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GWADAR DEVELOPMENT AUTHORITY

Dated Quetta the _____/2004

NOTIFICATION

No.G-DEV/_____/_____ In exercise of the Powers conferred under Section 24 of Gwadar Development Authority Act, (V of 2003), the Authority is pleased to make the following regulations, namely:

PART-I

GENERAL

1. Short Title, extent and commencement

1. These regulations may be called the Town Planning Regulations 2004
2. They shall come into force at once.

2. Definitions:-

Unless otherwise expressly stated, the following terms shall, for the purpose of these Regulations have the meanings indicated in this part. Where the terms are not defined they shall have their ordinarily accepted meaning or, such as the context may apply;

- (a) "Acre" means a size of land equal to 8 kanals or 4840 Sq. yards or 4048 Sq. meters;
- (b) "Act" means the Gwadar Development Authority Act 2003;
- (c) "Amalgamation" means the joining of two or more adjoining plots into a single plot;
- (d) "Approved" means approved by the competent Authority;
- (e) "Approved Plans" mean plans for a building or a layout plan approved by the Competent Authority in accordance with these Regulations;
- (f) "Authority" means the Gwadar Development Authority;

- (g) "Building Line" means a line beyond which the outer face of any building except compound wall, may not project in the direction of any street existing or proposed;
- (h) "Building Works" means site excavation, erection or re-erection of a building or making additions and alteration to an existing building;
- (i) "Central Area" means the central business area prescribed in the Master Plan serving the city, urban area and generally includes commercial functions. The Central Area also embodies commercial, office and institutional functions of the highest order;
- (j) "Chief Engineer" means Chief Engineer of Gwadar Development Authority;
- (k) "Circulation Pattern" means the system of roads, streets and lanes used for the purpose of access to any part of the scheme;
- (l) "Commercial Building" means a building having shops or show rooms, clinics, offices, hotels, restaurants etc;
- (m) "Commercial Site" means the space reserved for commercial buildings having shops, showrooms, offices, hotels, restaurants, etc. on the ground floor or subsequent floors;
- (n) "Competent Authority" means the authority competent to approve plans and to control the development activity.
- (o) "Controlled Area" means an area declared as such under Section 11 of the Gwadar Development Authority Act 2003;
- (p) "Cooperative Housing Society" means a cooperative housing society registered with the registrar of cooperative societies, Balochistan;
- (q) "Detailed Plan" means a land use plan approved by the Authority for a specified existing or new community or a major area thereof, which may include land use standards or other provisions relating to:
 - l. the precise location and characteristics of roads, other rights-of- way and utilities;

- II. the dimensions and grading of plots and the dimensions and sitting of structures;
 - III. The precise location and characteristics of permissible types of development; and
 - IV. Any other planning matters which contribute to the development; and use of the area as a whole
- (r) "Development Permit" means any general or special development permit whether or not so denominated, including a permit customarily denominated a "no objection certificate", "Planning permit", "town planning permit" or other action (including planning permission) having the effect of permitting development as defined in these regulations;
 - (s) "Director General" means the Director General of Gwadar Development Authority;
 - (t) "Director Town Planning" means the Director Town Planning of Gwadar Development Authority;
 - (u) "Engineering Design" means the structural details of services for the implementation of any engineering works;
 - (v) "Functions" mean powers and duties;
 - (w) "Hoarding" means a close boarded fence of temporary character erected along a road or a street or around a building site, on which erection; demolition or repair work is in hand;
 - (x) "Housing Scheme" means a scheme consisting of residential plots along with commercial, recreational, cultural, institutional uses spread over an area of more than 32 kanals (4 acres) unless relaxation in area is granted by the Competent Authority;
 - (y) "Industrial use" means a use designated for the development of factories or workshops and includes any offices or other accommodation provided on the same site, the use of which is intended for the convenience of staff and the workers and the area designed for use in connection with the mining of mineral (including brick or earth), or warehouse, depository or stores;
 - (z) "Kanal" means a size of land equal to 605 sq. yards or 506 Sq. meters;

- (aa) "Land" means the earth, water and air, above, below or on the surface, and anything attached to the earth;
- (bb) "Land Development" means the dividing of land into two or more plots, the amalgamation of plots, the carrying out of any building operation including erection, construction, redevelopment, alteration or repair, the making of any material change in the use or appearance of any structure on land;
- (cc) "Land use" "use of land" means the development of existing land (notified for use in accordance with these rules or any other law subsequently enforced);
- (dd) "Land use" standards" means those land use regulations or other land development requirements or restrictions which have therefore been, or may hereafter be, adopted for specified area or areas by or on behalf of the Authority whether or not as part of a detailed plan:
- (ee) "Master Plan" means the documents adopted by Gwadar Development Authority for improving the existing urban environments and providing guidelines for future growth in a coordinated manner;
- (ff) "No Objection Certificate" means no objection certificate or planning permission;
- (gg) "Notification" means a notification published in the Balochistan Government Gazette;
- (hh) "Obnoxious Industries" means brick kilns, coke ovens, salt glazing, sulphur working, making of cellulose, lacquer, pitch bitumen, charcoal burning, fish curing, frying or dressing, gut scraping, glue making, fish meal, soap boiling, tallow making, skin dyeing and those which may be specified as obnoxious industries by the industries Department from time to time;
- (ii) "Open Space" means children's play areas, open green areas, play grounds, parks used for leisure/recreational purposes;
- (jj) "Parking Area" means a space reserved for parking of vehicles;
- (kk) "Persons" means any individual, company or association or body or individuals, whether incorporated or not, or any Government agency;

- (ll) "Physical Features" means existing structures, borrow pits, high tension lines, water channels, trees, graves, katcha/ pucca tracks, telephone electric poles;
- (mm) "Plans" means the layout or building plans showing the proposed details of the arrangements of intended development or building works;
- (nn) "Plot" means any size of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit;
- (oo) "Public building" means a building designed for public use includes a school, dispensary, post office, police station, Tonga and transport stand, petrol filling station, town hall, library cultural centre and premises of social agencies such as hostels etc, Port, Air Port, Fish Harbor Landing jetty etc;
- (pp) "Gwadar Tehsil" means the area notified by the Government of Balochistan as such.
- (qq) "Registered Engineer" means a person possessing a degree in Civil Engineering from any recognized University and having sufficient experience in the design of the services and is registered in Pakistan Engineering Council.
- (rr) "Registered Town Planner" means a person possessing a degree in town and country planning or city and regional planning from a recognized University and having sufficient experience in planning projects and registered with the Pakistan Council of Architects and town planner.
- (ss) "Residential Area" means an area exclusively designated for use as a human habitation.
- (tt) "Road" means any public or private road, highway, street, land, alley or bridge, as indicated by the context.
- (uu) "Salable Area" means area under any scheme earmarked for residential, commercial and industrial uses.
- (vv) "Services" means the public services which are required in a housing scheme to facilitate the health and convenience of the population and include the system of road network, water

supply, sewerage, drainage, street lighting, telephone, refuse collection and fire protection.

