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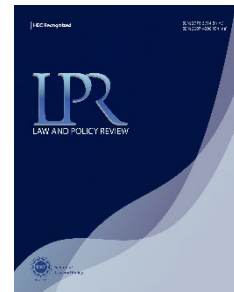
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- Author (s):** Ali Hassan
- Affiliation (s):** National Accountability Bureau, Government of Pakistan, Pakistan
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Land Management and Housing Governance in Pakistan: Regulatory Activism as a Catalyst to Implement the Global 2030 Agenda

Ali Hassan*

National Accountability Bureau, Government of Pakistan, Pakistan

Abstract

The doctrinal mode analytical study aimed to highlight the socioeconomic reliance of Pakistan on the housing and land development sector and the existing regulatory framework governing various forms of housing and land transactions. The study assessed the effectiveness of the housing and land management governance mechanism in Pakistan and its capability to cater to the housing needs of the population vis-à-vis its capacity. Moreover, it also aimed to address the disputes and grievances that arise thereto in a meritorious, cost-effective, accessible, and equitable manner, which are required to achieve the global Sustainable Development Goals (SDGs). The study suggested an optimum governance solution to address the causes of failure and mismanagement in housing industry and land development sector in Pakistan. This purpose was achieved by signifying a responsive regulatory mechanism to counter malpractices in land development sector. Furthermore, sustainable governance solutions were also proposed for the resolution of commercial disputes regarding land and housing development transactions through conventional and non-conventional Alternate Dispute Resolution (ADR) mechanisms. Hence, the current study suggested to provide aide in the achievement of global SDGs in order to promote an all-inclusive and sustainable infrastructure development and land utilization (SDG-09). Additionally, it also aimed to bring forth safe and sustainable urbanization (SDG-11), an all-encompassing potent, reliable, as well as accountable institutionalization to administer legal and economic justice (SDG-16).

Keywords: 2030 Agenda, Alternative Dispute Resolution (ADR), EDB in real estate sector, financial governance, land corruption, land management and housing governance

*Corresponding Author: Charlie.nab@gmail.com

Introduction

Quality living and standard of homes shape family units, social, and national culture. These factors also supplement the sense of identity, security, and ownership among its inhabitants towards the homeland, hence catalyzing social harmony and human development (Bhatt, [2024](#)). It provides human beings with the individuality and place to grow, dream, and plan the future of mankind and the planet. Standard of living and adequacy of available housing facilities result in the physical, mental, economical, and sociocultural harmony of the society (Shapiro, [2019](#)). Provision of non-discriminatory choices for the type and location of an affordable, habitable, accessible, and culturally-adequate house equipped with basic necessities and amenities of life, including drinking water, sanitation, as well as heat and energy sources, has been recognized as a human right through the Universal Declaration of Human Rights (UDHR) (Article 25) (United Nations, [1948](#)). Legal protection against forced evacuation, property-related harassment, and the security of ownership rights has also been guaranteed under UDHR.

Article 25 of UDHR does not necessarily entail the governments to construct housing units for each and every citizen. However, it enables and requires the ratifying states to carry out every possible and sustainable measure in order to prevent homelessness. Moreover, it also necessitates to provide basic amenities for adequate and conducive living as well as facilitate and govern the actions of all engaged in the provision and improvement of housing and land development through a regulatory governance regime by intervening at a statutory, administrative, and strategic level (United Nations, [2009](#)).

The UN's 2030 Agenda to achieve global Sustainable Development Goals (SDGs) emphasizes and requires the party states to act in order to execute the following goals for the promotion of global "5P uniform development" agenda:

Goal-8: Delinking of economic dependency upon environmental degradation and capacity enhancement of national financial institutions to promote access to banking and financial services.

Goal 9: Promote the development of affordable and equally accessible quality infrastructure to support human life by providing enhanced technical support and a favourable policy environment.

- Goal-10: Substitution of legal and regulatory discrimination with uniform legislation, all-encompassing regulation, and effective enforcement.
- Goal-11: Provision of safe and affordable housing, upgradation of slums, promotion of accessible and environment-friendly urbanization, sustainable settlement planning and governance at local as well as national level.
- Goal-15: Protection of ecosystems and biodiversity standards in local and national landscape planning and implementation.
- Goal-16: Guarantee a timely and effective justice system, non-discriminatorily implementable and accessible to all; through responsive, participatory, transparent, accountable, and effective institutionalization in line with global standards (United Nations, [2015](#)).

