

PRIVATE HOUSING SCHEME REGULATIONS, 1995 AMENDED 2007.

Planning permission and procedure .

1. Framing of a housing scheme

Means a housing scheme can be framed by cooperative societies, an individual, a group of individuals, sponsor / developer or any of his / their attorney on his / their behalf for an area not less than 32 kanals falling within the controlled area for submission to and approval of the Authority, as per residential zones specified in the Master Plan.

2. Submission of a housing scheme for obtaining planning permission, no objection certificate (the word no objection certificate has been deleted).

Every application (Appendix-A) for a housing scheme for which planning permission is required shall be submitted by the sponsor to the Town Planning Directorate of the Authority, along with six (6) copies each of the following documents:-

- a. Site plan of the proposed scheme on scale 1:10,000 dully prepared and signed by a Town Planner **Registered with Pakistan Council of Architects and Town Planners.**
- b. Certified copies of ownership record including Fard-e Malkiat, Aks Shajra and Tatima of the proposed site dully signed by the Tehsildar of the area indicating the location (i.e mauza, mahal & tehsil etc) of the proposed housing scheme including list of khasra Nos along with the land area of each khasra.
- c. Attested copies of the **computerized** National Identity Card of the sponsor.
- d. No objection certificate obtained from the District Water Committee established under the **Executive District Officer (Revenue), Quetta.**
- e. No objection certificate from the other planning agencies i.e. Cantonment Board, **Chilten Town / Zarghoon Town** in case the area is contiguous with their limits.
- f. Certificate from WAPDA as regards availability of electricity for the proposed housing scheme.
- g. No objection certificate from **Executive District Officer (Revenue), Quetta.** allowing the use of land for a housing scheme.
- h. **Certificate from Sui Southern Gas Company as regards availability of gas for the proposed housing scheme.**
- i. **Certificate from PTCL as regards availability of telephone lines for the proposed housing scheme.**

In case the documents are incomplete and deficient in any manner, the same shall not be accepted by the Authority and will be returned to the sponsor.

3. Scrutiny Fee For Granting Planning Permission

A scrutiny fee at the rate of Rs.5000/- for an area up to 10 acres and Rs.10,000/- for an area more than 10 acres shall be payable to the Authority by the sponsor for each scheme, for which the "Planning Permission" has been requested. The payment shall be made through a challan to be prepared by the Town Planning Directorate, QDA on the request of the sponsor of a scheme. The scrutiny fee is, however, subject to revision by the Authority from time to time.

4. Procedure for scrutiny of application for the grant of planning permission.

- a) On submission of requisite documents and the deposit of the scrutiny fee as mentioned in clauses 4 and 5 above, the Director Town Planning will forward a set of these documents to the Chairman of the Committee constituted for considering the grant of planning permission for housing schemes.

The committee shall comprises of the following :

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| i. Chief Engineer | Chairman. |
| ii. Director Town Planning | Member. |
| iii. Director Works | Member. |

- b) **The meeting of the Committee shall be held within 30 days of the submission of the application to consider the grant of planning permission.**

5. Aspects To Be Considered By The Members Of The Committee For Granting Planning Permission

a. Chief Engineer QDA

- i) He will examine the proposals so as to ensure that the road net-work proposed in the housing scheme is strictly adhered to the Master Plan of the Authority so as to ensure proper access to the proposed scheme in future. He will evaluate the proposal keeping in view the development potentials of the proposed site, the physical conditions existing in the proposed site and their compatibility with the development programme of the Authority.
- ii) He will approve the infrastructure design (**The designing of infrastructure facilities / services shall be prepared by a reputed consultant registered with Pakistan Engineering Council**) to be submitted by the sponsor at later stage and the possibility of linking the scheme with the main water supply and sewerage net-works of Quetta City in case the scheme does not provide for an independent net-works of water supply and sewerage disposal .

b). Director Town Planning QDA

He will scrutinize the details / documents submitted along with the proposal in order to ensure their correctness and identify / locate it in the controlled Area / Master Plan Area to ascertain its proposed use. He will assess the proposal so as to ensure that it does not come in conflict with any proposed / notified scheme of the Authority or any other scheme of the Government or Semi Government agency processed and approved by the Authority. He will also ensure that proper Town Planning Standards are being adopted as per scheme regulations.

6. **Time Limit For Scrutiny Of Applications For Planning Permission**

The planning permission shall be granted or refused by the committee in a period not exceeding 60 days from the date of acceptance of the application for planning permission in the office of the Director Town Planning (As given in appendix-B).

