FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY
10-MAUVE AREA, G-10/4, ISLAMABAD
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No.15 (7)/2019-HF (A)/2 27th August, 2019

Subject: **MINUTES OF 2ND MEETING OF THE EXECUTIVE BOARD OF FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 22-08-2019.**

The 2nd meeting of the Executive Board of Federal Government Employees Housing Authority was held on 22-08-2019 at 03:00 pm under the Chairmanship of Secretary Housing & Works in the Committee Room of Federal Government Employees Housing Authority, Islamabad.

2. The minutes of said meeting are enclosed for kind information / record.

Encl: As above

(RABIA AURANGZAIB)
Director (Coord)

Distribution:-

i. Dr. Imran Zeb Khan
Chairman EC / Secretary,
M/o Housing & Works, Islamabad.

ii. Mr. Afzal Latif
Additional Secretary (Cabinet)
Cabinet Division

iii. Mr. Abdul Aziz Uqaili
Additional Secretary-I,
Ministry of Interior, Islamabad.

iv. Additional Secretary
Finance Division,
Islamabad.

v. Mr. Zahoor Ahmad
Additional Secretary
M/o Housing & Works
Islamabad.

vi. Mr. Akhtar Jan Wazir
Additional Secretary
Establishment Division

vii. Mr. Khashih Ur Rehman,
Draftsman,
Law & Justice Division

viii. Mr. Tariq Rasheed
Managing Director,
PHA Foundation
Islamabad.

ix. Mr. Shahid Farzand
Director General,
Pak. PWD, Islamabad

x. Chief Commissioner
ICT, Islamabad.

xi. Chairman
Capital Development Authority
Islamabad.

xii. Mr. Waseem Hayat Bajwa,
Chief Executive Officer
FGE Housing Authority.

CC:

1. PS to Minister for Housing & Works, Islamabad.
2. S.P.S. to CEO, FGEHA, Islamabad.
3. All Directors, FGEHA, Islamabad
4. Office File.

FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY
10-MAUVE AREA SECTOR G-10/4, ISLAMABAD
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Subject **MINUTES OF 2nd MEETING OF THE EXECUTIVE BOARD OF THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 22-08-2019.**

The 2nd meeting of Executive board of the Federal Government Employees Housing Authority was held on 22-08-2019 at 3:00 pm under the Chairmanship of the Honorable Secretary (Ministry of Housing &Works) in the Committee Room of FGE Housing Authority. (The List of participants is enclosed).

2. The proceedings of the meeting started with recitation of the Holy Quran.

3. The Chief Executive Officer, FGE Housing Authority welcomed the members of the Executive board. Following agenda items were discussed in detail by the board.

Agenda Item No. 1 **CONFIRMATION OF THE MINUTES OF 1ST MEETING OF THE EXECUTIVE BOARD OF FGE HOUSING AUTHORITY HELD ON 09-08-2019.**

4. The Chief Executive Officer apprised that the 1st meeting of the Executive Board was held on 09-08-2019 and accordingly the Minutes were issued on 19-08-2019. Furthermore, on the minutes, none of the members have sent any observation to the FGEHA.

5. The Additional Secretary (Cabinet) raised an observation that the minutes of the 1st Board meeting which were circulated among the members starts from agenda item no. 3 whereby the agenda item nos. 1 & 2 are missing. He suggested the reasons for dropping these agenda items should have been reflected in the minutes. The CEO FGEHA informed that these agenda items were taken-up by the Executive Committee and their minutes were issued separately. The Chairman endorsed the comments of Additional Secretary (Cabinet) and directed to incorporate the reasons thereof in the minutes. The Additional Secretary (Cabinet) further inquired whether the Joint Venture Policy which was principally approved by the Federal Cabinet was referred back to Federal Cabinet for final approval or not. The CEO informed the Board that latest approval of the Federal Cabinet has been obtained on 05-07-2019 with further improvements as per the guidelines. The Chairman directed that copy of the JV policy approved by the Federal Cabinet be

members of the Executive Board. Furthermore, the CEO briefed the Board about salient features of the JV Policy.

DECISION:-

6. The Executive Board approved the minutes of 1st Executive Board meeting and directed to incorporate reasons of dropping the Agenda items no1 & 2 in the minutes. It was also decided that the approval of Joint Venture Policy by the Federal Cabinet will be shared with the honorable members of the board.

Agenda Item No. 2 CONSTITUTION OF SUB-COMMITTEES UNDER SECTION-11 BY EXECUTIVE BOARD.

7. The Chief Executive Officer briefed the Board that in terms of Section-11 of the FGE Housing Authority Ordinance (No-VIII of 2019) the Executive Board of the Authority may, by order, constitute committees including Finance Committee, Budget & Accounts Committee and assign specific functions for efficient performance of the Authority.

8. He further stated that previously, two sub-committees i.e. Finance Committee and HR Committee of the Executive Committee were functioning in Federal Government Employees Housing Foundation. The new composition of Finance and HR Committee is proposed as under:-

Finance Committee:-

i.	Additional Secretary, M/o H&W	Chairman
ii.	Financial Advisor (Works), M/o H&W	Member
iii.	Director (Finance), FGEHA,	Member
iv.	Director (Admn), FGEHA,	Member

HR Committee:-

i.	Additional Secretary, M/o H&W	Chairman
ii.	Dy. Financial Advisor (Works), M/o H&W	Member
iii.	Dy. Secretary (Admn), M/o H&W	Member
iv.	Director (Admn), FGEHF,	Member
v.	Director (Coord), FGEHF,	Member

9. The Chairman directed that the Finance Committee shall be chaired by the Additional Secretary (Finance). The Additional Secretary (Finance) informed the Board that the nomenclature of the post of Financial Advisor has been changed as Joint Secretary (Expenditure).

DECISION:-

10. After detail deliberations the Executive Board approved constitution of Finance Committee and HR Committee with the following compositions:-

Finance Committee:-

i.	*Additional Secretary, (Finance)*	*Chairman*
ii.	*Joint Secretary (Expenditure),*	*Member*
iii.	*Joint Secretary (Estate), H&W*	*Member*
iv.	*Director (Admn), FGEHA,*	*Member*
v.	*Director (Finance), FGEHA,*	Member cum Secretary

HR Committee:-

i.	*Additional Secretary, M/o H&W*	*Chairman*
ii.	*Joint Secretary (Admn), M/o H&W*	*Member*
iii.	*Director (Finance), FGEHA*	*Member*
iv.	*Director (Coord), FGEHA,*	*Member*
v.	*Director (Admn), FGEHA,*	Member cum Secretary

Agenda Item No. 3 CONSTRUCTION OF 3rd FLOOR IN THE EXISTING OFFICE BUILDING OF FGE HOUSING AUTHORITY, ISLAMABAD

11. The Chief Executive Officer informed the Board that the Head Office building of FGEHA located at 10-Mauve Area, Sector G-10/4, Islamabad presently comprising of Basement + Ground Floor + 2 storeys was constructed by Pak. PWD in the year 2005-2007. The building was designed for Basement + Ground + 4 storeys. He stated that apart from increase in the staff of FGEHA, recruitment for Directors, Deputy Directors, Assistant Directors and other staff is also in process after acquiring the status of authority.

12. The CEO further informed that in order to accommodate present as well as additional staff, Housing Authority is in dire need to construct one more floor i.e. 3rd floor, for efficient working especially in the circumstances when various new schemes are also being launched and the Infrastructure work on ongoing schemes is in full swing. The cost estimate for Civil and E/M works of 3rd floor has been prepared for Rs.42.56 Million and Rs.7.95 Million respectively. As such, total funds requirement will be Rs.50.51 Million (42.56 + 7.95) for one (3rd) floor only.

13. The Chairman observed that the issue should be taken up by the FGEHA at its own level. The Additional Secretary (Cabinet) inquired whether the PC-I is to be approved by DWP or the Executive Board. The Additional Secretary (Cabinet) further inquired whether the expenditure likely to incur on the construction is covered under the budget of the Authority approved by the Governing Body. The CEO informed that the expenditure is included in the budget of financial year 2019-20, duly approved by the Executive Committee. Further, the PC-I for 3rd floor will be presented before DWP for approval.

DECISION:-

14. *The Executive Board approved construction of 3rd floor of FGEHA Head Office Building subject to observance of all rules and procedures.*

Agenda Item No.4 CREATION OF VARIOUS POSTS IN FGE HOUSING AUTHORITY

a. CREATION OF NEW POSTS FOR PROJECT DIRECTORATE (KARACHI OFFICE), KARACHI.