The State of Pakistan has been a signatory to UDHR. Since its inception, Pakistan has been countering numerous challenges. These include the provision of affordable and adequate housing, sustainable urbanization, effective real estate regulation, and sustainable land administration in consonance to global standards, UDHR, and UN 2030 Agenda requirements. Furthermore, there are certain inherent challenges, for instance, limited financial resources coupled with an underperforming economy, a culture of non-compliance of rules and by-laws, population boom, limited regulatory enforcement capacity, piling up of undecided civil disputes, limited and costly energy sources, inflation, and political instability. These continuously stimulate the legislative and administrative measures being taken by the government to provide quality living standards and opportunities in order to provide access to adequate housing and allied facilities for its citizens.

Angles exploring the land and housing sector regulatory regime in Pakistan including relevant stakeholders, regulatory approaches adopted and respective outcomes, trends and patterns of housing expansion, illegal business conducts associated with land management and housing sector, relevant business risks impacting housing industry in Pakistan, effectuality of legal coverages and remedies available, and effectiveness of regulatory strata are discussed as under:

Housing Sector Regulatory Regime in Pakistan

Existing Regulatory Regime Governing the Housing Sector in Pakistan

The housing sector is a major contributor to Pakistan's economy and development. Housing and construction industry has been prioritized as "C-Category" by the Federal Government since 2001 (Government of Pakistan, [2001](#)). Private housing developers and companies are registered in Pakistan under the Companies Act 2017 by Securities and Exchange Commission of Pakistan (SECP) under the mandate of the Federal Government. The business conduct of these housing developers is regulated by the concerned local government department of the area or province of operations. Due to registration with the SECP, the local government departments leave the enforcement of regulatory matters of the housing development companies at the discretion of the Federal Government (through SECP). Similarly, SECP after registration of the housing companies, does not regulate the business and market conduct of such companies and relies upon the regulatory mandate of respective local and provincial governments (Baig et al., [2020](#)).

The Economic Survey of Pakistan - 2020 revealed the real estate and housing as the fourth largest national employment sector by employing 8%–9.5% of available manpower. Pricing for the cheapest dwelling offered by developers ranges from US \$14,305 against per capita GDP of US \$1,081. Some 11.5% of households rely on renting their residential houses for rental incomes. The survey ranked Pakistan at 108th out of 190 countries in terms of having a business-enabling environment (Reall, [n.d.](#)). The real estate sector is valued as one trillion US dollars industry in Pakistan with 2.5% contribution to Gross Domestic Product (GDP). It is directly and indirectly linked with almost 200 industries, and caters to about 19% of all informal sector employments (Zaman, [2024](#)).

Stakeholders of the Housing Sector in Pakistan

The major stakeholders directly relevant to the land development sector, in addition to the general public include housing builders, land developers, financial and lending institutions, real estate agents, marketing entities, regulators and enforcement departments, chambers of commerce and industries, and environmental governance organizations. The three-tiered housing regulatory regime includes the Competition Commission of Pakistan (CCP), the National Housing Authority (NHA) (governed by the

Ministry of Housing & Works, Government of Pakistan), and House Building Finance Corporation (HBFC) (governed by the State Bank of Pakistan) at national level. It includes provincial local government, building control and rural development and housing departments of concerned provinces. It also includes metropolitan development authorities, district and suburban municipal administrations at Local Level (Competition Commission of Pakistan [CCP], [2019](#)).

Underperformance and Failures of Public Sector Housing Schemes

Public sector contributes about 31% to the provision of housing in Pakistan. Reasons attributed to the underperformance and even failure of public sector housing societies in some cases include non-affordability and high costs, budgetary constraints of the government, and lack of subsidized units. Moreover, these also include speculation business in real estate sector and similar non-purposed usage of such schemes, lack of interest and non-participation by the public, lack of inter-sector coordination, cost overruns due to inflation, and lack of any central regulating body (Tirmizi, [2007](#)).

The concept of housing shortage and the reliance upon the fact that the housing industry promotes employment induces governments to push for and subsidize the construction sector (but not the end user) on a priority basis. This not only creates unnecessary fiscal pressure on an already struggling economy by creating a demand for non-performing funds, however, it also causes inorganic and ill-purposed demand in the real estate market (Nayab, [2022](#)).

The high difference between the cost of land and construction, and the sale price offered in the market for a housing unit is not only due to continuous demand but also due to a number of other economic and non-economic factors. In an economy like Pakistan, where exist very few investment options that offer handsome and promised returns and security to investment, therefore investors find future in stocks, gold, term deposits, real estate, and foreign currencies as safe investments (Aurangzeb, [2024](#)). Similarly, inadequate regulatory coverage by relevant authorities gives space to non-economic actors in order to park their illegal wealth in real estate to hide the ownership and to launder the same, with high returns (El Khoury, [2024](#)). These accumulate to excessively high costs of housing units available for bona fide buyers.