- (ww) "Special Areas" means those areas, which have been notified as such by the competent authority for the specific purposes.
- (xx) "Sponsor" means a person, a group of persons, a public or private body who applies for planning permission and develops the proposed scheme.
- (yy) "Structure" means anything constructed or installed or portable, the use of which requires a location on a plot of land, such as building, huts, sheds, cabins, other enclosures, advertising signs, fences, swimming pool, pipelines, transmission lines and tracks.
- (zz) "Sub Division" means the division of land held under one ownership into two or more plots, and "Sub Division Plan" means a lay out plan for a **Sub-Division** duly approved by or on behalf of the authority.
- (aaa) "Unauthorized Development" means the development declared by the authority to be unauthorized.
- (bbb) "Zoning" means area/areas earmarked for a particular use or character including an area in which sizes of plots have been prescribed.

SECTION – A
Private Housing Scheme Regulations 2004.

3. Framing of a Housing Scheme.

A housing scheme can be made by co-operative societies, an individual, a group of individuals or any of his/their attorney on his/their behalf for an area not less than 32 kanals falling within the Gwadar Tehsil for submission to and approval of the Gwadar Development Authority as per residential zones specified in Gwadar Master Plan.

4. Submission of a Housing Scheme for Obtaining Planning permission (No Objection Certificate)

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

-

- a) Site plan of the proposed scheme on scale 1:10,000 duly prepared and signed by a Registered Town Planner.
- b) Khasra plan of the proposed site duly signed by the patwari of the area indicating the location of the proposed housing scheme including list of khasra numbers along with areas.
- c) One copy of the National Identity Card of the Sponsor.

2. The documents are incomplete and deficient in any manner the same shall not be accepted by the Authority, and may be returned to the sponsor.

5. Scrutiny Processing Fee for Granting Planning Permission

A Processing Scrutiny fee as mentioned in the application form shall be payable to the Gwadar Development 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, GDA on the request of the sponsor of a scheme. The scrutiny fee is, however, subject to revision by the Authority from time to time.

6. Procedure for Scrutiny of Application for the Grant of Planning Permission.

- (1) 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 Chief Engineer, who is also a member of the committee constituted for considering the grant of planning permission for housing scheme.
- (2) The member of the committee or their representatives, not below the rank of a Director will hold a meeting within 30 days of the submission of the application to consider the grant of planning permission.

7. Aspects to be considered by the Members of the Committee for Granting the Planning Permission.

The committee shall be required to evaluate proposal for the grant of Planning Permission keeping in view the following aspects:

01) Chief Engineer GDA

- (i) He will examine the proposal so as to ensure that the road network proposed in the housing scheme strictly adheres to the Master Plan of the Authority so as to ensure proper access to the proposed scheme in future.
- (ii) He will evaluate the proposal keeping in view the developmental potential of the proposed site. The physical conditions existing in the proposed site and their compatibility with development programme of the Authority. He will approve the infrastructure design to be submitted by the sponsor at later stage and the possibility of linking the scheme with water supply sewerage network of Gwadar City.

b. Director Town Planning GDA

He will scrutinize Site Plan, khasra Plan, submitted along with the proposal in order to ensure their correctness and identify/locate it in the Gwadar/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.

8. 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.

9. Communication of the decision of the Committee with regard to Planning Permission.

- (1) 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 committee's meeting. The approval for the grant of Planning permission shall be subject to the terms and conditions approval by the committee
- (2) 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 sponsor removes the objections. 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.
- (3) The Director Town Planning may allow the inclusion of an additional area to the extent of 20% of the total area for which the initial proposal for planning permission had been made by the sponsor and granted by the Committee, if the area proposed for inclusion is contiguous and fulfills all the requirements for the grant of planning permission.
- (4) The planning permission granted by the Authority shall remain valid for a period of three (3) months from the date of issue by the Authority.
- (5) The Director Town Planning 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. 5,000/-

10. Submission of 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:

- 01) Four (4) copies of the site plan showing location of the scheme with reference to its surrounding areas on scale 1:10,000 or on any convenient scale.
- 02) 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.
- 03) Four (4) copies of lay out 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 (as given in Appendix-E)
- 04) Layout plan should be prepared and signed by a qualified Town Planner.
- 05) One copy of ownership record including Fard-E-Malkiat, Aks Shajra, Tatima and certified copies of Mutation Deed in respect of transactions entered into after the preparation of Current Register of Rights.
- 06) One copy of the irrevocable General Power of Attorney duly registered if any person other than the sponsor submits the scheme.

11. **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:

- | | | | |
|-----|-------------------|---------------|-----|
| (a) | Residential | Not more than | 60% |
| (b) | Commercial | Not more than | 04% |
| (c) | Open/green spaces | Not less than | 07% |
| (d) | Roads/streets | Not less than | 20% |
| (e) | Graveyards | Not less than | 02% |
| (f) | Public Buildings | Not less than | 02% |
- (2) The width of the streets proposed in the layout plan will not be less than 30 feet (or 9 meters).
 - (3) The maximum size of a residential plot will not be more than 2500 Sq.

Note: In case of Sub-division schemes, having an area less than 4 acres, the percentage distribution of land use will be decided by Director Town Planning GDA, according to the size of the scheme & existing facilities available in the surrounding localities. Does not apply to commercial area provided in the Master Plan.

12. Fee for Planning and Detailed Prescribed in the Application Form shall not be more than Rs. 20,000/- per acre curving the entire area of the residential & Industrial scheme, while Rs.1,000,00/- for Commercial scheme.

13. **Processing of Detailed Scheme.**

(1) The processing of land ownership documents submitted with the detailed scheme shall be examined in of the Director Town Planning. The sponsor will be informed about the objections in the land ownership documents if any.

(2) 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 documents.

(3) In case the ownership documents are found in order, a public notice shall be given in the newspapers for inviting public objections, if any.

14. **Communication of objections Received on the Scheme**

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

(2) 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 Gwadar Development Authority. A copy of the layout plan shall be forwarded to the Chief Engineer, to ensure that the layout plan of the scheme is in conformity with the Master Plan Recommendations.

(3) In case of any objection/ irregularity in the layout plan, the same will be communicated to the sponsor within 30 days of the conformation of ownership documents for rectification, if any.

15. Approval of layout Plan (Technical Approval)

- (1) 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% salable area in terms of plots to be mortgaged with Gwadar Development Authority as a security towards the provision of infrastructural services such as, water supply, sewerage, roads, electricity etc.
- (2) After the completion of all the above formalities, the layout plan will be signed by the Director Town Planning and Director General.

16. Mortgage of Plots.

After the approval of the layout Plan by Gwadar Development Authority.