15. The CEO informed the Board that the Project Director office, Karachi of FGEHA required following posts to meet future requirement of the projects under Naya Pakistan Housing Program:-

SR. NO.	NAME OF POST	NUMBER OF POSTS
1.	Assistant Director (Admin)	01
2.	Assistant Director (Estate)	01
3.	Account Officer (Finance)	01
4.	Sub-Engineer (Civil)	02
5.	Sub-Engineer (E/M)	01
6.	Date Entry Operator (DEO)	04

b. CREATION OF POSTS OF CHIEF ENGINEER (BS-20), DEPUTY COMMISSIONER (LAND ACQUISITION COLLECTOR) (BS-18/19), DEPUTY DIRECTOR (REVENUE) (BS-18) AND ASSISTANT DIRECTOR (REVENUE) (BS-17).

16. He further informed the members that the Housing Foundation has recently been declared as Federal Government Employees Housing Authority through an Ordinance (No. VIII of 2019) with the powers to acquire land under the Land Acquisition Act, 1894, planning, designing and executing of housing schemes for Federal Government employees and other specified groups. In order to accomplish this very purpose of the Authority, several posts of different cadre are required as per following details:-

CHIEF ENGINEER (BS-20).

17. The CEO FGEHA stated that the technical wing of the Authority is headed by Director (Technical), an officer of BS-19 whereas, his office will have to prepare and approve engineer estimates as well as to award work. As per engineering practice, the estimates costing more than 3 million are to be approved by the Chief Engineers (BPS- 20) and each & every work is awarded after accord of technical sanction by the Chief Engineer (the same practice is in-vogue in sister organizations i.e. Pak P.W.D& PHAF).

18. Furthermore, the CEO informed the members that the Housing Authority has also launched various projects under Naya Pakistan Housing Program

involving award for infrastructure development works as well as construction of apartments worth billions of rupees. The cost estimates of which, even prepared by the Consultants will have to be accorded Technical sanction before tendering. Therefore, it is essential to create one post of Chief Engineer..

DEPUTY COMMISSIONER (LAND ACQUISITION COLLECTOR) (BS-18/19), DEPUTY DIRECTOR (REVENUE) (BS-18) AND ASSISTANT DIRECTOR (REVENUE) (BS-17).

19. The FGE Housing Authority intends to have its own arrangement of Revenue Staff for quick acquisition and onward maintenance of the acquired Land. Accordingly, to add to the purpose of the Housing Authority, following posts are required to be created and to be instantly filled in.

Sr. No.	Post	Number of Posts
1.	Deputy Commissioner (Land Acquisition Collector Director (Revenue) / Land Acquisition Collector, BPS-18/19 or equivalent	01
2.	Deputy Director (Revenue) BPS-18 or equivalent	02
3.	Assistant Director (Revenue) (to be conferred with the powers of 1st class magistrate) (BPS-17 or equivalent)	04

c. **CREATION OF THE POST OF DIRECTOR STAFF / SECRETARY TO AUTHORITY (BS-19).**

20. Previously, the Director (Admn) was the Company Secretary of the FGE housing Foundation as per Memorandum and Article of Association of the Foundation. The company Secretary was responsible for the following:-

i. Convening of the meeting of Executive Committee.
ii. Preparation of agenda, working paper and Minutes.
iii. Signing of all contracts & agreements on behalf of FGEHF.
iv. Protocol duties of VIPs.

21. As the Foundation has now been transferred in an Authority through a Presidential Ordinance No. VIII of 2019, there is a need of separate post of Director Staff / Secretary to the Authority to perform above referred tasks.

DECISION:-

22. ***The Executive Board referred the matter to HR Committee to deliberate upon requirements of the posts and the financial implications involved and submit recommendation to the Board for final approval.***

Agenda Item No. 5 ESTABLISHMENT OF REGIONAL OFFICES OF FGE HOUSING AUTHORITY AT AZAD KASHMIR AND QUETTA.

23. The Chief Executive Officer briefed the Board that the Federal Government Employees Housing Authority is presently operating its all official business from its Head Office in Islamabad. Only one regional office is situated in Karachi, with bare minimum staff and only has the capacity to handle housing schemes in Karachi.

24. He further stated that the Authority is endeavoring to launch various new housing schemes across Pakistan under Naya Pakistan Housing Program. A housing scheme is being launched in Quetta which is a joint venture project between Govt. of Balochistan and FGE Housing Authority in which 110,000 apartments will be constructed. To monitor day to day progress on the schemes FGEHA has to interact with Govt. of Balochistan through official correspondence, which consumes considerable time. Therefore, there is a need to established regional offices at Quetta to monitor day to day progress of the scheme.

25. Similarly, FGEHA is also in the process of launching housing schemes in Mirpur and Muzaffarabad, Azad Kashmir under Naya Pakistan Housing Program in which 5000-6000 apartments will be constructed. Hence, a regional office is also required to be established in Azad Kashmir.

DECISION:-

26. The Executive Board decided that the approval of establishment of regional offices be solicited through project proposals, as project offices (PMUs) of the schemes being launch in various cities. Later these PMUs may be converted into regional offices as required.

Agenda Item No. 6 PURCHASE OF VEHICLES FOR PROJECT DIRECTORATE (KARACHI OFFICE), KARACHI.

27. The Chief Executive Officer informed the board that during his visit to Karachi office, he observed that Project Office, Karachi does not have sufficient vehicles to meet the future requirements of the projects.

28. It was proposed that the following vehicles are to be purchased for the Project Directorate, Karachi Office, Karachi:-

SR. NO.	VEHICLES	NUMBER OF VEHICLES
1.	1300 CC	01
2.	1000 CC	01
3.	Motor Cycle 70 CC	02

29. The Additional Secretary (Cabinet) inquired whether the Govt financial regulations are applicable on FGEHA. The Additional Secretary (Finance) apprised the Board that the Govt. Financial Regulation are not applicable on FGEHA as no financial grants are given to FGEHA by the Govt.

DECISION:-

30. ***The Executive Board approved purchase of vehicles for Project Directorate, Karachi Office, as proposed vide para 28 above subject to observance of rules and completion of all codal formalities.***

Agenda Item No. 7 EXTENSION IN THE SERVICE OF MR. SAFDAR ALI, TECHNICAL ADVISOR, HOUSING AUTHORITY.

31. The Chief Executive Officer stated that projects of Housing Authority which were either not commenced or were stalled have been started physically at site and pace of work of slow moving projects has been expedited.

32. He informed the board that the services of Mr. Safdar Ali Ex Director General Pak PWD were hired against existing vacancy of Technical Consultant w.e.f September 1st 2018 for a period of one year further extendable on satisfactory performance as per rules of Housing Foundation.

33. It is worthwhile to mention, that Mr. Safdar Ali has not only worked as Technical Consultant, but contributing a lot in resuming of stalled projects i.e. Rehabilitation of Sector G-13, G-14/4 & G-14/2,3 but also in physical commencement of development work in Green Enclave-I Bhara Kahu Islamabad. He is also participating in the discussions / meetings of Housing Schemes being launched by Housing Foundation under Naya Pakistan. He is always available for in house meeting and meetings with the Consultants & bidders. Above all his integrity & devotion to work is another factor for continuation of his services with the organization.

DECISION:-

34. ***The Executive Board approved the extension in services of Mr. Safdar Ali, Technical Consultant, FGEHA for a period of one year w.e.f 1-09-2019 to 31-08-2020 on existing pay package and on the same terms and conditions of the contract.***

Agenda Item No.8 **CHANGE IN CRITERIA FOR HIRING OF INTERNEES.**

35. The CEO informed the Board that Executive Committee approved in its 160th meeting 10 positions of internees of following categories, according to criteria as under:-

- Electrical Engineer 02
- Civil Engineer 02
- Town Planner 02
- Architect 02
- Web Developer 01
- Human Resource / Finance 01

Criteria for hiring of internees:-

I) Age limit : 25 years
II) CGPA : 3.5

36. He further informed that in this context, advertisement was floated on website of FGEHA, whereby 250 applications were received. After scrutiny of all applicants, 5 candidates were shortlisted against each post. Their interviews were conducted by the selection committee on 4th August, 2019. It has been observed that most of the candidates were eligible found overage or having CGPA less than 3.5. He thus stated that approval may be granted to hire more internees whereby increasing the age limit to 28 years and minimum CGPA of 3.00.

DECISION:-

37. ***The Executive Board approved the change in criteria for hiring of internees as proposed in para 36 and allowed FGEHA to hire more internees as per requirement of upcoming projects according to laid down procedure.***

Agenda Item No.9 **HIRING OF LAW FIRM FOR VARIOUS LEGAL MATTERS OF THE HOUSING AUTHORITY**

38. The Chief Executive Officer briefed the Board that Federal Government Employees Housing Authority has a Panel of Lawyers who are engaged in various court cases in lower courts as well as superior courts. The majority of civil cases in lower courts are relating to the disputes between private parties of which the FGEHA is impleaded as a proforma defendant.