Housing Trends and Patterns in Pakistan

In Pakistan, there is a yawning demand-supply gap of over 10 million houses that grows at the rate of 400,000 annually (Waseem, [2018](#)). The public sector alone is not able to provide with overall housing coverage for such a huge count. On the other hand, private housing is costly and unaffordable for middle to lower income groups of the urban population. The private developers are more interested in low-risk business deals by targeting high income groups, who invest in housing units to earn profit through price escalation (Hasan & Arif, [2018](#)). This is because large portion of home owners use to sell their previous ownerships to purchase the new one, hence using it as a source regular business (Hameed et al., [2016](#)). This vacuum of demand supply gap of low-cost housing units is filled through illegal settlements on state land through disorderly occupation, illegal subdivision and informal urbanization of villages, non-agricultural usage and residential settlements on agricultural or non-residential lands, and invasion on state land for inhabitation called slums (Tirmizi, [2007](#)).

Pakistan is hosting one of the largest urban slums located in Orangi – Karachi. Such settlements are induced by a huge influx of migrants from surrounding semi-urban and rural areas who migrate to the urban centers in search of economic opportunities and better options for life (World Bank, [2024a](#)).

The housing demand-supply gap in Pakistan's largest province in terms of population was estimated at 2.3 million units in 2017 and is prone to reach up to 11.3 million by the year 2047 (Zaheer et al., [2022](#)). In 2024, the project management unit of the Planning and Development (P&D) Department, Government of Punjab reported that 839 housing schemes were constructed illegally on agricultural land in Punjab till 2024. The report highlighted a lack of enforcement capacity of local governments, unavailability of realistic and actionable data with the local regulators, and holding of most land pieces by influential investors for over extended periods under the garb of developmental projects to resell it at higher returns. The report suggested that the ineffectiveness of regulatory regime, political uncertainty, and economic instability are the key factors for such misfeasance in the housing and land development sectors (Iqbal, [2024](#)).

Illegal Business Conducts in the Housing Sector

Lack of housing enforcement and lacunas in sustainable housing and urban development governance regime have created space for illegal activities in the garb of housing and land development businesses. The illegal activities include bogus property listings, title frauds, ghost societies, land grabbing, fake dealerships, sham real estate agencies, and unfair business dealings and practices (Zahid, [2024](#)). Financial irregularities, limited financial resources, and maladministration in the state-owned housing finance body (HBFC) are undermining its operational performance, lending and recovery efficiency, and market reputation (Hussain, [2024](#)). Moreover, these are leaving market space for illegal and undocumented financing schemes and unregulated alternatives to cater to the housing needs of an ever-booming population.

Maltreatment of currency notes done by housing companies by annexing bank currency notes with allotment letters to portray it as a legal tender, exploitation of customers through forced buy-backs, influenced and induced merging and exchanging of allotted plots, unconsented relocation, and re-selling of already sold land or allotted plots are common illegal practices and norms in real estate market of Pakistan.

Provisional plot files are sold in the market to collect funds from the general public under the pretext of housing projects. These files are re-traded for profit as so-called “legal tender money”, thus illegally generating “negotiability” to these ill-intended “instruments” (Baig, [2022](#)). Since these transactions of plot files are generally conducted in cash, it promotes the transaction of unrecorded money. This mode of financial transaction adversely impacts the calculation of the exact volume of the economy and causes loss to the state exchequer through tax evasion and miscalculation of individual wealth and financial profiles. It further promotes the improper functioning of the economic policies (Babar, [2023](#)).

Business Risks Associated with Housing Development

In the current struggling economy of Pakistan, a number of risk factors are attributed to the real estate development sector. Some of the relevant risks are categorized as below:

Property-related risks include risks associated with the acquisition of land, development of land, and property management.

Internal business risks include risks relevant to the availability of technical manpower, designing and construction of projects, regulatory risks, construction management, and availability of resources.

Economic risks attributed to the housing sector involve interest rate fluctuations, market inflation, liquidity risk, taxation rules and rates, financing policies of banks, market and revenue-related risks, cost overruns, exchange rate fluctuations, credit risks, applicable mortgage laws and banking policies, and insurance-related risks.

Construction risks include improper planning and poor traffic plan management.

Legal risks include changes in laws, applicable rules, and policies.

Social risks involve affordability gaps of target customers, urbanization, differences of culture, inexperienced clients, social divergence, expansion, inconsistent focus on profit, and corruption.

Political risks include bureaucratic friction and lack of regulatory interest, instability, and diverse governing policies (Baig et al., [2022](#)).

Ranking of Risk Factors from the Perspective of Pakistan

On the basis of above data, risks associated with the real estate sector in Pakistan on the basis of relative importance index (RII), risk factor probabilities, and impacts are ranked as follows (Baig et al., [2022](#)).