- (a) The sponsor shall be required to mortgage 30% of the salable area in favour of the Authority (as per specimen enclosed at Appendix-D).
- (b) In case the sponsor does not desire to mortgage 30% of the salable area he shall be required to deposit the entire development cost of infrastructure with the Authority or shall furnish a bank guarantee from a scheduled bank of equivalent amount in favour of the Authority. The amount of development cost declared in the application form shall be assessed by the Authority on the basis of prevailing costs of development.
- © In any case account of development cost shall be maintained in a bank in Gwadar Town.
- (d) The sponsor shall also be required to transfer to the Authority free of charge the land reserved for roads, parks, public buildings and graveyards in the scheme as per specimen given in Appendix-C.

17. Public Notice for Plots to be mortgaged

Within 15 days after the layout plan, showing the plots to be mortgaged has been submitted to Gwadar Development Authority for approval, a Public Notice shall be published in the press for inviting objections from the public, if any.

18. Registration of Mortgage Deed with the Authority

- (1) 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 Director General.

- (2) The sponsor shall then be required to submit seven 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 Director General.
- (3) The deed shall be registered by Secretary, Gwadar Development Authority, within a period of two weeks after the submission of the requisite number of copies of layout plan and in manner set out in the mortgage Deed at appendix-D.
- (4) The judicial paper for registration shall be purchased by the sponsor who will also incur all other incidental expenses, including registration fee etc.

19. 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.

20. 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 Authority for approval.

21. Approval of Infrastructural Design.

- (1) The Authority within 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.
- (2) In case of any observations raised by the Authority on the infrastructural design the same should be rectified by the sponsor and resubmitted to the Authority for approval before the expiry of the period of validity mentioned in clause 20 above.

22. Release 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 and Director Town Planning or their representatives, not below the rank of a Deputy

Director have certified that the proportionate development works have been completed as per specifications and designs approved by the Authority and the Director General has accorded necessary approval to the release of mortgage plots as per provision contained in the mortgage Deed.

23. 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 limit 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.

The authority shall also be authorized to freeze the development account if it finds the pace of development un-satisfactory. The may complete the development work at the cost of the sponsor by recovering the same as arrears of land revenue.

24. Linking the Services of the Scheme with the Main Network.

The Authority shall permit the sponsor to link the proposed services network within the scheme with the overall network of the services provided by the Authority within the city after the same has been approved and the sponsor has deposited the fee as may be prescribed by the Authority for this purpose.

25. Miscellaneous

The Authority 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.

26. Sub Division Schemes

All the above procedure will be adopted for approval of Sub-Division Scheme having total area ranging between 1.0 acre to 4.0 acres, except the land use

standards for which Director Town Planning, GDA will specify these standards according to the size of the scheme and the existing facilities available, near the proposed scheme.

27. Application of Land Use Control Regulations

Every public and private sponsor (including Government, Semi-Government agencies, Autonomous bodies, Limited Companies, Housing Societies, firms etc. hereinafter called the "Sponsor") intending to undertake any land development works within the boundary of the area controlled by the Authority shall comply with the requirements of the these Land Use Control Regulations.

28. Every prospective sponsor may obtain a Planning permission/development permit from the Authority before undertaking any development activity within its jurisdiction area.

29. Types of Development Permits.

Development permits shall consist of two types:

a) General Development Permit.

- i. For land Developments as per proposed land use.
- ii. For Development which does not involve a change in the use of land or a structure from a designated use to another use which is in a different category.

b) Special Development Permit:

For land developments requiring special permission for a change in the proposed land use or sanctioning a particular use of land and involving an exercise of policy decision.

30. Areas of Concern.

Every prospective sponsor who intends to carry out land development works of the following and similar categories of land uses within the area/jurisdiction of the Authority may seek such permission before undertaking any works:

- a) Development of streets and other rights of way.
- b) Public utilities and Municipal Service facilities.
- c) Cinemas, Theater, Petrol Station Etc.
- d) Parks, play land, amusement parks, open spaces.
- e) Poultry, Dry and Fish farming or hatcheries.
- f) Small or large scale industrial Establishments and Ware housing.
- g) Small or large scale commercial Establishments.
- h) Transports, Terminals.
- i) Religious, buildings.
- j) Educational, Training Institutions and health Centres.
- k) Irrigation works, Water bodies.

- l) Mining/Quarrying.
- m) Marriage halls.
- n) Amalgamation of plots.
- o) Hoardings/Neon Signs (All types)
- p) Stone crushers.
- q) Brick Kilns.

31. Requirements of Application.

Every as per application (Appendix-A) submitted for obtaining planning permission/development permit for uses listed under clause 6 above must be accompanied by the following plans/documents.

- a) Site/location plan on appropriate scale (not less than 1:10,000) giving location of the proposed site in relation to its surroundings duly verified by a registered Town Planner and signed by the sponsor.
- b) Original ownership record of land/structures proposed for development (i.e. AKS Shajra, Pard-e-Malkiat, Mutation Deeds, Tetima duly attested by Tehsildar concerned).
- c) Exact identification of the site duly signed by the Patwari concerned giving area of the proposed scheme and the intended use/uses.
- d) An official bank receipt of Rs. 8,000/- paid as scrutiny fee in favour of the Authority. This is subject to revision by the Gwadar Development Authority.
- e) In case the above documents are incomplete in any manner, the same shall not be accepted and be returned to the sponsor.

32. Grant of development permit.

Director Town Planning within a period of 30 days after the receipt of an application for permission to carry out development works shall:

- a) Scrutinize the application as per provisions of Gwadar Master Plan and other approved schemes of GDA.

- b) Give a notice in the press at the cost of the sponsor regarding the scheme for inviting objections from the Public within 15 days.
33. In the light of objections, if any, received from the public, a special committee comprising of Chief Engineer and Director Town Planning shall put up its recommendations for final decision by Director General so as to:
- a) Approve or refuse permission to carry out the proposed development activity based on the objections, if any, received from the public and in the case of refusal, specify the reasons or
 - b) Propose amendments or require further details of the plans, documents and any other particulars to be submitted to it.
34. The development permit issued by the Authority (Appendix- may provide the details of the terms and conditions to be complied by the sponsor for the proposed development works.
35. Appeal against the rejection of the development permit may be filed with the higher competent authority within thirty days of the issue of rejection order by the Authority.

36. Approval of Detailed Plans

After obtaining permission for the development of proposed scheme under Regulation 33, the sponsor is required to submit within a period of one year from the date development permit is granted, three copies each of the following documents duly signed by the Registered Town Planner/ Engineer Concerned for approval by the Authority:

- a) Detailed topographical survey plan of the site showing all physical features existing on the site with contours at one meter intervals.
- b) Detailed layout plan of the proposed schemes/ developments showing circulation pattern and sub divisions of land under various uses according to the prescribed land use standards incorporating details of the AKS Shajra Plan.
- c) Detailed design of infrastructural facilities including roads, water supply, sewerage, drainage, refuse collection electricity and gas networks etc.

37. The Director Town planning, in consultation with Chief Engineer, within a period of sixty days after receipt of the detailed plans for the proposed Scheme shall approve the same Incharge fees as per regulation 40 hereunder or proposed amendments or require further details of the plan for incorporation in the scheme.