39. It was further informed that a number of Writ Petitions are also pending in various High Courts where the policies/administrative decisions of FGEHA are challenged by the aggrieved persons. There are also some subjudice appeals in the Supreme Court of Pakistan. Various other matters i.e. vetting and drafting of

Contracts, MOU's, Agreements & Other Legal Documents are time and again sent to the Legal Advisors who charge hefty sum of money for provision of the said services.

40. The CEO stated the above mentioned arrangements have huge financial implications for the FGEHA as only meager recoveries of legal charges are collected. Therefore, the following proposals were submitted for the consideration of the Executive Board:-

i. A reputable Legal Firm may be hired for dealing with all the cases pending in the civil courts which are proforma in nature along with other cases as deemed appropriate by the CEO. The said Firm will also provide consultancy services for making/vetting of all legal documents for a lump sum amount to be paid monthly for all services.

ii. Whereas, cases of Direct Nature, Writs, CPLA'S & other matters are concerned, the CEO, can engage any lawyer from the existing panel of lawyers on the already approved rates.

41. The Additional Secretary (Cabinet) stated that certain rules are applicable for procurement of goods as well as services prescribed under PPRA rules, 2004, therefore, the Law firm should be hired as per procedure under PPRA rules. The Additional Secretary (Law)/ Draftsman also supported the comments of Additional Secretary (Cabinet) and opined that FGEHA should strengthen its legal wing so as to manage its legal requirements.

DECISION:-

42. ***After detail deliberation the Executive Board approved hiring of Law firm through competitive bidding under PPRA rules, 2004 to deal with all pending cases of FGEHA in Civil Courts, High Court (writs), Supreme Court (CPLA's) etc. and also provide consultancy services for making / vetting of all legal documents. Furthermore, the Board authorizes CEO, FGEHA to engage any lawyer in special circumstances on approved rates as and when required.***

Agenda Item No.10 **GRANT OF POCKET EXPENSE TO MEMBERS OF GOVERNING BODY, EXECUTIVE BOARD AND SUB-COMMITTEE.**

43. The CEO apprised the Board that previously the members of Executive Committee of the FGE Housing Foundation and its sub-committee were granted Rs. 25,000 and Rs. 15,000 respectively as a pocket expense to attend the meeting. This policy was approved by the Executive Committee in its 148th meeting.

44. The Foundation has now been established as an Authority having a Governing Body and Executive Board comprising of the following members:-

GOVERNING BODY:-.

i.	Secretary Housing & Works	President
ii.	Secretary, Establishment Division,	Member
iii.	Secretary, Cabinet Division,	Member
iv.	Secretary, Interior,	Member
v.	Secretary, Finance,	Member

EXECUTIVE BOARD:-.

i.	Secretary Housing & Works	Chairman
ii.	Addl: Secretary, Establishment Division,	Member
iii.	Addl: Secretary, Cabinet Division,	Member
iv.	Addl: Secretary, Interior,	Member
v.	Addl: Secretary, Finance Division	Member
vi.	Draftsmen Law & Justice Division	Member
vii.	Addl: Secretary, Housing & Works	Member
viii.	Managing Director, PHAF	Member
ix.	Director General, Pak PWD	Member
x.	Chief Commissioner, ICT	Member
xi.	Chairman, CDA	Member
xii.	Chief Executive Officer,	Secretary / Member

45. It was proposed that Members of Governing Body may be granted pocket expense of Rs. 50,000/- each to attend meeting of Governing Body. The members of Executive Board and its sub-committee may be granted pocket expense of Rs. 40,000/- and Rs. 25,000/- respectively.

DECISION:-

46. The Board approved the proposal in order to rationalize the grant of pocket expenses.

Agenda Item No.11 CONSTRUCTION OF APARTMENTS ON 151 KANALS AT G-15/3, ISLAMABAD.

47. The CEO informed the Board that total land in sub Sector G-15/3 is 881 kanals and land award was issued by the LAC in favour of FGEHA on 22-05-2009. The award of BUP falling in Sector G-15/3 was announced in 2010 and total 234 BUP's were included in the award. The Sector G-15/3 was acquired through LAC for rehabilitation of old and genuine affectees of G-14 & G-15/3. The local committee was constituted by the LAC for recommendation for affectees who are eligible for allotment of plot in G-15/3. About 276 consent letters have already been issued to the local affectees for settlement of affectee's of Sector G-14/1,2,3. There is 151 kanals of land which was owned by Mr. Asim Tawana who filed a case in Islamabad High Court and took stay order against acquisition of land. The case is pending in the court for the

last 10 years. Now Mr. Asim Tawan has approached FGEHA and offered to withdraw his case from court, if FGEHA sign a JV agreement with him for construction of apartments on his land.

48. The Chairman inquired about legal requirements for entering into such agreement where the land has been acquired through the announcement of award by the Land Acquisition Collector. The Additional Secretary (Cabinet) informed the Board that after announcement of award of land, the land vests with the Govt. Any person/ settler seeking enhancement can approach District Court. He further stated that any agreement on such acquired land requires legal opinion as apparently it is not permissible. The Additional Secretary (H&W) also supported the comments of Additional Secretary (Cabinet) and stated that making agreement with one person will provoke others to seek similar dispensation. The Additional Secretary (Law) supported that a prime govt. land is stuck for 10 years and if some out of court settlement possible, should be involved into.

DECISION:-

49. The Board after detail deliberation decided to refer the matter to Law Division through M/o Housing & Works for legal opinion in the matter.

Agenda Item No.12 ALLOTMENT OF PLOT TO EX-CADRE OFFICERS (BS-22) UNDER PRIME MINISTER ASSISTANCE PACKAGE SCHEME FOR BS-22 OFFICERS.

50. The CEO briefed that the Prime Minister of Pakistan approved a policy for allotment of an additional plot to Federal Secretaries and other Civil Servants in 2006. The criteria for allotment of plot was initially devised by Ministry of Interior according to which all serving Federal Secretaries, Special Secretaries & Secretary Generals were eligible for allotment of plot. The criteria was revised by the Prime Minister Secretariat in 2008. According to the revised criteria, all BS-22 serving officers of regularly constituted occupational groups on completion of their 2 years service in BS-22 were declared eligible for allotment. However, the 2 years service conditions in BS-22 was waived off by the Prime Minister of Pakistan on a summary initiated by the Ministry of Housing & Works dated 22-05-2008.

51. The CEO stated that two officers namely Mr. Qamar Sohail Lodhi, Special Secretary, National Assembly Secretariat & Mr. Muhammad Anwar, Special Secretary, Senate Secretariat have requested for allotment under subject scheme. The cases of these officers are duly recommended and forwarded by their

department's i.e National Assembly Secretariat & Senate Secretariat. It has been stated that National Assembly Secretariat / Senate Secretariat employees Acts have been passed by the Parliament for officers / officials of these departments which provides that these employees shall be entitled to such terms & conditions of service, entitlements, facilities, perks & privileges, including medical, housing, education and all other schemes of the government as are admissible to other Civil Servants Therefore, in the light of said provision, these officers are entitled for allotment of plot under the subject mentioned scheme.

52. The case of Mr. Qamar Sohail Lodhi, Special Secretary, National Assembly Secretariat was referred to the Establishment Division in the light of Section 5(3) of national Assembly Secretariat employees act 2018 narrated above. The Establishment Division vide its letter No. F.2/18/2006-E-I dated 1st July, 2019 has once again opined that the officer is not entitled for allotment of plot under Prime Minister's Assistance Package Scheme for BS-22 officers as he does not belong to any regularly constituted group and furthermore, have not been promoted as Federal Secretary. Whereas, on the other hand these officers are approaching Housing Authority on the grounds that the National Assembly & Senate Secretariat Services Acts are passed by the Parliament and are supreme to any executive orders.

DECISION:-

53. The Board decided the matter by casting of vote as per the FGEHA Ordinance 2019 whereby all the members voted against any change in the criteria of allotment of plot to BS-22 officers duly approved by the Prime Minister of Pakistan. It was decided that the existing policy for allotment of plot to BS-22 officers of Regularly Constituted Occupational Groups is to be followed in letter and spirit.

Additional Agenda Item No.1 **HOUSING SCHEME AT 508 KANAL DHOKE MUNSHI MOUZA CHAKLALA RAWALPINDI.**

54. The CEO FGEHA informed the Board that land measuring 508 kanal has been mutated in the name of FGEHA. On this land, multistory apartments are being planned to be constructed mainly for low income groups and 20% to 25% apartments will be for middle / high income.