- Land acquisition and selection
- Applicable mortgage laws and banking policies
- Project design and construction specification
- Corruption
- Diverse governing policies
- Instability (Political)
- Urbanization
- Banking policies
- Low quality construction
- Expansion

Grievance Redressal Mechanism in Pakistan for Bona fide Business Disputes Related to the Real Estate and Land Development Sectors

The real estate market in Pakistan is stretched upon a highly variable socioeconomic and geo-cultural strata ranging from the public sector's regulator-operated large housing societies, to small but highly-priced and restricted gated communities and vertical alternatives. It also includes wealthy and influential land developers fully equipped with the best available land development resources coupled with technical skills. Additionally, it also involves private landowners having no formal expertise of land development but sufficient financial resources to finance their construction costs. The customers and intended buyers of housing units also range from those single-sourced earning individuals looking for their first owned house, to financial investors and market giants interested in parking their non-performing wealth and savings for life in the housing sector to gain profits through speculations and price escalations. The ever-evolving unregulated slums and illegally invaded lands being utilized for inhabitation are an add-on to the existing improperly regulated housing sectors. In order to facilitate such huge sections of both documented and undocumented economies, there exist very few rather insufficient dispute resolution options in terms of efficiency, effectivity, accessibility, and affordability (World Bank, [2024b](#)).

Illegal practices in the garb of housing and real estate businesses are criminalized, and are being dealt with under the criminal charges, in essence, fraud, cheating, money laundering, and other relevant provisions by the anti-graft laws of the land. Similarly, disputes of civil nature are generally met with long-awaited civil litigation proceedings, appeals before the upper forums, recovery proceedings, as well as compliance and financial claims. Whereas, irregular or non-regulated business practices that result in disputes and claims seek remedies either in accordance with criminal laws or under civil jurisdictions in the absence of any alternative remedy. However, factors beyond the control of either party cannot be treated and proceeded with as crimes, as laws governing criminal proceedings are neither meant to substitute for or settle scores of civil natures having no criminal intent or latent motive. Unattended and poorly addressed businesses, regulatory, and compliance-related disputes result in legal issues and are highly prone to invoke enforcement regimes. This damages

the ease-of-doing business (EDB) initiatives and frustrates the investor, thus harming the economy in the broader spectrum.

In the current scenario, property transactions, disputes, and business disagreements requiring interventions are piling up as civil cases demanding decades-long costly procedures with unexpected outcomes or huge claims against the developers seeking criminal prosecutions under anti-graft laws. The economic and financial portion of these transactions, which is not covered and thus not governed, includes the depletion of values involved (due to inflation) and lost rate or returns (IRRs) of billions of scarce financial resources and funds involved and blocked in these transactions. This results in the loss of value, in essence, the low Net Present Value (NPV) of these funds, on account of a lack of any purposeful activity and economic utilization. In this manner, the existing dispute resolution and governance regime fails to protect the economic value of funds involved. It not only promotes the economic exploitation of the concerned deprived affectees and litigants, however, also allows economic benefits of the amounts withheld with the defendants, all on account of regulatory incapacity, delayed judicial proceedings, as well as costly and complex process of litigation with no effective alternative. Hence, it demonstrates ineffectiveness to provide and establish economic justice in the society.

This lack of timely and cost-effective legal remedies promotes a counterculture of socioeconomic anarchy and demeans the efforts made to further the cause of attaining Global SDG standards requiring rule of law through institutional strengthening (United Nations, [2015](#)). The non-regulation and non-documentation of a major portion of the housing sector in Pakistan is also acting as a nursery for land corruption and haven for even heinous socioeconomic crime of money laundering (Siddiqui, [2024](#)).

Land Administration and Alternate Dispute Resolution (ADR) Mechanisms in Pakistan

In addition to having a law governing enforcement and recognition of foreign arbitral awards, the local dispute regulatory regime in Pakistan has alternate and non-judicial dispute resolution forums for various sectors. These include income tax, customs, federal excise duties (Federal Board of Revenue (FBR), Pakistan, [2017](#)), banking (Banking Mohtasab Pakistan, [n.d.](#)), insurance (Federal Insurance Ombudsman (FIO), [2024](#)), and workplace protection (Federal Ombudsperson Secretariat for Protection

Against Harassment [FOSPAH], [2024](#)). These forums are already actively contributing to and sharing the responsibilities in order to provide dispute resolution and legal remedies in a non-judicial manner. However, Pakistan is still lagging far behind to establish an impartial, enforceable, reliable, cost-effective, equally accessible, transparent, and practicable alternate dispute mechanism regime for commercial disputes in general, and for land disputes in particular. Pakistan also lacks provision of a standard regulatory framework governing conventional ADR mechanisms, including arbitration, conciliation, and mediation pertaining to land disputes.