38. Period of validity

- (1) After the grant of development permit, the detailed layout plans of the proposed Schemes shall be submitted for the approval of the authority within 90 days and the detailed infrastructural planes within one year from the date of the grant otherwise the development permit will stand cancelled.
- (2) The period of validity of a sanctioned plan to undertake developments shall be three years from the date of sanction.
- (3) In the event of expiry of a period of validity of a development permit / sanctioned plan, every prospective developer shall be required to get fresh approval in accordance with the provisions of these regulations by applying afresh and depositing the required fees etc.

39. Conditions to Development Permits

The Director Town planning may attach to a development permit conditions which may concern any matter or subject to these regulations including means for :

- a) Minimizing any adverse impact of the proposed development upon other land including the hours of use and operation and the type of intensity of activities which may be conducted.
- b) Controlling the sequence of land development including when it must be commenced and completed.
- c) Controlling the duration of the use of land development.
- d) Ensuring proper maintenance of land development in future.
- e) Ensuring provision of rights of way, development of streets, utilities, parks and open spaces etc. of a certain quality and quantity which is reasonably necessary for the proposed development

40. Scrutiny / Attestation and copying Fees

(1) The Authority shall charge a scrutiny fee at the following rates for granting a General Development permit under these regulations:

- (i) Development permit fee Rs. 5,000/- per Scheme
- (ii) Approval of Detailed Plans :
 - Residential land used Rs. 500/- per acre
including utility services
 - Commercial, Industrial and Rs. 1000/- per acre
other similar land uses.

(This fee will not be charged on those cases where prescribed processing fee has been deposited with initial application form).

- (2) An attestation fee of Rs. 100/- shall be charged for any letters / documents / plan etc.
- (3) The Authority may exempt from the payment of scrutiny fee the premises, which in the opinion of Authority will be used of religious charitable or educational purposes.
- (4) For special Development permits, one and a half times the rates of General Development permits will be charged.
- (5) For Change of land use from residential to commercial / industrial if agreed by the Authority, a lump sum fee of 500,000/- per kanal will be charged for obtaining a special Development permit within the municipal limits and Rs. 250,000/- per kanal in areas outside municipal limits in addition to the normal fees payable for obtaining Development permits under these regulations.

41. Penalties

- (1) Any person who violates any of the provisions of these regulations or the conditions of development permits who abstracts the entry of the person authorized under these regulations or molests any such person after entry shall be punishable:
 - (i) With a fine which may extend to Rs 50,000/- in default, with simple imprisonment which may extend up to six months; and

- (ii) In case of continuing violation, with an additional fine which may extend to Rs. 1500/- for each day after the first day during which the violation continues.
 - (iii) in case of selling of mortgaged plot/area or services plot, the original plot will be restored if possible and penalty of up to Rs. 10,000/- will be payable in addition to the cost of plot at market rate. The amount of penalty will be decided by a committee consisting of chief Engineer, Senior Director Technical, Director Town Planning and Director Master Plan.
- (2) If the person committing an offence punishable under these regulations, is a company firm or other association or body of individuals, whether incorporated or not, if it is proved that the offence was committed with the consent or connivance of, any officer of, or other individual concerned with its management, such officer or individual shall be liable to be proceeded against and punished.
- (3) The above action will be in addition to any other applicable enforcement powers, for the time being in force.

42. Site Inspection

- (1) The Authority may, through its authorized Officer, inspect such premises, at any time without giving previous notice:
- (i) During execution of development works; and
 - (ii) before and after the grant of development permit with respect to any such works;

43. Violations of Approved Permits

If on making any inspection the Authority finds that the development Works:

- a) Contravene any of the provisions of these Regulations, any officer duly authorized in this behalf by the Authority may be written notice require the person carrying out development works within a period to be specified in such notice, either to make such alteration as shall be specified in such notice, with the object of bringing the work in conformity with the said plans or provisions of these Regulation or to get amended plans approved after complying with the requirements of these Regulations.

- b) In case the developer has not complied with the requirement as per Regulation 18 (a), any officer authorized by the Authority shall be competent to order in writing cessation of work or order demolition of such construction which may contravene any of the provisions of these Regulations and the expenses thereof shall be paid by the owner.

44. Execution of Development Scheme

The sponsor shall execute the development Scheme as approved within the stipulated time and with all necessary infrastructure.

45. The Authority may, in genuine case grant extension in the development period but not beyond a total of three years.

Completion Certificate

46. Every sponsor on completion of development works as approved shall inform the Authority in writing about the completion of the scheme.

47. On receipt of the above information, the Authority shall depute an officer to inspect such works and a completion certificate shall be issued, provided the work has been carried out in accordance with the approved plans, designs and specifications.

PART – III

GUIDELINES FOR ISSUE OF DEVELOPMENT PERMITS TO MAJOR AREAS OF CONCERN

48. Petrol Stations

- (1) A Petrol Station may be installed and located only on a main collector street having a total right of way of at least 80 feet.
- (2) A petrol Station may be installed located within one Kilometer of the site of an existing or approved Petrol Station unless it is located on the opposite side of a street having a right of way of not less than 100 feet and a dividing median strip. The Authority may however relax such condition in densely populated areas if in its judgment traffic conditions permit.
- (3) No Petrol Station may be located within 300 feet of a crossing of two major arteries or a roundabout. The Authority may relax this condition as per site requirements.
- (4) The minimum street frontage of a Petrol Station shall be 80 ft. and a minimum plot area of 10,000 Sq-ft.
- (5) Both “in” and “out” roadway shall not be less than 20 feet wide and an approach angle of not more than 45 degrees.
- (6) Adequate parking space shall be provided for a supply tanker within the premises.
- (7) There should be a provision of at least one lavatory at the site.
- (8) The Authority may impose lease rent of the portion of highway being used by the Petrol Station for the entry and exit of the traffic.

49. Industrial Development

- (1) No land development for industrial purposes may be undertaken without a special Development Permit obtained from the Authority.
- (2) The applicant for industrial development shall submit plans for the removal of liquid and solid wastes from the site in such manner as shall avoid or minimize environmental hazards, the pollution of nearby water courses or sources, sewers or water supply facilities.
- (3) The applicant shall give the details of noise and vibration generation in the industry and the measures for its control.

50. Cinema Houses

- (1) No Cinema, theatre or similar entertainment facility shall be located within 250 yards of any mosque, religious building, hospital, public building or school.
- (2) The size of a cinema plot shall be calculated @ 2 Sq-meter per seat with a total area of not less than 1000 sq-meters.
- (3) The size of auditorium shall be calculated at the rate of 0.70 sq. meter per seat and shall only be located on ground or first floor.
- (4) Proper provision of parking space, W.C. and urinals be made as per prevailing standards under Building regulations.
- (5) Sufficient parking spaces for cars, motor-cycles and cycles shall be provided in the premises.
- (6) No Cinema should be located on any road having a right of way of less than 50 feet.