55. The CEO also informed that the site / land has irregular configuration in addition to undulated topography. Further storm drain also passes through the site. As per policy of Govt, the shelters are to be provided to low income groups as soon as possible. In the circumstances, it would be appropriate, that the

work of planning & designing is entrusted to the organization having in house capacity of planning & designing etc. The ENC branch GHQ Rawalpindi has the requisite in-house capacity to work, plan, design and supervise in shortest possible time. The project may be entrusted to ENC branch GHQ Rawalpindi on the analogy of deposit work between Govt. to Govt. departments.

56. The Chairman asked whether the award of deposit work to E-in-C, GHQ without going into competitive bidding under the PPRA rules, 2004 is admissible under the rules. The CEO informed that E-in-C is a Govt. department and FGEHA is also working under the administrative control of M/o Housing & Works, therefore, it is a Govt. to Govt. transaction which is allowed under the rules. The Chairman asked to produce any such provisions available under the rules. The Additional Secretary (Cabinet) stated that there exists no such law which allows such a transaction without going through competitive bidding. The Director General, Pak PWD informed the Board that Pak. PWD being a Govt. department is hired by various other Govt. department without competitive bidding, for such deposit work. The CEO Pakistan Housing Authority Foundation was of the opinion that there does exist some law under PPRA whereby such kind of deposit work for designing can be undertaken between the government departments. However, the members were agreed that proper rules shall be quoted in the proposals, if, available.

DECISION:-

57. ***After detail discussion the Board decided that the issue may be re-examined under the rules and placed in the next Board meeting alongwith the law/ rules which allow award of deposit work from Govt. to Govt. organizations without going into competitive bidding under PPRA rules, 2004. Also the matter may be referred to PPRA for their opinion.***

Additional Agenda Item No.2 **DELEGATION OF POWERS TO CEO FGEHA.**

58. The CEO stated that during the first meeting of Executive Board held on 09-08-2019, the issue regarding delegation of powers of Executive Board to CEO of FGEHA, through internal committee was discussed in detail. The Chairman and members were of the view that some of the powers given to Executive Board under Ordinance VIII of 2019 are of technical nature and most of the members are not technical expert to make decisions rationally. It was agreed that some powers to be delegated to CEO of the authority who can execute the powers through an internal

committee which will initially examine and evaluate the technical issues relating to the Housing projects of FGEHA.

59. The following recommendations were submitted for kind perusal & approval of Executive Board.

I. A technical and Evaluation committee comprising of following members be constituted:-

i.	Chief Executive Officer (FGEHA)	Chairman
ii.	Joint Secretary (E) M/o H&W	Member
iii.	Chief Engineer, FGEHA	Member
iv.	Director Planning, FGEHA	Member
v.	Director Technical, FGEHA	Member
vi.	Director Law, FGEHA	Member
vii.	Director Estate, FGEHA	Member
viii.	Director Coord, FGEHA	Member
ix.	Director Finance, FGEHA	Member
x.	Director Admn, FGEHA	Member cum Secretary

II. The CEO may be authorized to execute following powers of Executive Board on the recommendation of above referred committee:

a) **7(2)(c)** Accord approval of the layout plans, building plans of the scheme in conformity with the local municipal regulations;
b) **7(2)(d)** Accord approval for collection of revenues for maintenance of the scheme and enforcement of regulations made under this Ordinance;
c) **7(2)(f)** Incur any expenditure and procure land, buildings, plant, machinery, equipment, instrument and necessary materials;
d) **7(2)(g)** Carry out, maintain, arrange, manage and provide all facilities services and utilities including water, electricity, gas and sewerage for schemes in the specified area;
e) **7(2)(k)** Do all such acts and deeds and things that may be necessary or expedient for the purpose of proper preparation, planning, development, execution, implementation, management and maintenance of residential and commercial property in the schemes in the specified area.

III. For the following functions the principal approval may be accorded by the Executive Board and execution may be carried out by the CEO, FGEHA:

a) **7(2)(b)** Prepare plan, approve, develop, execute, implement, maintain, manage and regulate any scheme in the specified area;
b) **7(2)(e)** Enter into contracts, arrangements, joint venture agreements with any person or firm, for preparation, planning, development, execution, implementation and maintenance of schemes in the specified area, for carrying out the purposes of this Ordinance;

c) **7(2)(h)** Impose, vary and recover development charges, transfer fee, service charges, toll or other charges in respect of any land or buildings within any scheme in the specified area.

60. The Additional Secretary (Cabinet) inquired whether the delegation of Powers to CEO is covered under the law. The Chairman endorsed the comments of Additional Secretary (Cabinet) and stated that the Board willing to delegate power to CEO if law permits the same. The Draftsman / Additional Secretary (Law) informed the Board as per provision Section-8 (2) and 10 of the Ordinance VIII of 2019 the CEO can exercise powers and perform such functions as may be prescribed by regulations, therefore, in the first instance the regulations are required to be framed and approved by the Board. The Chairman and Members agreed to the opinion of Draftsman / Additional Secretary (Law).

DECISION:-

61. The Board approved constitution of Technical and Evaluation Committee. Furthermore, the board directed that regulations regarding delegation of powers to Chief Executive Officer FGEHA and powers / functions of CEO under Section-8 (2) be framed in consultation with the Ministry of law and justice Division and placed in the next meeting of Executive Board.

The meeting of the Executive Board concluded with a vote of thanks to the Chair.

LIST OF PARTICIPANTS OF 2ND MEETING OF THE EXECUTIVE BOARD HELD ON 22-08-2019

S No.	Name & Designation
1	Dr. Imran Zeb Khan Chairman EC / Secretary, M/o Housing & Works, Islamabad.
2	Mr. Abdul Aziz Uqaili Additional Secretary-I, Ministry of Interior, Islamabad.
3	Mr. Zahoor Ahmad Additional Secretary M/o Housing & Works Islamabad.
4	Mr. Khashih Ur Rehman, Draftsman, Law & Justice Division
5	Mr. Shahid Farzand Director General, Pak. PWD, Islamabad
6	Chairman Capital Development Authority Islamabad.
7	Mr. Afzal Latif Additional Secretary (Cabinet) Cabinet Division
8	Additional Secretary Finance Division, Islamabad.
9	Mr. Akhtar Jan Wazir Additional Secretary Establishment Division
10	Mr. Tariq Rasheed Managing Director, PHA Foundation Islamabad.
11	Chief Commissioner ICT, Islamabad.
12	Mr. Waseem Hayat Bajwa, Chief Executive Officer FGE Housing Authority.

(2)

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
CABINET DIVISION
☆ ☆ ☆

No.578,587,588,593&594(S)/19-Cab Islamabad, the 5th July, 2019

MEMORANDUM

Subject: **DISPOSAL OF CABINET CASES BY CIRCULATION IN ACCORDANCE WITH RULE 17(1)(b) READ WITH RULE 19(1) OF THE RULES OF BUSINESS, 1973.**

A copy of the decision of the Cabinet, disposed of by circulation in terms of rule 17(1)(b) read with rule 19(1) of the Rules of Business, 1973 is enclosed herewith for immediate necessary action.

2. It is requested that requisite action(s) to implement the decision(s), under rule 24 of the Rules of Business 1973, in coordination with other Divisions, where necessary, may please be initiated immediately. **An implementation report may be furnished to the Cabinet Division within seven days of receipt of the decision.**

3. The enclosed certificate, acknowledging receipt of the decision, may please be returned to the Cabinet Division, duly completed and signed

Encls: as above

M. Ashfaq

(Muhammad Ashfaq)
Deputy Secretary (Cabinet)
Tele # 910 3489

i. Secretary,
Defence Division
Islamabad - Case No.604/Rule-19/19

ii. Secretary,
Maritime Affairs Division,
Rawalpindi - Cases No.605/Rule-19/19 & No.606/Rule-19/19

iii. Secretary,
Housing & Works Division,
Islamabad - Cases No.607/Rule-19/19 & No.608/Rule-19/19

Copy forwarded for kind information of:

(i) Secretary to the President
(ii) Secretary to the Prime Minister

☆ ☆ ☆

Case No.607/Rule-19/2019 Dated: 05.07.2019	**IMPROVEMENTS IN JV POLICY FORMULATED IN LINE WITH PRINCIPLE GUIDELINES OF CABINET IN ITS MEETING DATED 18-08-2016**
Presented by: Housing & Works Division	

DECISION

The Cabinet considered the summary dated 1st July, 2019 submitted by Housing & Works Division, which was circulated in terms of rule 17(1) (b) read with rule 19(1) of the Rules of Business, 1973 for **"Improvements in JV Policy Formulated in Line With Principle Guidelines of Cabinet in its Meeting dated 18-08-2016"** and approved the proposal at Para 4 of the summary.