In terms of regulatory framework, operational efficiency and public service delivery governing ADR, Pakistan is ranked lowest for provisions ensuring pre-trial conferences and lacking a code of ethics for enforcement agents. It also lacks a system to ensure independence and impartiality of arbitrators and mediators, the non-availability of a review system supporting judicial integrity, and mechanisms of recognizing and enforcing mediation outcomes (World Bank, [2024b](#)). The country's business environment is currently being ranked lowest in terms of having transparent and easily accessible commercial arbitration services. It lacks financial incentives to opt for non-judicial ADR methods of dispute resolution and a reliable commercial ADR system in place. Overall, the economic performance of Pakistan is scored at 41.7% in terms of regulatory framework governing property transfer and land administration (World Bank, [2024c](#)). This regulatory loophole is highly prone to encouraging exploitation of litigants on account of ungoverned and unrecognized ADR services.

ADR mechanisms are yielding satisfactory results in the restoration of justice and catalyzing the provision of legal support in resolving economic disputes in an efficient and acceptable manner in developed economies, viz., protecting the economic stakes of concerned parties and the financial values of funds involved. Pakistan, on the other hand, is facing challenges to provide ADR mechanisms in order to resolve local civil disputes on account of a lack of enforcement mechanisms and technical expertise, non-standardization of the ADR process, lack of regulatory inclusion and institutional support, lack of public awareness and affordable access to ADR forums, lack of skilled ADR personnel and incentives available to opt for ADR, and a counterculture of non-compliance, filing of frivolous complaints, as well as abuse of the legal justice system (Ali, [2017](#)).

Lack of Regulatory Services Governing Land and Property

Pakistan lacks provision of out of court compensations for damages done due to faulty land record maintenance, and protection of ownership title. The country is ranked as least for not having a legal framework governing land management, building energy standards, hazard maps, and the non-availability of a system of mapping, identifying, and separating residential and hazardous zones in order to facilitate effective land governance, and aid to promote sustainable land usage at policy and regulatory levels in line with the UN's 2030 Agenda (United Nations, [2015](#); World Bank, [2024c](#)).

Affordable accessibility to community and local governance-related services and reduction of social inequality by promoting socio-economic inclusion in a non-discriminatory manner are globally regarded as pre-requisites for effective and transparent governance through strengthened institutionalization (United Nations, [2015](#)). Pakistan lacks a digital land management and identification system and an online platform under the government-to-person (G2P) service delivery regime pertaining to property transfers, e-window initiatives, e-complaint management and redressal mechanisms, an online property record correction system, transparency and reliability of information regarding immovable property and land record services, information regarding process costs, and availability of dispute-related data (World Bank, [2024c](#)), which is an add-on for implementation and facilitation of EDB regime in land development and governance sector, and digitalization of civic services delivery system. This highlights a vacuum in the existing regulatory framework necessarily required to be filled by establishing an economically efficient and effective land and real estate regulation and dispute mitigation system. Lack of independent and reliable land utilization data not only results in poor enforcement of land governance rules, however, also yields in greenwashing and corruption related to land utilization and environment (Mullard, [2023](#)).

Conclusion

On the basis of the above literature review, the study highlighted key regulatory and actionable gaps in land management and housing sector governance in Pakistan. These are mentioned as follows:

Need for Regulatory Activism for Efficient Governing of Land and Real Estate through Institutional Strengthening

There exists a need for overhauling of the existing land and housing development regulatory and governance regime in Pakistan to plug in the loopholes relating to ineffective enforcement, non-availability of ADR mechanisms, lack of land utilization planning and enforcement mechanisms, categorization and mapping of available land resources and their digital accessibility, introduction of the EDB regime for all stakeholders in real estate sector, and digitalization of P2G as well as G2P land-related processes in order to enforce transparency and public trust, and to eliminate intermediary discretion retarding the business process in an unfair and unjustified manner (Reall, [2022](#)).

Identification of Lacunas in Governance of Housing Sector

Corporate governance of housing and land development companies in Pakistan needs to be enforced in line with globally-practiced and enforced standards (Organization for Economic Co-operation and Development [OECD], [2023](#)) for safeguarding collective interests of all stakeholders in line with the global benchmarks through regulatory and policy-level interventions for securing long-term economic growth and filling of lacunas used by ill-intended elements to gain unfair financial and legal advantage in the garb of land development business and at the costs of state revenue and public money.

Ineffectiveness of Financial Regulatory Framework Governing Housing Sector

Financial exploitation and abuse of regulatory inactivity for monetary and economic advantage retard regulatory efforts to strengthen institutional governance and defeat the administration of justice in society. The Small and Medium Enterprises (SMEs), housing and sustainable finance department – (SMEH&SFD) of the State Bank of Pakistan (SBP); which is mandated to govern housing and infrastructure finance (State Bank of Pakistan, [n.d.](#)) needs to take measures against illegal use of currency notes and non-recognized documents called “plot files” being used as negotiable financial instruments illegally in the real estate market. The state consumer finance regulator also needs to address the issues related to unlicensed and unauthorized house financing schemes offered by housing developers in order to reduce the likelihood of default by non-intending purchasers, straw

persons, and fortune seekers who enter into such land and housing deals by simply paying down payments or token funds. This ultimately leads towards commercial disputes at later stage. The said practice abuses the land resources in an uneconomic manner and promotes land corruption and money laundering (Countering Environmental Corruption Practitioners Forum, [n.d.](#)).

