

**IN THE SUPREME COURT OF PAKISTAN**

(Original Jurisdiction)

Present:

**Mr. Justice Iftikhar Muhammad Chaudhry, CJ.**

**Mr. Justice Jawwad S. Khawaja**

**Mr. Justice Sh. Azmat Saeed**

**CONSTITUTION PETITION NO.35 OF 2013.**

(Multi-Billion Scam in the EOBI)

Voluntary Appeared	: Mr. Huzaifa Rehman, Special Correspondent (Investigation), Capital TV
On Court's Notice	: Mr. Sajid Ilyas Bhatti, DAG
For EOBI	: Mr. M. Bilal, Sr. ASC Mr. Pervez Ahmed, Director General (Audit) Mr. Asif Azad, Director (Investment) Mr. Abdul Latif, Director (law)
For FIA	: Mr. Saud Mirza, Director General Mr. Muhammad Azam Khan, Addl. D.G.
For M/o Interior	: Nemo.
For DHA, Islamabad	: Mr. Ahmar Bilal Soofi, ASC.
Date of Hearing	: 17.07.2013.

**ORDER**

Mr. Azam Khan, Additional Director General, FIA, stated that in pursuance of the directions of this Court, inquiries have been conducted and the preliminary report has already been submitted. In the meanwhile, the matter relating to the land purchased by the EOBI was also examined thoroughly with the assistance of District Revenue Officer, Islamabad, and *prima facie*, it has been noted that a deal was entered in a highly un-transparent manner between the EOBI and DHA, Islamabad, inasmuch as, the Public Procurement Rules, 2004, were not followed and low cost

land was purchased on higher rates, in pursuance whereof following amounts were deposited:

(i) 15.475 billion

(ii) 6.82 billion

Total: 22.295 billion

According to him, the inspection of the site clearly indicates that no development had taken place.

2. Mr. Ahmar Bilal Soofi, learned ASC for DHA, controverted the stand and stated that title of plots have been conferred upon the owners by executing allotment letters in their favour. It is to be noted that transfer/proprietary rights of the plots cannot be conferred merely on the basis of allotment letters, unless there is proper documentation as per Transfer of Property Act, Stamp Act and Registration Act. Be that as it may, to watch the interest of the old age employees, who are the contributories to this fund and contribution is being deducted from their monthly salaries, we direct that pending decision of this Constitution Petition, the DHA shall deposit the amount noted above with the Registrar of this Court on or before 19<sup>th</sup> July, 2013, who shall invest the same in some profit bearing scheme.

3. It is further informed by the Additional Director General, FIA that in respect of the transaction, which took place at Lahore, the parties had agreed to refund the amount. Subject to all just exceptions, as we have directed the DHA, to deposit the amount

with the Registrar of this Court and final determination about their liabilities both civil and criminal, shall be decided at the time of the final decision.

4. Mr. Huzaifa Rehman, Special Correspondent (Investigation), Capital TV, appeared and stated that he has broken an important news of the scandal of mis-appropriation of the public money while being in the employment of Capital TV, he has been receiving threats, even the owners are being approached to dispense with his services but we are of the opinion that as he has brought an important information in front of the Court and general public, therefore, the owner of Capital TV shall not take any drastic action against him. He further stated that protection has been provided to him because since the time hearing had commenced, he is receiving threats from many persons. The Law Enforcing Agencies and the Inspector General of Police, Islamabad, and the Inspector Generals of Police of other Provinces are directed to ensure that no body can cause any harm to his person and property.

5. Adjourned to 19<sup>th</sup> July, 2013.

*Chief Justice*

*Judge*

Islamabad  
17.7.2013  
Mahtab/\*

*Judge*