☆ ☆ ☆

CABINET DIVISION
CABINET DECISIONS
GOVERNMENT OF PAKISTAN

Government of Pakistan
Ministry of Housing & Works
Islamabad
******

F. No.15(2)/2013-Council(Vol-XII)

1ST July, 2019

Office Memorandum

Subject: **SUMMARIES FOR THE FEDERAL CABINET.**

The undersigned is directed to refer to the subject and enclose herewith 60 copies of each of following summaries to be placed before Federal Cabinet it its forth coming meeting.

i. **IMPROVEMENTS IN JV POLICY FORMULATED IN LINE WITH PRINCIPLE GUIDELINES OF CABINET IN ITS MEETING DATED 18-08-2016.**

ii. **APPROVAL OF DRAFT BILL FOR ESTABLISHMENT OF FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY (FGEHA)**

(Shahid Mansoor Bodla)
Section officer (Council)

(Dr. Imtiaz Ahmad),
Joint Secretary (cabinet)
Cabinet Division,
Islamabad

Copy for information to:-

1) SPS to Secretary, Housing &Works, Islamabad
2) The Director General-FGEHF, Islamabad.

SECRET

F.No. 1(1)/NPHP2019-JV-HF
GOVERNMENT OF PAKISTAN
MINISTRY OF HOUSING & WORKS
*****

Subject: **IMPROVEMENTS IN JV POLICY FORMULATED IN LINE WITH PRINCIPLE GUIDELINES OF CABINET IN ITS MEETING DATED 18-08-2016.**

The FGE Housing Foundation is a public company under the control of Ministry of Housing & Works. Its mandate is to provide shelter/ housing facilities to Federal Government Employees with other specified groups in major cities, throughout Pakistan.

2. The FGE Housing Foundation submitted a joint venture policy through M/O Housing & Works which was principally approved by the Cabinet in its meeting dated 08-09-2016 **(Annex-I).**

3. While processing the proposals received from private Firms; in response to EOIs advertised in line with the Prime Minister's initiative of Naya Pakistan Housing Program and other Federal Government Housing Schemes, under the JV-Policy; number of issues cropped up, like cost valuation of land, mode of payment and complex procedures, leading to delay in the execution of these projects.

4. Further, the existing JV-Policy does not cover the procedure to opt for finished/end product apartments/flats. The Housing Foundation, therefore, intends to improve the JV policy to execute the projects on fast track basis. Accordingly, following improvements are proposed in the existing policy **(Annex-II)**:-

I. The Housing Foundation may have contract with JV partner for end/ finished product i.e. Apartments/Houses on turn-key basis against final cost including all expenses i.e. land price, infrastructural cost, utilities, construction cost etc. The quota/share of both the parties may be decided, mutually.

II. Land sharing formula being part of CDA policy and also successfully practiced by Defense Housing Authority (DHA), may be applied to Federal

Contd...P/2

Government Employees Housing Schemes. The proportionate share of Housing Foundation and the land provider may fall within range of 70:30 or one developed kanal for four kanals of raw land to the land provider, as mutually agreed.

5. Approval of the Cabinet is solicited to the proposals contained in para 4 above.

6. The Minister for Housing & Works has seen and authorized submission of this Summary to the Cabinet.

(Dr. Imran Zeb Khan)
Secretary

01st July, 2019

ANNEX-I

PRIME MINISTER'S OFFICE
ISLAMABAD
*****

Subject: **MINUTES AND DECISIONS OF THE CABINET MEETING HELD ON THURSDAY THE 18TH AUGUST, 2016**

Reference Cabinet Division's u.o. No. 04/CM/2016-M dated 19th August 2016, on the above subject.

2. The Prime Minister has seen and is pleased to approve the minutes and decisions of the Cabinet Meeting held on 18th August, 2016, **as amended**, for further necessary action.

8th Sept, 2016

(Fawad Hasan Fawad)
Secretary to the Prime Minister
08-09-2016

Cabinet Secretary

No. 2-56/M/SPM/16

JS (IA-I)

SECRET

MINUTES AND DECISIONS OF THE CABINET MEETING HELD ON THURSDAY THE 18TH AUGUST, 2016 IN CABINET ROOM, PRIME MINISTER'S OFFICE, ISLAMABAD

A Meeting of the Cabinet was held in the Cabinet Room, Prime Minister's Office, Islamabad on Thursday, 18th August, 2016. The Prime Minister of the Islamic Republic of Pakistan, Mr. Muhammad Nawaz Sharif, was in chair.

2. The meeting started with recitation from the Holy Qur'an byPir Muhammad Amin-ul-Hasnat Shah, Minister of State for Religious Affairs and Inter-faith Harmony.

Additional Item

Case No. 118/04/2016 Dated: 18.08.2016	**Issue of Public Importance**

MINUTES

The Cabinet offered *Fatehafor* the martyrs of Quetta who had been recently killed in the terrorist attacks. The Cabinet was informed that the Government of Balochistan had announced a compensation of Rs.10.00 million for the family of each person who had died in the attack.

2. The Prime Minister desired thatthe Federal Government should make institutional arrangements for giving appropriate compensation and educational stipendsto the heirs and children of the victims of terrorism, whether they were martyred or seriously handicapped; and that this could be done through the establishment ofa National Endowment Fund for the Victims of Terrorism in which along with the Federal Government, private sector may also contribute as part of their Corporate Social Responsibility initiatives.The provincial governments may also be consulted on this issue. It was mentioned that Baitul Mal may also plan schemes to

cater for the needs of families of such victims, and grant them monthly allowances.

DECISIONS

The Cabinet considered the issue of providing relief and compensation to the victims of terrorist attacks, and decided that Interior Division would formulate a comprehensive policy on the subject in consultation with all stakeholders including provincial governments, and bring it before the Cabinet in its next meeting.

****

Item No. 1

Case No.119/04/2016 Dated: 18.08.2016	**Joint Venture Policy for Land Banking in Collaboration with Private Sector**
Presented by: Housing & Works Division	

MINUTES

The Cabinet was informed that the Federal Government Employees Housing Foundation, a non-profit company under Ministry of Housing & Works, aimed to provide developed residential plots to all its registered members; that 32,000 members were currently registered under Membership Drive Phase-1 on "First Come First Serve basis", whereas another 40,000 had so far been registered under Membership Drive Phase-2 on the "Age Wise Seniority" criterion; that with the approval of the Prime Minister, the Foundation started the consolidation of its land bank through acquisition by Land Acquisition Collector, Islamabad; and that due to this policy, the land bank had increased from 3,000 kanals in 2014 to 27,366kanals in 2015, whereas another 17,376 kanals were under acquisition. It was pointed out that due to substantial increase in its membership, the Foundation felt the need for creating adequate land bank for its Islamabad-based projects in collaboration with CDA, ICT and private land owners; and that Executive Committee of the Foundationhad decidedto explore the

option ofJoint Venture in addition to acquiring land through the Collector.

2. The Cabinet was further informed that land acquired through JV would be identified after proper survey and in consultation with present/prospective members; and that the Executive Committee had defined initial parameters, including a four tier structure to evaluate such proposals based on financial/technical feasibility reports of the respective sites, provision of clear title of land free from all encumbrances, status of utility services, and proximity to metropolitan centres with easy access etc.

3. The Cabinet was apprised that in response to the EOIpublished in newspapers for enhancing the land bank for residential schemes, the Foundation received 12 proposals, and Evaluation Committee of the Foundation, after consultingthe Planning Commission and Law& Justice Division, decided to first administer a standardized MoU to each prospective firm before appraisingany proposal; and thatso far five firms had agreed to the MOU.

4. The following fundamental principlesof the proposed Joint Venture policy for land banking were shared with the Cabinet: -

a. There shall be no upfront payment of Land by the Foundation.

b. JV partner shall agree to provide not less than 50% of possible developed residential plots/apartments in a society to the Foundation at subsidized rates on no profit no loss basis, for allotment to Federal Government employees, in accordance with the basic mandate of the Foundation,

c. No financial risk shall be undertaken, and feasibility of the scheme and response of the allottees shall automatically determine success of the scheme.

d. The Foundation shall exercise strict fiscal control over the allotees' subscriptions through a joint account to be controlled by the Foundation.

e. Brochure and Allotment letters shall only be issued by the Foundation, and shall specifically refer to subscription in the said account as a precondition for allotment under the scheme. All proceeds from prospective allottees of that schemeshall be deposited in the jointaccount.

f. Proceeds from commercial area as share of the Foundation shall be transferred to the Foundation to meet its overhead expenses or to further subsidize the cost of plots for prospective allottees.