Artificial Price Hike and Speculation Factor in Real Estate Market

The speculation in housing sector encourages inflated prices and undermines government initiatives to supply affordable and low-cost housing needs to be replaced with enforcing responsible investment practices by implementing mechanism for financial screening of unanticipated applicants who lack financial ability to make full payments. The number of land-related financial disputes may also be reduced by enforcing financial profiling and limiting real estate transactions to qualified individuals. This is done by making sure that only genuine and prospective purchasers, who possess necessary financial capacity and credit worthiness for such deal, are permitted to avail housing finance facilities.

Recommendations

The current study put forth the following academic recommendations to fill the above highlighted voids in the housing and land management sector. These are mentioned as follows:

Formation of a Land Management and Housing Governance Authority

Formation of a well-mandated central land management and housing development regulatory authority duly equipped with financial and operational autonomy is recommended. The Land Management and Housing Development Authority so recommended shall be mandated with planning and enforcing the economic, and efficient use of state land resources and housing development governance system in Pakistan, in partnership with a financial regulator(s) including FBR and, in essence, SBP, the provincial housing development and regulatory departments, concerned energy and power supply companies, and local sewerage and sanitation agencies. Furthermore, rehabilitation and regularization of existing slums and informal settlements (Ahmad, [2023](#)) in uniform legal and administrative patterns through this centralized authority can be more cost-effective and may improve the living conditions of millions of inhabiting people.

Provision of Alternative Dispute Resolution (ADR) Mechanism through Regulatory Regime in Land and Housing Sector

One of the prime differences between ADR and litigation is that; ADR addresses the issues and results in the solution of a joint problem. Whereas, litigation weighs the issues on judicial standards and concludes the case with a winner and a loser. The land and housing development regulatory authority should be vested with a mandate to utilize all possible forms of non-judicial administrative authorities to facilitate and enforce dispute resolution (Ware, [2001](#)). This includes arbitration, conciliation, and mediation through proper and technical forums, both through ADR and online dispute resolution (ODR) services in the most cost-effective and highly accessible manner (Haque, [2012](#)). The proposed authority shall also be equipped with the mandate to adopt modern and evolving non-conventional methods of ADR, including settlement through transaction (Cornell Law School, [2024](#)), collaboration with the stakeholders, engaging government and other authorities, identifying and suggesting existing initiatives (OECD, [2018](#)) in order to intervene in existing regulatory system to resolve systematic issues to stop, prevent, and eradicate malpractices, and plugging of systematic loopholes giving ways and means for unfair gains out of land and housing development governance system.

Corporate Governance of Land Development Sector

In consonance with the current economic right-sizing drive being carried out by government of Pakistan to normalize the balance of payments and streamline the national economy by privatizing low or underperforming segments of the economy and through market liberalization (Profit, [2024](#)), encouragement of private land and housing developers, and public-private partnerships (PPPs) through a robust land governance system, and an active and efficient ease-of-doing business regime is recommended. A well-regulated market competition would result in the provision and catering of low-cost housing demands in the country (Imarat Institute Public Studies, [2022](#)), promote employment, and would add up in revenue for the state.

Need of Financial Enforcement to Regulate the Housing and Land Development Market

In order to boost revenue generation and to prevent economic losses on account of unutilized land, there should be an upper limit / regulatory restriction for ownership of unutilized land by a single entity or its

subsidiary in metropolitan areas (Hasan & Arif, [2018](#)). and a strong check and balance upon local and foreign investments being parked in Pakistan's housing market for non-economic interests including tax evasion and money laundering at the cost of local economic interests, in line with global practices (Petrakis, [2024](#)) in order to encourage productive land consumption and development, and to curb the speculation and other non-residential-purposed investments in the land and housing development sector. Land transactions made by non-filing persons need to be discouraged by seeking tax filing from the existing non-filing owners all over Pakistan. In this regard, the land registry system needs to be linked with the personal profile of individuals available with the FBR and the National Database and Registration Authority (NADRA) to control the incidences of money laundering, benami transactions, cash-based property transactions, and loss of public exchequer on account of tax evasions.

Conflict of Interest

The author has no financial or non-financial conflict of interest in the subject matter or materials discussed in this manuscript.