7. **Communication Of The Decision Of The Committee With Regards To Planning Permission.**

- a) Director Town Planning shall communicate the decision of the Committee on the application for planning permission to the sponsor within a period of 30 days after the Committee's meeting. The approval for the grant of planning permission shall be subject to the terms and conditions approved by the Competent Authority.
- b) In case objections are raised by the Committee on the application for the grant of planning permission, the case shall be reconsidered by the Committee as soon as the objections are removed by the sponsor. This reconsideration of the application by the Committee shall be treated as a fresh application for planning permission. The Committee shall approve or reject it, as the case may be, within a period of 60 days after the acceptance of the application for planning permission by the office of the Director Town Planning .
- c) The Director Town Planning may allow with the approval of the competent Authority, the inclusion of an additional area to the extent of 20% of the total approved area for which the initial proposal for planning permission had been made by the sponsor, if the area proposed for inclusion is contiguous and fulfills all the requirements for the grant of planning permission.
- d) The planning permission granted by the Authority shall remain for a period of three (3) months from the date of issue by the Director Town Planning.
- e) The Competent Authority may consider to extend the validity of the planning permission for an additional period of three months and on the payment of additional fee of Rs.5000/- or 10,000/- as the case may be.
- f) The sponsor will not advertise the scheme for the sale of plots on the basis of planning permission. In case of any default, the planning permission shall be

cancelled forthwith without giving any notice and **same will be published in Daily leading newspapers (at least two newspapers).**

Submission And Processing Of The Detailed Layout Plan.

8. **Submission Of The Detailed Scheme**

for

the area.

The sponsor shall submit to the Director Town Planning a detailed scheme for approval consisting of the following documents, before the expiry of the validity of the Planning Permission:

- a) Four (4) copies of the Site Plan showing location of the scheme with reference to its surrounding areas on the scale 1:10,000 or any convenient scale.
- b) Four (4) copies of the Survey Plan of the site drawn to a scale of not more than 1:2400 showing the spot levels, physical features such as existing trees, borrow pits, high tension lines, water channels, existing graveyards, Mosque etc. the contours with one meter interval shall be indicated on the plan.
- c) Four (4) copies of Layout Plan drawn to a scale of not more than 1:2400 showing the Sub-division of land into plots and allocation of land for circulation network and sub-division of land for various uses in accordance with the Planning Standards acceptable to the Authority.
- d) Layout Plan should be prepared and signed by a qualified Town Planner **registered with the Pakistan Council of Architects and Town planners.**
- e) Certified copies of Mutation Deed in respect of transactions entered into after the preparation of Current Register of Rights.
- f) One copy of the irrevocable General Power of Attorney dully registered if the scheme is submitted by any person other than the owner/s.

9. **Planning Standards.**

The Planning Standards may vary in each scheme depending upon the residential density desired to be achieved by the sponsor of the scheme. But the land use percentage distribution must remain within the following limits:

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| a) Residential: | Not more than 60% |
| b) Commercial: | Not more than 2% |
| c) Open / Green spaces | Not less than 7% |

- d) Roads / Streets Not less than 28%
- e) Public Buildings Not less than 3%
- f) The width of the streets proposed in the layout plan will not be less than 30 feet or (9 meters).
- g) The minimum size of a residential plot will not be more than 1000 Sq. Yds. (836 Sq. meters).

10. **Scrutiny Fee For The Detailed Scheme**

A scrutiny fee at the rate of Rs.1000/- per acre for a scheme having as area of up to 10 acres and Rs.1500/- per acre for a scheme having as area of more than 10 acres (which includes the scrutiny of layout plans and infrastructure design for the proposed scheme) shall be payable to the Authority and shall be deposited through a challan form issued by the Directorate of Town Planning, QDA after the submission of the detailed scheme. The scrutiny fee is, however, subject to revision by the Authority from time to time.

11. **Processing Of Detailed Scheme**

- a) The processing of land ownership documents submitted with the detailed scheme shall be examined in the office of the Director Town Planning, after the scrutiny fee has been deposited with the Authority. The sponsor will be informed about the objections in the land ownership and other documents if any.
- b) The Authority shall have the discretion to reject the request for approval of the detailed scheme in case no response is received from the sponsor within a period of two months from the date of communication of the objections to him about the land ownership and other documents.
- c) In case ownership documents are found in order, a public notice shall be given in the **local leading** newspapers for inviting public objections, if any.
- d) The public notice shall be given in the press at the expense of the sponsor.

12. **Communication Of Objections Received On The Scheme.**

- a) The Director Town Planning shall inform the sponsor about the objections, if any, received from the public in response to the public notice for clarification. The scheme will not be processed further until and unless objections are removed / settled by the sponsor.

- b) After the confirmation of ownership documents in favour of the sponsor through the public notice, layout plan for the housing scheme shall be examined by the Town Planning Directorate of QDA to ensure that the layout plan of the scheme is in conformity with the Master Plan Recommendations.
- c) In case of any objection irregularity in the layout plan, the same will be communicated to the sponsor within 30 days of the confirmation of ownership documents for rectification, if any.