51. Hoardings / Neon Signs

- (1) No hoardings, advertisements, sign boards or neon signs shall be allowed on the plot or along roads/ Streets except with the approval of the competent authority.
- (2) No hoarding, advertisement, sign board or neon sign shall be fixed:
 - (i) On the roadside obstructing the flow of traffic and causing road accidents.

- (ii) within 12 ft. from the outer edge of a carriageway and should have a vertical clearance of at least 6 feet.
 - (iii) within 200 ft. of a road junction/road about.
 - (iv) on a footpath or a public walkway.
- (3) A neon sign fixed on an electric/telephone pole should have:
- (i) a vertical clearance of at least 12 ft. from the top road level.
 - (ii) no overlap / projection over the carriageway.

52. Use of Land

No land shall be used in a manner inconsistent with the use prescribed in any approved scheme, land use plan, zoning plan or the master plan as the case may be.

53. Right of Way

(1) The minimum rights of way for Arterial, Major and Secondary roads within the jurisdiction area and the proposed minimum building lines along these roads shall be as specified below:

Type of Road	Right of Way	Building line From the Right Of way line
(i) Arterial Roads and Bypasses	150 feet	50 Feet
(ii) Major Roads	100 feet	30 feet
(iii) Secondary Roads	80 feet	20 feet

(2) For roads other than those mentioned at 53 (a) the right of way shall be:-

- (i) as prescribed in the approved Schemes
- (ii) as established at site in existing built up areas
- (iii) not less than 30 feet (7.5 m) in all other cases

(3) A minimum of 50 feet right of way for active water channels will be preserved and protected and no building activity shall be allowed within this reservation.

- (4) No gate, boundary wall or fence shall be erected within public right of way or public accesses.
- (5) The authority may exercise the powers to remove or demolish any encroachment existing on public rights of way including roads, footpaths, junctions, roundabouts etc. and take necessary steps to ensure their protection.

54. Compatibility of proposed Developments

The Authority may ensure that the development permits are not granted to such land use activities which might injuriously affect property owners or cause discomfort or inconveniences to the residents of the neighborhood or community or otherwise be incompatible with the surrounding environment or community interests.

55. Seismic and tidal considerations

Developments in the high risk zones like seismic and high tide affected may be confined to those which are designed by qualified structural Engineers.

56. Protection of Green Areas

- (1) Orchards and green areas are a rare feature of the city as well as they give it an aesthetic value that deserves to be protected and enhanced. Efforts should be made to retain existing open spaces, orchards and green areas.
- (2) A reasonable green space is proposed along coast line. Hence no development should be allowed within 100 meters for the coast line.

57. Development Related to water Availability

- (1) Development Planning and control has to be directly linked with the water availability. The scarcity of water requires an economical and judicious use of water.
- (2) The agency responsible for the control and development of water resources should have the charter to monitor the existing uses of water and to develop new sources of water meet the future demands of its population.

58. Control on Water

Since the water resources are limited, therefore other sources need to be adopted one viable option could be de-salination plants.

59. Existing Urban Area

The Existing Urban area have meandering and narrow streets that dictate their own system of service infrastructure. The existing boundaries of these areas should be demarcated and the Prospective developers must ensure that all developments outside these boundaries must conform to the general land use standards applicable within the controlled area.

60. Graveyards

All existing and proposed graveyards should be identified, demarcated, protected and planted with trees.

61. Environmental Aspects

- (1) The grant of development permits to land uses causing air, water and noise pollution are to be strictly controlled by the Authority. Such land uses may only be encouraged for development away from the built up area. Every non residential scheme shall have an environment impact assessment.
- (2) The development of industrial establishments be kept away from the residential land uses and their location should be dictated by prevailing wind direction.

62. Change of Land use

- (1) No change of land use or conversion of amenity, utility and other plots as designated shall be allowed.
- (2) The sponsor shall apply to the Authority for the change of land use of the plot with full justification. The Authority shall examine the application in the light of the proposed land use and planning of the area, commercial facilities in the vicinity, road width, traffic flow and other relevant factors.
- (3) The Authority shall also issue a public notice for the change of land use of the plot/plots for inviting objections, if any, from the public and the expenses shall be borne by the sponsor.
- (4) Final "No objection certificate "(i. e Development Permit) shall be issued by the Authority after approval of the proposed change.

63. Development in already existing Areas

The District and Tehsil Government shall consult and seek technical advice from the Authority for the following:

- a) Change of land use from residential to commercial / industrial use.
- b) Buildings to be constructed with more than three storeys.

64. Other Planning Matters

For all the intended development activities which are not provided for under the scope of these regulations, all agencies concerned should seek the technical advice of the Director, Town Planning before undertaking any such development to ensure its conformity with the land use developments recommended under the Master Plan.

PART-V

PRESERVATION OF STRUCTURES OF SPECIAL ARCHITECTURAL OR HISTORICAL INTEREST

Designation and Declaration of Special Architectural or Historical interest Structures

65. The Authority may designate and declare a special architectural or historical interest Structure which:

- (a) is of Special interest through association with significant persons or events in the history of the province or Nation, or
- (b) embodies distinctive characteristics of a type, period or method of construction, or possesses high artistic or architectural value; or
- (c) has yielded or is likely to yield information important in prehistory, such as ancient monuments or archaeological findings.

66. Approval for Demolition, Alteration or Extension

It shall be unlawful for any person to demolish, alter or extend any structure of special architectural or historical interest, without obtaining the prior approval of the Authority.

Part – VI

Areas subjected to Special Control

67. Commercial Zones

- (1) The designated for commercial land use, is provide in the Master Plan. At initial stage commercial areas in the Housing projects may be allowed for specific prescribed percentage.
- (2) The west Bay coast line shall have the following parameters:
 - a. 80 meters from high tide line as beach clear area.
 - b. Further 100 meter wide built will be for recreation / entertainment area. It will be divided 100 x 100 square blocks, and every alternate block will be open area to be developed for public purposes. The block permitted for activity shall be allowed 50% constructed area while remaining 50% for parking and terraced setting facility with at least 4 feet raised from earth level.
 - (c) No building shall be higher then two floor. No basement shall be allowed. House open setting area at top of first floor shall be permissible.
 - (d) A Six lane + 10 feet median + 10 feet green built on each side and 18 feet service road each side and a 10 feet wide corridor for under ground cables shall be provided.
 - (e) A further 120 meters built shall be reserved for commercial use. High rise building to the extent of 20% length of the area shall be permitted.
 - (f) A space for another parallel 6 lane road shall be reserved a belt for low rise, single and double storeys commercial buildings shall be reserved which will here excess to all internal road / Street to the adjoining residential area.

- (g) No Commercial building in the residential area shall be more than three storeys (G+2)
- (h) The central road shall be as per specifications at sub para 3 above. On both sides of the road activity as specified at sub para 4 above shall be permissible.
- (i) Space equivalent to a six land road shall be provided as axis / service and buffer zone, between high rise building land and residential area.