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References

- Ahmad, M. (2023, June 25). Govt housing schemes fail to make dent in housing deficit. *The News International*. <https://www.thenews.com.pk/print/1084361-govt-housing-schemes-fail-to-make-dent-in-housing-deficit>
- Ali, Z. (2017, July 26). *Alternative dispute resolution: A paradigm shifts in Pakistan's justice system?* The Asia Foundation. <https://asiafoundation.org/alternative-dispute-resolution-a-paradigm-shift-in-pakistans-justice-system/>
- Aurangzeb, H. (2024, July 08). The economy is in the dumps. What asset classes have stood the test of time? *Profit*. <https://profit.pakistantoday.com.pk/2024/07/08/the-economy-is-in-the-dumps-what-asset-classes-have-stood-the-test-of-time/>

- Babar, W. U. (2023, January 16). Real estate's fictitious file system. *Dawn*. <https://www.dawn.com/news/1731800>
- Baig, M. H. G., Tufail, M. M. B., & Baig, M. J. G. (2022). Identification of risk factors associated with construction of low-cost housing schemes: A contextual analysis of Naya Pakistan housing scheme. *Arabian Journal of Business & Management Review*, 12, 1–10.
- Baig, M. I. (2022, June 7). What is 'File' in Pakistan's real estate market? *Dao PropTech*. <https://daopropstech.com/blog/what-is-file-in-pakistans-real-estate-market/>
- Baig, M. R., Nawaz, H. U., & Idrees, R. Q. (2020). Role of private housing companies as developer of housing industry to achieve the goal of housing for all in Pakistan. *Pakistan Social Sciences Review*, 4(3), 1010–1022.
- Banking Mohtasab Pakistan. (n.d.). *About us*. Retrieved November 11, 2024, from https://www.bankingmohtasib.gov.pk/Website/WebPages.aspx?enc_+=LWEVgjr5G7dZG6PocP45tOy1MU1rUa5053WPNbBe5Ik=
- Bhatt, G. (2024). *Home truths*. International Monetary Fund. <https://www.imf.org/en/Publications/fandd/issues/2024/12/editor-letter-home-truths>
- Competition Commission of Pakistan. (2019). *Opinion - issues in the real estate sector of Pakistan*. https://cc.gov.pk/assets/images/opinions/draft_of_real_estate_opinion_01_02_2019.pdf
- Cornell Law School. (2024). *Transaction*. <https://www.law.cornell.edu/wex/transaction>
- Countering Environmental Corruption Practitioners Forum. (n.d.). *Land corruption*. Retrieved November 19, 2024, from <https://environmental-corruption.org/working-groups/land-corruption>
- El Khoury, C. (2024). *Hidden fortunes: How dirty money distorts real estate markets*. International Monetary Fund. <https://www.imf.org/en/Publications/fandd/issues/2024/12/hidden-fortunes-chady-el-khoury>
- Federal Board of Revenue Pakistan. (2017). *The mechanism of alternative dispute resolution*. [https://download1.fbr.gov.pk/SROs/202011612115359253SRO1183\(I\)of2020.pdf](https://download1.fbr.gov.pk/SROs/202011612115359253SRO1183(I)of2020.pdf)

- Federal Insurance Ombudsman. (2024). *Introduction of Federal Insurance Ombudsman*. <https://fio.gov.pk/about>
- Federal Ombudsperson Secretariat for Protection Against Harassment. (2024). *What is FOSPAH?* <https://www.fospah.gov.pk/Detail/OTJmZTM5ZWltOWM4NS00MDliLTkzNjYtZGZkMGRiOGFkN2Iy>
- Government of Pakistan. (2001). *National housing policy 2001*. <https://mohw.gov.pk/SiteImage/Misc/files/National%20housing%20policy%202001.pdf>
- Hameed, R., Nadeem, O., Anjum, G. A., & Tabbasum, S. (2016). Role of private sector in providing affordable housing in Lahore. *Technical Journal*, 21(4), 8–16.
- Haque, I. (2012). Evolving paradigm relating to alternative dispute resolution (ADR) in Pakistan. *Interdisciplinary Journal of Contemporary Research in Business*, 3(11), 421–430.
- Hasan, A., & Arif, H. (2018). *Pakistan: the causes and repercussions of the housing crisis*. International Institute for Environment and Development. <https://www.iied.org/sites/default/files/pdfs/migrate/10864IIED.pdf>
- Hussain, K. (2024, March 18). State owned housing finance giant cuts funding. *Express Tribune*. <https://tribune.com.pk/story/2459746/state-owned-housing-finance-giant-cuts-funding>
- Imarat Institute Public Studies. (2022, November 22). *Inadequate housing in Pakistan: A need for low-cost housing schemes*. <https://iips.com.pk/inadequate-housing-in-pakistan-a-need-for-low-cost-housing-schemes/>
- Iqbal, N. (2024, May 3). Over 1,100 housing schemes in Punjab set up without approval, SC told. *Dawn*. <https://www.dawn.com/news/1831127>
- Mullard, S. (2023, December 14). *Greenwashing: A form of corruption?* CMI Anti-Corruption Resource Center. <https://www.u4.no/blog/greenwashing-a-form-of-corruption>
- Nayab, D. (2022, January 7). *The assumed shortage of housing in Pakistan*. PIDE Policy Viewpoint. <https://file.pide.org.pk/uploads/pv-36-the-assumed-shortage-of-housing-in-pakistan.pdf>

