. Due to this hardship, a working paper was placed by Town Planning Directorate MDA before MDA Governing Body in its 66th meeting held on 15-08-2015 wherein it was recommended that Traffic & Transportation Engineering Cell of Engineering Directorate MDA may be authorized to issue such NOC till the establishment of a proper Traffic Engineering Agency in MDA Governing Body approved the working paper.

In the High Level Design Committee meeting held on 7-9-2015 under the chairmanship of DCO Multan, same issue was highlighted by the various members and after detailed deliberation, HLDC decided that as TEPA does not exist in Multan, therefore Traffic Impact Assessment Study will be conducted by the Chief Traffic Officer (CTO) Multan before the submission of plan to HLDC. The NOC in this regard must be submitted with the files. Copy of the Minutes is enclosed.

The matter was brought to the notice of Additional Director General MDA that two different decisions are made on the subject matter at two different forums due to which ambiguity has been arisen that whether NOC regarding Traffic Impact

The House discussed the matter and pended till next meeting.

Study for non-residential buildings is to be issued by Traffic & Transportation Engineering Cell MDA or City Traffic Police Multan. The matter was discussed in the presence of concerned officers of Town Planning and Engineering Directorates of MDA.

Director Engineering MDA informed that required expertise is not available in Traffic & Transportation Engineering Cell of Engineering Directorate MDA for vetting of Traffic Impact Assessment Study. therefore, the subject matter cannot be handled by this formations properly according to the principles of traffic and transportation engineering. He pointed out that recruitment of Transportation Engineers possessing prescribed qualification of M.Sc. and B.Sc. in Transportation Engineering could not be made in the past against the sanctioned posts of Deputy Director and Assistant Director due to ban imposed by the Government on new recruitment. He informed that Directorate of Engineering MDA has already submitted a note to the higher authorities of MDA incorporating the above mentioned facts of the case and it is proposed that advise on the subject matter may be solicited from Government of Punjab to adopt a uniform policy for all development authorities as to whether it is to be issued by TEPA LDA Lahore, the only Traffic Engineering Agency in Punjab or it has to be handled by the concerned Development Authority itself within its existing capacity, which will be required to be enhanced through proper training of the concerned formation from TEPA LDA Lahore. He informed that the above mentioned note was seen by Director General MDA/Commissioner Multan Division through Additional Director General MDA, however, the decision in this respect is still under process.

The matter has been reviewed at the level of MDA wherein the viewpoints of both Town Planning and Engineering Directorates have been considered. After detailed discussion on the issue, it has been concluded that Traffic Impact Assessment Study is the subject of Traffic & Transportation Engineering and it does not relate to Traffic Police. Therefore, Traffic Police cannot be authorized to conduct Traffic Impact Assessment Study and issue NOC in this respect. The following recommendations have been made with the mutual coordination of Town Planning and Engineering Directorates with the guidance of Additional Director General MDA:

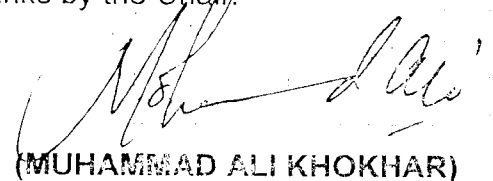
- i) NOC regarding Traffic Impact Assessment Study for non-residential buildings for the cases of MDA should be issued by Traffic & Transportation Engineering Cell MDA and not City Traffic Police Multan as decided by HLDC Multan after proper training of the existing staff of the above mentioned formation from TEPA LDA Lahore and Department of Transportation Engineering UET Lahore.
- ii) NOC regarding Traffic Impact Assessment Study for non-residential buildings will be issued by Traffic & Transportation Engineering Cell MDA on submission of Traffic Impact Assessment Study Report by the respective builder because as per clause No. 10.3.3(h) of Punjab Building and Zoning Regulations 2007, it is the responsibility of the builder to conduct Traffic Impact Assessment Study. The builder shall conduct Traffic Impact Assessment Study from a qualified Traffic & Transportation Engineer registered with Pakistan Engineer Council as per procedure/guidelines approved by the competent authority of MDA.
- iii) The capacity of Traffic & Transportation Engineering Cell will be enhanced in a phased program as given below:
 - a) Training of the existing staff of this formation from TEPA LDA Lahore and Department of Transportation Engineering UET Lahore.
 - b) Recruitment against the posts of Assistant Director and Deputy Director Transportation Engineering possessing the prescribed qualification of B.Sc. Transportation Engineering and M.Sc. Transportation Engineering with five years experience respectively after approval of the Government has already cleared by MDA Governing Body.
 - c) Establishment of Directorate of Traffic & Transportation Engineering in MDA through recruitment of qualified / experienced Transportation Engineers alongwith supporting staff with the approval of MDA Governing Body and Government of Punjab as already recommended by World Bank Consultants in Traffic &

	<p>Transportation Report 1990 under the project of "Multan Development Studies".</p> <p>iv) An appropriate fee shall be fixed for issuance of NOC regarding Traffic Impact Assessment Study of non-residential buildings as per analogy of TEPA LDA Lahore with the approval of competent authority of MDA.</p> <p>With the above mentioned recommendations, working paper is placed before the Governing Body for kind consideration and decision.</p>	
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Other decisions:

At the end of the meeting, Mr. Shehzad Maqbool Bhutta, MPA gave directions that all commercial plazas should be constructed as per Building Bylaws. The list and relevant record of plazas which have not been constructed as per Building Bylaws will be provided to him and MDA should take strict action against them. Mr. Shehzad Maqbool Bhutta also asked to provide record of the employees who are recruited in MDA since last ten years. Mr. Shehzad Maqbool Bhutta asked that all developers of private housing schemes must provide/construct utility plots in their schemes such as mosque, school, dispensary, grassy plot and graveyard etc. He also asked to take strict action against the officers/officials who take lenient view of violations in Building Bylaws.

The meeting ended with the vote of Thanks by the Chair.



(MUHAMMAD ALI KHOKHAR)

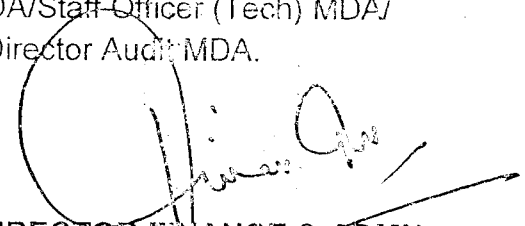
MPA / Chairman MDA

Dated. 12 - 10 - 2015

No. 895 /PA/Admn

Copy forwarded to the:-

1. All members of the Governing Body.
2. Addl: DG MDA/Director Finance & Admn MDA/Director Engineering MDA/Director EM MDA/Director TP MDA/Staff Officer (Tech) MDA/ Deputy Director Legal MDA/Resident Director Audit MDA.



DIRECTOR FINANCE & ADMN
MDA, Multan