13. **Approval Of Layout Plan (Technical Approval)**

- a) After the incorporation of all the observations raised on the layout plan, the sponsor will be required to submit the layout plan on a tracing cloth with Khasra Numbers super imposed on it and showing 30% saleable area in terms of plots to be mortgaged with the Authority as a security towards the provision of infrastructure services.
- b) After the completion of all the above formalities, the layout plan will be signed by the Director Town Planning and the Competent Authority.
- c) **A copy of approved layout plan should be supplied to Chief Engineer QDA. He shall visit the site before and after the consultant planner complete the ground demarcation of the scheme.**

14. **Mortgage Of Plots**

After the approval of the layout plan by the Authority:

- a) The sponsor shall be required to mortgage 30% of the saleable area in favour of the Authority (As per specimen enclosed at appendix-D).
- b) In case the sponsor dose not desire to mortgage 30% of the saleable area he shall required to deposit entire development cost of infrastructure with authority (QDA) or shall furnish a bank guarantee from a scheduled bank of equivalent amount in favour of the Authority. The amount of development cost shall be assessed by the Authority on the basis of prevailing cost of development. **(Deleted)**
- c) The sponsor shall also be required to transfer to the Authority free of charge land reserved for roads, parks / **open spaces / play grounds**, public buildings and graveyard **(38% of the total area)** in the scheme **along with the mortgage of 30% of saleable area** as per specimen given in appendix-C.

15. **Public Notice For Plots To Be Mortgaged**

Within 15 days after the layout plan, showing the plots to be mortgaged, has been submitted to the Authority for approval, a public notice shall be published on **front /**

rear page of the local leading newspapers three times in ten days at the expense of the sponsor for inviting objections from the public, if any.

16. **Registration Of Mortgage Deed With The Authority**

- a) After the publication of the public notice in the press regarding the plots mortgaged in favour of the Authority the sponsor shall submit a copy of the plan of the scheme superimposed by Khasra Numbers, on tracing cloth indicating thereon the schedule of plots mortgaged in favour of the Authority along with the seals of the Director Town Planning and the competent Authority.
- b) The sponsor shall then be require to submit seven (7) copies of the layout plan of the scheme for the purpose of registration after it has been signed by the Director Town Planning and the Competent Authority.
- c) The Deed shall be registered by Director Town Planning within a period of two weeks after the submission of the requisite number of copies of layout plan and in a manner set out in the mortgage deed at appendix-D and on Judicial paper of the assessed value.
- d) The Judicial paper for registration shall be purchased by the sponsor who will also incur all other incidental expenses, including registration fee etc

17. **Communication Of Final Approval Of Detailed Scheme Plan.**

The final approval of the detailed scheme plan shall be conveyed to the sponsor after the registration of the mortgage deed **of 30% of saleable area and transfer of 38% of total area i.e amenity area.**

18. **Validity Of Approval Of Detailed Scheme Plan**

The approval of the detailed scheme plan shall be valid for a period of one year within which the sponsor will be required to submit the detailed design of infrastructural facilities including roads, water supply, sewerage, drainage refuse collection, electricity etc. to the Director Town Planning who shall forward the same to the Chief Engineer for scrutiny within 15 days.

19. **Approval Of Infrastructural Design**

- a) The Chief Engineer / Competent Authority with in a period of 60 days after receipt of the detailed infrastructural design, shall approve the same or propose

amendments or require further details of the plans for incorporation in the scheme.

- b) In case of any observations raised by the Chief Engineer on the infrastructural design the same should be rectified by the sponsor and re-submitted to the Authority for approval before the expiry of the period of validity mentioned in clause 20 above.

20. **Released Of Mortgaged Plots.**

The plots mortgaged in favour of the Authority will be released with the consent of the sponsor subject to the condition that the Committee consisting of the Chief Engineer, Director Town Planning and **Director Works** have certified that the proportionate development works have been completed as per specifications and designs approved by the **Chief Engineer** and which has also accorded necessary approval to the release of mortgage plots as per provision contained in the Mortgage Deed

21. **Penalty for Non –Execution Of Development Works.**

In case the sponsor is unable to undertake the development works in the proposed scheme within the time as specified by the Authority, the Authority shall proceed to sell the plots mortgaged in its favour in the scheme either through private negotiation or public auction in order to accumulate funds for the completion of the whole or remaining development works in the scheme.

22. **Linking The Services Of The Scheme With The Main Network**

The sponsor shall obtain permission from the Authority to link the proposed services network within the scheme with the overall network of the services provided by the agencies concerned within the City after the sponsor has deposited the fee as may be prescribed by the Authority for this purpose.

Miscellaneous

The Governing Body has the discretion to change, modify, alter or relax any of the provisions contained in the regulations and when so required without any prior notice or intimation to the sponsor of a scheme.

Sub-Division Schemes

All the above procedures will be adopted for approval of Sub Division Schemes having total area ranging between 1.0 acre to 4.0 acres, except the land use standards for which Director Town Planning will specify these standards according to the size of the

scheme and the existing facilities available, near the proposed scheme with the approval of the Competent Authority.