5. During the course of discussion on the Policy, it was pointed out that Steering Committee proposed to be constituted under the Policy should be chaired by the Foundation rather than Joint Secretary of the Ministry for Housing & Works;that size of the plots should be restricted to a maximum 500 square yards rather than 1000 square yardsproposed in thePolicy;that the provision of "up to maximum 75% quota" of residential plots for the Foundation specified in the draft MoUshould be replaced with "minimum 75% quota"of residential plots allocated for members of the Foundation; and that the valuation of land being offered by the private party should be done by District Administration or an independent registered valuators rather than the State Bank of Pakistan, which did not have the capacity to do so.

6. In terms of rule 16(1)(j) of the Rules of Business, 1973, approval of the Cabinet was solicited for Joint Venture Policy for Land Banking in Collaboration with the Private Sector.

DECISIONS

The Cabinet considered the Summary dated 31st August, 2015 submitted by the Housing & Works Division on **Joint Venture Policy for Land Banking in Collaboration with Private Sector,**

and accorded in principle approval with the direction to fine-tune the Policy and the draft Memorandum of Understanding to be signed with the private parties by the Committee consisting of Minister for Housing & Works, Minister for Interior, Minister for Law & Justice, and Chairman, Capital Development Authority.

****

Item No. 2

Case No.120/04/2016 Dated: 18.08.2016	**CPEC – Current Status of Implementation and Way Forward**
Presented by: Planning, Development & Reform Division	

MINUTES

The Cabinet was informed that during the visit of Prime Minister of Pakistan to China, an MoU was signed on CEPEC in Beijing on 5th July, 2013; that the signing of this MoU marked a new phase in the development of relationship between the two countries by putting economic cooperation and connectivity at the centre of bilateral agenda; and thatit served as the basis for planning and development of CPEC. It was added that the timeframe for CPEC was 2014-2030 and its components included a) the development of Gwadar Port along with projects for socio-economic uplift of people of the area, b) Energy, c) Infrastructure, and d) Industrial cooperation; and that the nodal points of the Corridor were spread in all the four provinces of the country.

2. The Cabinet was briefed about the Institutional Framework that had been put in place for planning, coordinating and implementingthe CPEC projects; that this included Planning Joint Working Group, Energy Joint Working Group, Transport Infrastructure Joint Working Group, Gwadar Joint Working Group and Industrial Parks/Economic Zones Joint Working Group (under formulation); and that several meetingsof Committees and Working

ANNEX-

Ministry of Housing & Works
Federal Government Employees Housing Foundation
10-Mauve Area, G-10/4, Islamabad
****

JOINT VENTURE POLICY FOR FGEHF LAND BANK

Preamble:

The FGE Housing Foundation is a public sector organization working under auspices of M/o Housing and Works. Mandate of Foundation is to launch, implement and execute Housing Schemes for Government employees on ownership basis without involving funds from Government exchequer. Since its inception in 1989, Foundation has successfully completed multiple projects in Islamabad, Karachi and Peshawar and provided houses/plots/apartments to 23000 Federal Government Employees and other specified groups.

2. At present 32,000 members are registered under Membership Drive Phase-1 on "First Come First Serve basis" whereas another 39,000 are registered under the ongoing Membership Drive Phase-2 on the "Age Wise Seniority" criterion. With the approval of Prime Minister of Pakistan, Housing Foundation has embarked upon consolidating its land bank by acquisition of land through Land Acquisition Collector Islamabad. Consequently, Housing Foundation has been able to substantially increase its land bank through acquisition of land under Land Acquisition Act 1894. This land bank shall be used for members registered under Membership Drive Phase- I & II. Notwithstanding abovementioned initiatives, the number of members registering with the Foundation is increasing each day due to increase in goodwill of Housing Foundation, and therefore need to further consolidate the land bank in collaboration with private sector is becoming more pronounced.

3. Pertinent that the Executive Committee of the Housing Foundation decided in its 128th meeting dated 11-10-2013 that apart from acquiring land through Land Acquisition Collector, the option of JV may also be explored to substantially increase land bank so that maximum members may be accommodated as early as possible. Further, a robust three tier

structure was also approved comprising of an Evaluation Committee, to be followed by a Steering Committee and finally the Executive Committee of Housing Foundation.

4. In continuation thereof, Executive Committee in its 132nd meeting dated 8th January 2015, unanimously decided to accord in principle approval to consolidate land bank for FGEHF projects in feasible areas of Islamabad in collaboration with CDA, ICT as well as from private land owners. It was further desired that such land must be selected after exhaustive surveys, proper feasibility reports and robust evaluation mechanism.

Objective:

5. To accommodate maximum number of registered members within shortest possible time, FGEHF may invite Expression of Interest (EOI) for the Joint Venture from well reputed national or international Housing Developers / Investment Companies / Firms / Individuals, to launch new housing / apartment schemes in Federal and Provincial Capitals & major metropolitan centers/cities of Pakistan. Interested party (ies) with vast experience in the relevant area and sound credentials may apply along with a business plan as per given parameters laid down herein.

Fundamental Principles:

6. Following will be the fundamental principles of the JV Policy:

a. JV partner shall agree to provide not less than 50% of possible developed residential plots/apartments in a society/scheme, to the Housing Foundation, at subsidized rates on no profit no loss basis, for allotment to Federal Govt. employees, in accordance with the basic mandate of Housing Foundation.

b. There shall be no upfront payment of Land by the Housing Foundation. No financial risk shall be undertaken and feasibility of the scheme and response of allottees shall automatically determine success of the scheme.

c. Housing Foundation shall exercise strict fiscal control over allottees' subscriptions through a joint account to be controlled by Housing Foundation. Brochure and

Allotment letters shall only be issued by the Housing Foundation, and shall specifically refer to subscription in said account as a precondition for allotment under the scheme. All proceeds from prospective allottees of that scheme shall be deposited in the joint account.

d. Part of proceeds (40-50%) from Joint Account shall be utilized for transfer of title of land in the name of Housing Foundation in a phased manner and Land Title shall eventually lie exclusively with the Housing Foundation. Remaining Proceeds shall be used for Infrastructure Development and miscellaneous administrative expenses.

e. Proceeds from Commercial Area as share of FGEHF (not less than 10%), shall be transferred to FGEHF to meet overhead expenses of FGEHF or to further subsidize cost of plots for prospective allottees.

f. Housing Foundation shall ensure best quality of works through an independent Consultant to be engaged through PPRA, who shall conduct top supervision of infrastructure works and all payments on account thereof shall contingent upon satisfactory report/clearance of the Consultant.

Salient Features of EOI / JV Proposal:

4. An EOI to be floated in national dailies inviting Letters of Intent from prospective land providers. The EOI should contain the following features:

a) Land being offered should be in a compact piece and free from all encumbrances.

b) Land should be located preferably on main road or have easy access from main road.

c) Offered price of raw land/developed plot, should be indicated in proposals along with the terms of JV offer.

d) Only real owners or those with valid power of attorney/valid legal Agreement to sell with real owners of land are eligible.

e) Authentic ownership documents by the revenue authorities should have been issued in the past three months.

f) Status of utility services (like electricity, gas, water etc) at site be substantiated with evidence.

g) Preliminary Technical / geo-technical investigation including but not limited to soil analysis, seismic analysis, topographical surveys, Electric resistivity tests including hydraulic studies should accompany the proposal.

h) Affidavit to the effect that interested parties shall be responsible for NOC from all concerned departments including approvals for design / planning and financing of the project.

i) Interested parties should demonstrate capability and financial capacity to develop the scheme and execute infrastructure work and to complete the project

j) Complete details regarding Bio Data / Qualification / Experience of key personnel to be provided

k) An undertaking that the Firm is willing to comply with the Standardized MOU (Appendix 1), with FGEHF, which shall be followed by a Commercial Agreement, subject to fulfillment of all codal formalities.

Following details about the Firm may also be provided with proposals where applicable:-

a) Full name of the individual / firm / company / consortium and permanent address with evidence of incorporation and structure of consortium, if applicable.

b) Legal status of the firm (sole owner-ship or limited company) certified by the registrar or concerned authority.

c) Complete information regarding Bio-Data / Qualification / Experience of key personnel.

d) Following details of Housing and infra-structural projects completed over in the last 5 years (if any) along with photographs / brochures and documentary proof are also required:-

i. Name of Projects, place and client.
ii. Scope of work.
iii. Details of projects (multi stories, high rise or detached housing, whether residential or commercial) along with total covered area and cost of project, date of start and completion.

e) Certified proof of financial soundness (from the bank).

f) Copy of NTN certificate.

g) Annual turnover of the company, preferably, for the last 5 years.

h) Undertaking that the firm has never been blacklisted by any govt. /semi govt. / attached department / autonomous body.

i) Affidavit to effect that proposed land / site is free from any litigation.

j) Performance certificates from the clients for whom similar services have been rendered if any

Evaluation Process for EOI Proposal:

5. The proposals received will be opened before the Technical Committee of Housing Foundation consisting of the following:

1. Director JVP (Convener)
2. Director Technical
3. Director Finance
4. Director Estate
5. Director Law
6. AD JVPs

TORs of the Technical Committee shall be as under:

a. Opening of Proposals
b. Preparation of abstract/synopsis of proposals received
c. Inspection of sites
d. Preparation of pre-feasibility containing preliminary recommendations regarding financial/economic/technical aspects and preliminary verification of clear title free from all encumbrances.