67. A

Koh-E-Batail

Having in view the peculiar location and geographical conditions of Koh-e-Batail the following special byelaws be followed:

- (i) Pakistan NAVY base in the eastern portion be allowed to continue within its allotted area because of its strategic requirements with the condition that all new constructions made there should not be more than single storey buildings comprising not more than 40% constructed area.
- (ii) The remaining area of Koh-e-Batail be used for limited residential and recreational purposes.
- (iii) The existing allottees of Koh-e-Batail should be allowed to use their land for residential purposes with prescribed restriction of single storey construction, no basement, preferably each unit should have its own sewerage treatment and disposal plant or small scale sewerage recycling plant and disposal facility catering for 50 to 100 units.
- (iv) The total constructed area in each unit should not be more than 40% of the allotted area. The allottees may change the land use from residential to recreational only, with the prior approval of the Gwadar Development Authority.
- (v) No new allotments in Sangar Housing Scheme be made for residential purposes except to resettle or compensate those people of the new town area whose houses/plots got acquired for main boulevard, circle and green area under the Master Plan. All remaining area be reserved at a ratio of 20% for commercial / recreational purposes, and 80% area for open space sports like golf course, play ground, zoological garden and national park.
- (vi) The area reserved for commercial/recreational purpose be auctioned in open, to generate funds to be used for development of Koh-e-Batail.
- (vii) The overall leasing authority should be the Government of Balochistan and in case of Sangar Housing Scheme the District Government. However, every development plan and building plan should be got approved from the Town Planning Section

and Building Control Section of Gwadar Development Authority.

- (viii) Existing plan of the Sangar Housing Scheme be revised keeping in view the town planning regulations of Gwadar Master Plan and specific regulations formulated for Koh-e-Batail.
- (ix) The development charges worked out for Sangar Housing Scheme be rationalized to sustain a viable development plan to be introduced by the sponsor.
- (x) Separate Desalination plant for Sangar Housing Scheme be planned, which should cater for the requirement of the remaining area of Koh-e-Batail, as well.
- (xi) The existing approach roads of Koh-e-Batail may get choked once the port starts functioning. Therefore another route is required to be planed from the West Bay side.
- (xii) All type of digging mud and mining of stone from Koh-e-Batail be banned.
- (xiii) The southern and south western tip of Koh-e-Batail be left open/green area for saving the sea from pollution.

68. Residential Zone

Residential Zones are provided in the master plan and any change of land use is only allowed after the approval of the competent Authority.

69. Green Belts / Areas

The green areas proposed along the coast line shall be maintained as such and no change of land use shall be permitted in these zones:

PART- VII

MISCELLANEOUS PROVISIONS

70. Removal or prevention of violations.

- (1) The Authority shall carry out periodic site inspection and take other appropriate measures to ensure compliance with these regulations.
- (2) If the Authority shall find that any of the provisions of the these regulations or any rules relating thereto. or any conditions of a general or special development permit, are being, or have been violated, it may cause a notice in writing to be served on any person responsible for the violation.

- (3) The notice shall indicate the nature of the violation and the Authority may order such action as it may deem appropriate to correct the violation including:
 - (i) The discontinuance of any illegal work being done on, or activities being conducted in relation to, land or structures;
 - (ii) The removal of unlawful conditions or the alteration, removal or demolition of illegal structures or of illegal additions, alterations or structural changes; or
 - (iii) any other measures authorized by these regulations; or with the conditions of development permit.
- (4) The order may specify the period within which the violation shall be corrected, and in the event of non-compliance with the order, the Authority may itself cause appropriate measures under the relevant statute to be taken to affect compliance. The expenses shall be recoverable from the owner or owners in the manner provided for the recovery of arrears of land revenues or taxes.
- (5) The giving of notice and making and serving of an order under this section shall not be a prerequisite to the initiation of , and shall not bar, any prosecution under any applicable law, and the Authority may take action under this section whether or not a prosecution has been initiated.

71. Revocation of Development Permits

where a development permit has been granted, if the authority which granted it finds, that any of the provisions of these regulations or any conditions of the development permit, have been violated, that authority may issue an order revoking the permit.

- (a) If the person has miss-represented facts or has suppressed the facts.
- (b) if the person responsible for the violation has not taken the corrective action directed by such Authority within the time specified;
- (c) The authority has given such person an opportunity to be heard on the matter.

72. Appeals

- (1) within thirty days from the date of service of any order of the Authority under these regulations any aggrieved person so served

- may appeal to Authority which shall give him an opportunity to be heard before such officer or committee and within such reasonable time as shall be designated by the Authority.
- (2) within thirty days from the date of service of any order of the Authority under these regulations or if its determination on an appeal under sub-section (56 a), the aggrieved person so served may appeal to the Government which shall give him an opportunity to be heard before such officer or committee and within such reasonable time as shall be designated by the Government.
 - (3) Representatives of the Authority shall be entitled to participate in the proceedings of any appeal to the Government.
 - (4) The Authority or the Government, as the case may be after considering a report and any recommendations of the hearing officer or officers, may affirm, modify or over-rule the order or determination/decision.

73. Registration of Professionals with GDA

All qualified Town Planners registered with the Pakistan Council of Architects and Town Planners and desiring to practice in public or private sector in Gwadar Tehsil must get himself / herself registered with the Authority on payment of annual subscriptions as provided for in such regulations adopted by GDA.

74. Pre-qualification of Contractors

Every Contractor being qualified / enlisted under the prevailing rules in force with the communications and Works Department, Govt. of Balochistan Shall be entitled to bid / participate in works sponsored / executed by GDA.

**BY ORDER OF
GWADAR DEVELOPMENT AUTHORITY**

Directorate of Town Planning,
Gwadar Development Authority

No:
Dated

To

GRANT OF DEVELOPMENT PERMIT

The proposal submitted by you for _____
has been scrutinized in this office and there is no objection to the
development of _____ in the area situated at
Gwadar, for an area measuring about _____Acres and consisting of
the following Khasra Nos: _____

The issuance of Development Permit is subject to the following conditions:

1. Development works in the scheme will be executed by the sponsor/owner.
2. Provision of proper access to the scheme, proper system of sewerage
3. Khasra numbers, if any, overlapping with the schemes already approved by GDA will be considered/have been deleted.