- Organization for Economic Co-operation and Development. (2018, May 30). *Due diligence guidance for responsible business conduct*. <https://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>
- Organization for Economic Co-operation and Development. (2023). *G20/OECD Principles of corporate governance 2023*. https://www.oecd.org/en/publications/2023/09/g20-oecd-principles-of-corporate-governance-2023_60836fcb.html
- Petrakis, M. (2024, December 2). *Rocky relations: Some countries are turning against foreign buyers as soaring property prices become political*. International Monetary Fund. <https://www.elibrary.imf.org/view/journals/022/0061/004/article-A013-en.xml>
- Profit. (2024, May 12). *No strategic SOEs, says finance minister ahead of major privatization push*. <https://profit.pakistantoday.com.pk/2024/05/12/no-strategic-soes-says-finance-minister-ahead-of-major-privatization-push/>
- Reall. (n.d.). *Pakistan: Market shaping indicators*. Retrieved October 11, 2024, from <https://reall.net/msi/pakistan/>
- Reall. (2022). *The affordable housing market in Pakistan: Trends, challenges & opportunities*. https://reall.net/wp-content/uploads/2022/05/The-Affordable-Housing-Market-in-Pakistan_Trends-Challenges-and-Opportunities-V2.pdf
- Shapiro, S. (2019, September 25). *Housing and health: What science has learned about the importance of home*. Hopkins Bloomberg Public Health. <https://magazine.publichealth.jhu.edu/2019/housing-and-health-what-science-has-learned-about-importance-home>
- Siddiqui, T. M. (2024, May 18). *Govt mulls restricting use of cash, decides to introduce reforms in real estate sector*. *The News International*. <https://www.thenews.com.pk/latest/1190471-govt-mulls-restricting-use-of-cash-introduce-reforms-in-real-estate-sector>
- State Bank of Pakistan. (n.d.). *SME, housing & sustainable finance department*. Retrieved August 28, 2024, from <https://www.sbp.org.pk/departments/ihfd.htm>
- Tirmizi, M. A. (2007, September 24–26). *Sustainable urban development strategies for the provision of low-income housing in Pakistan* [Paper

- presentation]. Proceedings of Central Europe towards Sustainable Building conference, Prague, Czech Republic. <https://catalog.ihsn.org/citations/46449>
- United Nations. (1948). *Universal declaration of human rights*. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
- United Nations. (2009). *The right to adequate housing*. https://www.ohchr.org/sites/default/files/Documents/Publications/FS21_rev_1_Housing_en.pdf
- United Nations. (2015, October 21). *Transforming our world: The 2030 agenda for sustainable development*. <https://documents.un.org/doc/undoc/gen/n15/291/89/pdf/n1529189.pdf>
- Ware, S. J. (2001). *Alternative dispute resolution*. West Group.
- Waseem, T. (2018, March 15). *Problems of home financing in Pakistan*. Weekly Cutting Edge. <https://weeklycuttingedge.com/problems-of-home-financing-in-pakistan/>
- World Bank. (2024a). *World development report 2024: The middle-income trap*. <https://openknowledge.worldbank.org/bitstreams/8dca4aff-e0f5-4865-b245-ec9c4583aa60/download>
- World Bank. (2024b). *Economy: Pakistan*. <https://www.worldbank.org/content/dam/sites/b-ready/documents/pdf/Pakistan.pdf>
- World Bank. (2024c). *Business ready*. <https://openknowledge.worldbank.org/server/api/core/bitstreams/08942fab-9080-4f37-b7be-ef61c9f9aed9/content>
- Zaheer, N., Arshad, S., & Kwak, D. (2022, March 11). Managing supply and demand: The key to getting ‘housing’ right in Pakistan. *World Bank Blogs*. <https://blogs.worldbank.org/en/endpovertyinsouthasia/managing-supply-and-demand-key-getting-housing-right-pakistan>
- Zahid, R. (2024, January 09). *Common real estate scams in the Pakistani market*. Imarat Institute Public Policy. <https://iips.com.pk/common-real-estate-scams-in-the-pakistani-market/>
- Zaman, M. U. (2024, March 1). Challenges and opportunities in Pakistan’s real estate sector. *Business Recorder*. <https://www.brecorder.com/news/40291338/challenges-and-opportunities-in-pakistans-real-estate-sector>