6. A report containing preliminary recommendations shall be presented by the Technical Committee, before the Evaluation Committee notified pursuant to decision taken in 128th meeting of Executive Committee, consisting of following:

1. Director General Housing Foundation (Convener)
2. Joint Secretary Ministry of Housing and Works
3. Representative of Ministry of Finance

4. Representative of Ministry of Law
5. Representative of Planning Commission
6. Director Administration/Company Secretary of FGEHF

TORs for the committee shall be as under:

a. Scrutiny of Proposals in the light of report of Technical Committee
b. Examination of financial/economic/technical feasibilities and verification of clear title free from all encumbrances.
c. Inspection of Site
d. Short listing of prospective Firms
e. Negotiation of Standardized MOU with all prospective land providers willing to comply with terms of MOU

7. A report of Evaluation Committee containing recommendations shall be presented before Steering Committee notified pursuant to decision taken in 128th meeting of Executive Committee, consisting of the following:

1. Joint Secretary Ministry of Housing (Convener)
2. Deputy Commissioner/District Collector concerned
3. Member Planning, CDA or concerned municipal authority.
4. Representative of Ministry of Finance not below BS 20
5. Representative of Planning Commission not below BS 20
6. Representative of Ministry of Law not below BS 20
7. Land Acquisition/Real Estate Consultant of FGEHF, to be appointed through open bidding.
8. Director Administration/Company Secretary of FGEHF

TORs of the Steering Committee shall be as under:

a. To oversee work of Evaluation Committee and to provide direction wherever required
b. To ensure transparency & fairness in entire process
c. Consolidation of Report containing specific recommendations, for final decision of Executive Committee of Housing Foundation.
d. To co-opt any member as it deems necessary, from public or private sector, for the purpose of transparency and efficiency.

8. Final Report of Steering Committee shall be presented before Executive Committee of Housing Foundation, which shall finalize and authorize (or otherwise) execution of Commercial Agreement with any particular land provider in the light of

recommendations of Steering Committee. Legal and financial advice shall be obtained on commercial agreement, where possible as per Government rules (GFR-18 & 19). The Executive Committee shall also act as Arbitrator or authorize a suitable nominee, in case of dispute with any firm and its decision shall be final and binding upon all parties.

9. After approval of the Executive Committee, a Commercial Agreement shall be executed for implementation of the scheme between FGEHF and the JV Partner.

****

GOVERNMENT OF PAKISTAN
MINISTRY OF HOUSING & WORKS

F.No.786/Sr.JS/EOI(PD-MMC)/2016-H&W

Islamabad the 2 September,2016

Subject:- **MINUTES OF THE CABINET COMMITTEE HELD ON 20.9.2016 IN THE COMMITTEE ROOM OF MINISTRY OF HOUSING & WORKS REGARDING JOINT VENTURE POLICY FOR LAND BANKING IN COLLABORATION WITH PRIVATE SECTOR.**

Director (Estate) Dy No 3077 Dated 28/9

Pleased find enclosed minutes of the meeting of Cabinet Committee held on 20.9.2016 in the committee Room of Ministry of Housing & Works regarding Joint Venture Policy for Land Banking in collaboration with Private Sector.

AD (JVPs)

(AKHTAR JAN WAZIR)
Senior Joint Secretary
Tele:9217157
Email: jsoffice2013@gmail.com.

To

1. P.S to Minister for Law, Justice & HR, M/o Law, Justice & Human Rights, Islamabad.
2. Sr.P.S to Secretary, Ministry of Interior, Islamabad.
3. Sr.P.S to Chairman, Capital Development Authority, Islamabad.
4. Sr.P.S to Director General, FGEH Foundation, Islamabad.

3842 27/9/16

Copy for information to:-

1. PS to federal Minister for Housing & works, m/o Housing & works.
2. Sr.P.S to Secretary, M/o Housing & Works, Islamabad.

Sr.Joint Secretary(H&W)

3109 27/9/16

DIR (JVPs) 27/9
DIR (Law)
DIR (C)

[redacted]

نجی شعبے کے ساتھ باہمی اشتراک کی پالیسی برائے لینڈ بینکنگ پر کابینہ کمیٹی کے اجلاس مورخہ 20 ستمبر 2016 کے منٹس

کابینہ کمیٹی کے اجلاس مورخہ 18 اگست 2016 میں دی گئی ہدایات کی روشنی میں نجی شعبے کے ساتھ باہمی اشتراک کی پالیسی برائے لینڈ بینکنگ پر کابینہ کمیٹی کا اجلاس مورخہ 20 ستمبر 2016 کو وزارت ہاؤسنگ ورکس کے کمیٹی روم میں دن 11 بجے منعقد ہوا۔ جس میں درج ذیل ممبران نے شرکت کی

۱۔ جناب محمد اکرم خان درانی، وزیر ہاؤسنگ ورکس،

۲۔ جناب زاہد حامد، وزیر قانون اور انصاف،

۳۔ جناب عارف احمد خان، سیکرٹری داخلہ،

۴۔ جناب شیخ انصر عزیز، چیئرمین، کیپیٹل ڈویلپمنٹ اتھارٹی،

۵۔ جناب شاہ رخ ارباب، سیکرٹری ہاؤسنگ ورکس،

۶۔ جناب اختر جان وزیر، سینئر جوائنٹ سیکرٹری ہاؤسنگ ورکس،

۷۔ جناب وقاص علی محمود، ڈی جی، ہاؤسنگ فاؤنڈیشن

۲۔ اجلاس میں نجی شعبے کے ساتھ باہمی اشتراک کی پالیسی برائے لینڈ بینکنگ پر سیر حاصل گفتگو ہوئی اور کابینہ کے اجلاس مورخہ 18 اگست 2016 میں کی گئی بحث اور جاری کردہ ہدایات کی روشنی میں درج ذیل ایجنڈا زیر بحث لایا گیا تاکہ نجی شعبے کے اشتراک سے لینڈ بینکنگ کی پالیسی کو مزید جامع اور سربوط بنایا جاسکے۔

الف۔ اسٹیئرنگ کمیٹی کی صدارت سینئر جوائنٹ سیکرٹری ہاؤسنگ ورکس کی بجائے ہاؤسنگ فاؤنڈیشن کے زیر صدارت کرنا۔

ب۔ تجویز کردہ پالیسی میں پلاٹ کا سائز زیادہ سے زیادہ 1000 مربع گز کی بجائے 500 مربع گز تک محدود کرنا۔

ج۔ یادداشت کے مسودہ میں ہاؤسنگ فاؤنڈیشن کے ممبران کیلئے رہائشی پلاٹوں کیلئے زیادہ سے زیادہ ۵ فیصد کوٹہ کو کم سے کم ۱۰ فیصد پلاٹس سے تبدیل کرنا۔

[redacted]

د۔ نجی شعبے کے تحت پرائیوٹ پارٹی کی طرف سے فراہم کردہ زمین کی قیمت کا تعین ضلعی انتظامیہ یا ایک خود مختار پراپرٹی ایڈوائزر سے کروایا جانا، نہ کہ اسٹیٹ بینک آف پاکستان سے کہ جس کے پاس ایسی کوئی صلاحیت موجود نہیں۔

ر۔ کوئی بھی دوسرا ایجنڈا جو کمیٹی ضروری سمجھے۔

۳۔ ڈائریکٹر جنرل ہاؤسنگ فاؤنڈیشن نے کابینہ کمیٹی کو نجی شعبے کے ساتھ باہمی اشتراک کی پالیسی برائے لینڈ پولنگ کے بارے میں تفصیل سے آگاہ کیا۔ تمام ممبران بالخصوص وزیر قانون و انصاف نے اس پالیسی کے ذریعے وفاقی ملازمین کو ارزاں نرخوں پر رہائشی پلاٹس مہیا کرنے کی کاوشوں کو سراہتے ہوئے درج ذیل امور کی طرف توجہ مبذول کروائی۔

الف۔ رہائشی پلاٹس میں سرکاری ملازمین کیلئے کم سے کم ۵٪ فیصد کوٹہ مختص کیا جائے۔

ب۔ کمرشل پلاٹس میں نجی شعبے کے کوٹے کے تعین کو مالیاتی فیزیبلٹی کے ساتھ مشروط کیا جائے۔