4. Khasra numbers, if any, overlapping with the schemes already under process or at planning permission stage will be allowed to be included in the scheme provided ownership is confirmed in your favour at the time of submission of detailed scheme.
5. Areas falling under proposals/ notifications issued by the Government will be considered deleted from the scheme.
6. The scheme will not be advertised in any newspaper or magazine or through any other publicity media for sale to the general public till the final approval of the scheme is accorded in writing by GDA.
7. The provision of proposed Master Plan roads adopted by GDA will be made so as to accommodate the circulation network and other proposals, if any, of the Master Plan in the layout of the scheme.
8. The Layout plan of the scheme to be submitted by you shall be prepared and signed by a Registered Town planner and shall also bear the signatures of the owner/sponsor.
9. Following documents shall be submitted for scrutiny of the proposed development:
 - a) 3 copies of site plan showing location of scheme, on scale 1: 10,000 or any other convenient scale with reference to its surrounding areas.
 - b) 3 copies of survey plan of the site showing the spot levels, physical features such as existing trees, borrow-pits, high tension lines, water channels, existing grave yards, mosques etc. The contour with 0.5 meters or 1 fit interval be indicated on the plan.
 - c) 3 copies of layout plan drawn to be scale of not more than 1:2500 with Khasra plan duly superimposed and showing various land uses in accordance with prescribed standards.
 - d) One copy of ownership record including Fard-e-Malkiat, Aks shajra, Mutation deed duly attested by Tehsildar concerned.
 - e) One copy of an irrevocable General Power of Attorney duly registered, if the scheme is submitted by any person other than the owner/s.
10. The development permit shall remain valid for a period of 3 months from the date of issue and will be treated as withdrawn if the details of the scheme are not submitted to GDA for scrutiny within stipulated period.

Director Town Planning
Gwadar Development Authority

No. _____

Dated _____

Copies for information to:

1. Director General, GDA
2. Chief Engineer, GDA

Director Town Planning
Gwadar Development Authority
APPENDIX-C

TRANSFER DEED

THIS DEED OF TRANSFER made on this _____ day of _____ 19 _____

By Mr. _____, Secretary, _____
_____, hereinafter called the
Transferor:

IN FAVOUR OF

The Gwadar Development Authority, hereinafter called the "Transferee" (including the area increased due to addition of village revenue paths, water courses and village boundary, if any). WHEREAS the Transferor is absolute owner with possession of land measuring _____ Acres _____ bearing _____ Khasra Nos. _____ in _____ Tehsil and District Gwadar.

AND WHEREAS the Gwadar Development Authority has approved the layout of _____ on the land.

As per annexed Map.

NOW THEREFORE, this deed witnesses as follows:

1. That the transferor hereby warrant that he is the absolute Owner of the Property and no person whatsoever has any charge, encumbrance, lien or mortgage over the property and same is free there from.
2. That in consideration of Public Welfare, the transferors hereby transfer to the Transferee free of charge all its rights, interests, easements, apperitinent hereto in the Property and to hold the same to the transferee as absolute and lawful owner.
3. That the transferor further agrees that all times hereinafter, upon the request and at the expenses of the Transferee, to executed or cause to be executed all such lawful deeds, acts and things whatever for better and more perfectly conveying and assuring the "Property" for the Transferee, its heirs, executors, administrators, assigns as shall be reasonably

required by the Transferee and placing it in its passion or the same according to the true interests and meaning of this agreement.

4. IN WITNESS WHEREOF the Transferor has been signed the deed.

WITNESSES

TRANSFEROR

1. _____
Occupation _____
Address: _____

2. _____
Occupation _____
Address: _____

APPENDIX-C

MORTGAGE DEED

THIS Mortgage Deed is made at _____ on the _____ day of the month of _____ the year two thousand and BETWEEN _____

_____ of _____ adult, (hereinafter referred to as the "Mortgager" which expression, where the context so admits, shall include heirs, executors, administrators, legal representatives, assigns and successors) of the One Part AND the Gwadar Development Authority being a corporate body established under the GDA Act-2003 (hereinafter referred to as "the Authority" of the other part.

WHEREAS the mortgager applied for approval of a _____ Scheme for an area of _____ Kaal bearing drawing No. _____ District Gwadar under Section of the GDA Act, 2003 and the Authority through its Director General approved the scheme on the condition that the Mortgager had agreed to mortgage to the Authority 30% of the saleable area of the said _____ Scheme.

Now this deed witnesses as follows:

1. As a security for the provision of development cost for services, the mortgager hereby grants, assure, demises and mortgages up to the Authority plot Nos. _____ shown in red color on the attached scheme plan. Value of the assessment of Revenue Officer, Gwadar.
2. The Mortgager shall pay all stamp duties registration charges and other incidental expenses for and in connection with this any other document to be required in respect of the redemption of this mortgage deed.
3. The Mortgager shall pay proportionate cost to the Authority for the trunk services provided by the later such cost shall be worked out by the Authority which shall be final and paid by the Mortgager within the period as stipulated by the Authority.

4. If the sponsor desires GDA to undertake the detailed designing of each utility service, the design fee for rendering such service will be mutually agreed between GDA and the sponsor.
5. the Authority shall release the mortgaged plots in proportion to the development that may be completed by the Authority.
 - On the completion of 50% of the development work, 25% of the mortgaged plots shall be released to the mortgager.
 - On completion of 75% of the development work, another 25% of the mortgaged plots shall be released to the mortgager.
 - On the completion of 100% of the development work, another 30% of the mortgaged plots shall be released to the mortgager.
 - Remaining 20% of the mortgaged plots shall be released to the mortgager on actual operation of water supply and sewerage system.
6. The Mortgager hereby transfers to the Authority free of charge the land reserved in the layout plan for open spaces and sites for public buildings like schools, dispensaries, mosques, post offices, grave yards etc. and land under the roads in the scheme as detailed below:

	Site	Color	Area
i)	_____	_____	_____
ii)	_____	_____	_____
iii)	_____	_____	_____
iv)	_____	_____	_____

7. If at any stage, the land under the scheme or any part thereof is required by the Authority for any purpose, the Mortgager or his successor-in-interest or any other person claiming any right or interest in the said land shall have no objection to its acquisition by the Authority under the Land Acquisition Act in-force nor shall the approval to the layout plan by the Authority operate as an estoppels against it.
8. If the sponsor fails to abide by the agreement the concurrence will be withdrawn and the scheme shall be taken over by the Authority.
9. The plots mortgaged to the Authority as a security towards the payment of development cost, shall be open to inspection at any time by any officer of the Authority deputed for the purpose.

10. The mortgager hereby covenants with the Authority and guarantees as follows:
- a) That he/she will from time to time and all times hereafter comply with all Regulations framed by the Gwadar Development Authority under GDA Act, 2003.
 - b) That the property hereby mortgaged is his / her exclusive and absolute property in which no one else has any claim, concern, right or interest of whatsoever nature.
 - c) That he /she has a legal right, full power, absolute Authority to so mortgage has been or may be impaired.
 - d) That he/she has not prior to the date of THESE PRESENTS done, made, committed, caused or knowingly suffered to be done any act under a deed or matter hereby the right to some mortgage has been or may be impaired.
 - e) That he/she hereby declares that the property offered as security for provision of civic services is free from all sorts of encumbrances and charges and undertakes that the said property shall not be sold or charged without the prior approval in writing to the Authority.
 - f) That he/she not put the said property in any other charge or otherwise transfer the same or any part thereof in any way and would keep and hold the Authority secured harmless and indemnified against all losses and damages caused to be suffered or sustained by the Authority as a result of any defect in his / her title or any claim or demand preferred by any one with respect to the said property or any part thereof.
 - g) That he/she shall keep the property mortgaged with the Authority as security for the provision of civic services in a proper condition till the entire cost of civic services are provided.
11. In case the Mortgager fails to provide the development cost as required by the Authority under the proceeding clauses, the Authority without any further notice to or concurrence on the part of the Mortgager shall be entitled to:
- (a) Take possession of the mortgaged property.
 - (b) Sell or dispose off the said property or any part thereof together or in parcel on the account and at the risk of the

Mortgager either privately or by public auction or by private contract on such terms and conditions as the Authority shall think fit and proper without the bid and intervention of a Court of Law and without prejudice to the Authority's rights to execute the necessary sale deed, present it for registration and get the same registered and have the necessary mutation of names entered in the Government and Municipal Records, and on such transfer the property shall vest in the transferee, all rights in or to the property transferred as if the property had been sold to the transferee by the owner and for the purpose aforesaid or any of them to make agreements, execute assurance and give effectual receipt for discharges for the purchase money and do all other acts and things for completing the sale, which the person or persons exercising powers of sale shall think proper of the aforesaid power shall be deemed to be a power to sell or concur in selling without the intervention of the Court under the transfer of property Act, 1882.

IN WITNESS WHEREOF the Mortgager hath hereinto set his hand the day and year first above written.

Mortgager

In the presence of witness

1. _____

Occupation 1. _____

Address 1. _____

2. _____

Occupation 2. _____

Address 2. _____

LAND USE CLASSIFICATION

The following land use classification and terminology shall apply to:

- a. Any detailed plans hereafter approved by the Government for the purposes of these regulations; and
- b. any planning scheme hereafter taken by the planning agency.

1. Residential Uses

Includes all land used for dwelling facilities, but does not include land used for lodging facilities operated on a commercial basis. These classes may be internally subdivided either by types of structures (e.g. pucca, semipucca, Kutcha) or by types of housing programme (e.g. improvement regulations, open plot development, utility wall development, bungalows, town houses, flats).

2. Government uses.

Includes the use of land for all government purposes, such as offices, post offices, police stations, jails and foreign missions, other than uses specifically included in other classification.

3. Health and Welfare Uses

Includes the use of Land for health and welfare services, such as health centers, clinics, hospitals, maternity homes or other institutions for physically disabled persons, mental institutions and homes for the elderly, including green and open spaces essential for the proper functioning of such institutions.

4. Education

Includes all land used for nursery schools, kindergartens, primary schools, secondary schools, high schools, Colleges, special colleges, technical colleges, universities, research institutions (other than medical), and fine arts institutes, including green and open spaces essential for the proper functioning of such institutions.

5. Assembly Uses.

Includes all land used for libraries, cinemas, theatres, concert halls, planetaria, aquaria or vivaria (if outside of zoo), non-sportive clubs, exhibition halls grounds, open areas of these facilities will be limited

by their actual operational needs. Green spaces surrounding such facilities are listed under “parks and playgrounds”.

6. Religious Uses.

Includes all land by Mosques, Jamat Khanas, Eidgahs, Grave yards etc. Dargas, Tombs including accessory green and open spaces belonging to the religious body owning the land.

7. Commercial (trade) Uses.

Normally includes only the land used for the activity in question, through this may be increased by additional open spaces for green space, if the operation of the facility concerned requires it Commercial (trade) uses include.

- a) retail shopping: including shopping centers, departmental stores, bazaars, markets and hawkers areas;
- b) personal services: including barbers, hair dressers, baths, tailoring, shoe-making, laundries and dry cleaners
- c) Catering: including restaurants, banquet halls, refreshment stalls, buffets, snack bars, tea and coffee shops;
- d) lodging: including hotels, motels and clubs providing lodging;
- e) business Office: including banks and real estate offices;
- f) Petrol station

8. Parks and Playgrounds: Includes

- a) all green spaces, including related cultural or recreational facilities such as aquaria, vivaria, green houses, zoological and botanical gardens but excluding green spaces ancillary to welfare or educational facilities, and excluding median or other dividing green strips less than 3 meters wide in transportation right-of-way;
- b) all open spaces designated for sports activities whether fully developed or not; and
- C all structures serving sports activities, like gymnasias, swimming pools, stadium, race-course, sports activities or are independent structures.

9. Ports, Mini Ports, Fish Harbour, Jetties Static/Flouting etc.

10. Transportation Right-of-way: includes roads and street parking and loading areas therein, and pedestrian lanes.
11. Manufacturing Uses
Manufacturing uses: includes all industrial activities and may be subdivided into:
 - a) Large-scale manufacturing; and
 - b) Small-scale manufacturing
12. **Wholesale uses:**
Includes all warehousing, godowns, and wholesale markets;
13. **Construction**
includes yards of construction firms, open storage of construction materials, preprocessing of constructional materials, and small pre-fabrication plants serving particular construction projects, but does not include a site under construction which is intended for another ultimate use.
14. **Utilities and Municipal Service Facilities**
Includes all facilities for utility services, excluding those parts of utility networks that are under or above transportation rights-of-way. Utilities and municipal services facilities may subdivided into:
 - a) Water supply; including protected water resources areas, water purification and desalination plants, pumping stations, main water conduits and water reservoirs;
 - b) Sewerage: including treatment plants, sewage farms, oxidation ponds, sludge ponds outside industrial enterprises, pumping stations and main sewers;
 - c) Solid waste disposal: including composting plants and general or special dumps;
 - d) Electricity: including power stations, step-down stations, transformers in separate structures, and high-tension lines;
 - e) Gas: including gas works, pressure reducing station and main conduits;
 - f) Communication: including wireless station broadcasting and re-broadcasting stations and telecommunication exchange and cable network;

- g) Others: including storm water drains, fire-brigade stations, depots of public works and equipment, and civil defense depots.

15. Transportation Terminals:

Includes airport, harbours, railway Stations and yards, bus depots, truck terminals stands and tramway depots and terminals.

16. Protection Zones

includes buffer areas around industrial facilities or transportation terminals and river, beds, which must be kept vacant to protect nearby uses from such facilities or terminals, but does not include buffer areas suitable for agriculture.

17. Semi-Urban Uses:

a) Vacant improved land: Includes land improved for development, such as through the provision of major roads and truck utility lines, but not yet developed.

b) Restricted Land: Includes land the use of which is governed by national security regulations.

18. Non-Urban Uses:

a) Agriculture and Forestry Uses:

i) Agriculture lands: Includes arable lands, pastures and grazing grounds, orchards and vineyards.

ii) Woods grass: Includes woods, forests and tree nurseries.

iii) Fishing: Includes fish harbours, fish ponds and fish farms or hatcheries.

iv) Irrigation: Includes irrigation canals, ditches and dykes.

v) Mining;

vi) Mines:

vii) Quarries:

viii) Salt pans:

c) Non-Urban Vacant:

- i) Development vacant: Includes lands, whether developable for urban or not-urban use, other than vacant land.