ج۔ ترقیاتی کام کے معیار کو یقینی بنانے کیلئے پیشہ ور کنسلٹنٹ کی خدمات حاصل کی جائیں۔

د۔ نجی شعبے کو ڈویلپ پلاٹ کی ادائیگی کے شیڈول کو آسان اور قابل فہم بنایا جائے۔

۴۔ وزیر قانون کی جملہ تجاویز سے اتفاق کرتے ہوئے کابینہ کمیٹی کو آگاہ کیا گیا کہ نجی شعبے سے اشتراک کی پالیسی برائے لینڈ پولنگ کیلئے کابینہ کمیٹی کے معزز ممبران کی قیمتی تجاویز کا ملحوظ خاطر رکھا جائے گا۔ مزید برآں کمیٹی کو آگاہ کیا گیا کہ میمورنڈم اور آرٹیکلز آف ایسوسی ایشن کے تحت ہاؤسنگ فاؤنڈیشن کی بنیادی ذمہ داری سرکاری ملازمین کو بغیر نفع و نقصان کی بنیاد پر رہائشی پلاٹس کی فراہمی ہے۔ کابینہ کمیٹی کو مزید آگاہ کیا گیا کہ ڈویلپڈ پلاٹ کی ادائیگی کے طریقہ کار میں مندرجہ ذیل عناصر مدنظر رکھے گئے ہیں۔

ا۔ نجی شعبے کو زمین کی پہلی قسط کی ادائیگی اس امر سے مشروط ہے کہ اس کے عوض مطلوبہ خام زمین کا انتقال ہاؤسنگ فاؤنڈیشن کے نام کیا جائے تاکہ الاٹمنٹ لیٹر کے اجراء کے وقت ہاؤسنگ فاؤنڈیشن کے پاس زمین کا مکمل ٹائٹل موجود ہو۔ بقیہ خام زمین کو لیٹرل کے طور پر ہاؤسنگ فاؤنڈیشن کے نام پر بطور ضمانت رہے تاوقتیکہ ترقیاتی کام مکمل نہ ہو جائیں۔

۲۔ پہلی قسط کے بعد وصول کردہ بقیہ اقساط کی ادائیگی پیشہ ور کنسلٹنٹ کی جانب سے ترقیاتی کاموں کی تسلی بخش رپورٹس سے مشروط ہوگی تاکہ ترقیاتی کام تسلی بخش طریقے سے مکمل کیے جا سکیں۔

۳۔ ترقیاتی کاموں کی تکمیل کے بعد کولیٹرل میں رکھی ہوئی باقی ماندہ خام زمین کی ادائیگی ممکن ہوگی۔

فیصلہ جات:

الف۔ کمیٹی نے باہمی مشاورت اور رضامندی سے یہ فیصلہ کیا کہ رہائشی پلاٹس میں سرکاری ملازمین کیلئے کم سے کم ۷۵ فیصد کوٹہ مختص کیا جائے۔

ب۔ کمرشل پلاٹس اور ایمنٹی پلاٹس میں نجی شعبے کے کوٹے کے تعین کو مالیاتی فیزیبلٹی کے نتائج کے ساتھ مشروط کیا جائے تاکہ سرکاری ملازمین کو رہائشی پلاٹس ارزاں نرخوں پر مہیا کیا جا سکے۔

ج۔ اسٹیئرنگ کمیٹی کی صدارت سینئر جوائنٹ سیکرٹری ہاؤسنگ و ورکس کی بجائے ہاؤسنگ فاؤنڈیشن کرے۔

د۔ تجویز کردہ پالیسی میں رہائشی پلاٹ کا زیادہ سے زیادہ رقبہ 1000 مربع گز کی بجائے 500 مربع گز تک محدود کیا جائے۔

ر۔ نجی شعبے کے تحت پرائیویٹ پارٹی کی طرف سے فراہم کردہ زمین کی قیمت کا تعین ضلعی افتظامیہ یا ایک خود مختار پراپرٹی ایڈوائزر سے کروایا جائے جو کہ اسٹیٹ بینک آف پاکستان سے رجسٹرڈ ہو اور جس کا انتخاب پیرا رولز کے مطابق کیا جائے۔

س۔ ترقیاتی کام کے معیار کو یقینی بنانے کیلئے ادائیگی سے پہلے پیشہ ور کنسلٹنٹ کی تسلی بخش رپورٹس سے مشروط کی جائے۔

ش۔ مالیاتی نظام انتہائی شفاف اور مربوط بنایا جائے اور ڈویلپڈ پلاٹ کی ادائیگی کا طریقہ کار پر سختی سے عمل درآمد کیا جائے۔

کمیٹی کا اجلاس شکریہ کے ساتھ اختتام پزیر ہوا۔

Qualifications & Updated Rules

(SV Summary plot)

28/9/16

GOVERNMENT OF PAKISTAN
MINISTRY OF HOUSING AND WORKS
FEDERAL GOVERNMENT EMPLOYEES HOUSING FOUNDATION

SUMMARY FOR THE FEDERAL CABINET

Subject: **APPROVAL OF DRAFT BILL FOR ESTABLISHMENT OF FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY (FGEHA)**

Federal Government Employees Housing Foundation (FGEHF) is a public limited company registered with SECP under Section 42 of Companies Ordinance 1894, operating under auspices of Ministry of Housing & Works. The mandate of FGEHF is to provide affordable residential accommodation to Federal Government employees and other specified groups, on no profit no loss basis, without involving any funds from public exchequer. So far FGEHF has launched five housing schemes and provided approximately 23000 housing units to the FG employees and other specified groups.

2. It is pertinent to mention that FGEHF is launching new projects in Islamabad and other parts of Pakistan in order to clear the huge backlog approximately of 1,50,000 members registered with the FGEHF and also to implement vision of Prime Minister of Pakistan regarding low cost housing schemes. However, FGEHF is not a regulatory body vested with the authority to accord requisite approvals for its projects as per existing Memorandum and Charter of Association of FGEHF.

3. In this context, a summary relating to establishment of Federal Government Employees Housing Authority (FGEHA) was approved by Federal Cabinet subject to vetting by law and Justice Division (Annex-I). Accordingly, Law and Justice Division vetted the FGEHA Act for placement before Senate. Thereafter, the draft bill was sent to Senate of Pakistan. The Senate Standing Committee on

Housing and Works in its meeting dated 28-5-2019 approved the bill and recommended to present it in the next Senate Session. The bill was presented before the august house on 31-5-2019 and was deferred on account of further discussion. The bill is still pending in the upper House of the Parliament.

4. The Prime Minister of Pakistan has already inaugurated the ground breaking ceremony for launching affordable / low cost housing projects, therefore, due to urgency of the nature of work and to execute the projects on fast track basis, it is proposed that under Article 89 of Constitution of Islamic Republic of Pakistan 1973, the power of President to promulgate Ordinance may be invoked in Public interest.

5. In view of above, a draft summary alongwith draft Ordinance 2019 bill for establishment of Federal Government Employees Housing Authority is at (Annex-II) for placement before the Federal Cabinet in its next meeting.

6. The Federal Minister for Housing & Works has seen and approved submission of the summary.

Dr. Imran Zeb Khan
Secretary

Secretary, Cabinet Division, Islamabad
M/o H&W's U.O. No. 1(9)/2018-HF/L dated 01.07.2019

ANNEX -

SECRET

Case No. 164/08/2019 Dated: 14.02.2019	**Ratification of the Decisions Taken by the Cabinet Committee on Legislative Cases (CCLC) in its meeting held on 06.02.2019.**
Presented by: Cabinet Division	

DECISION

The Cabinet considered the summary dated 13th February, 2019 submitted by Cabinet Division for **Ratification of the Decisions Taken by the Cabinet Committee on disposal of Legislative Cases (CCLC) of the Cabinet in its Meeting Held on 06-02-2019** and approved the proposal contained in para 2 of the summary expect the decision taken by CCLC on item No.5 i.e. the Draft Bill for Establishment of Federal Government Employees Housing Authority (FGEHA). In view of the need to urgently move forward in this respect, the Cabinet approved the subject Bill for presentation to the Parliament, subject to vetting by Law and Justice Division.

*****

M Asif

ANNEX --

An

Ordinance

to provide for establishment of Federal Government Employees Housing Authority

WHEREAS it is expedient to establish the Federal Government Employees Housing Authority for the purposes of planning and development of housing schemes for serving and retired Federal Government employees and other specified groups and matters connected therewith and ancillary thereto;

It is hereby enacted as under:-

1. **Short title, extent and commencement.**– (1) This Ordinance may be called the Federal Government Employees Housing Authority Ordinance 2019.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.-** In this Ordinance, unless the context otherwise require,-

(a) "Authority" means the Authority established under section 3;

(b) "Chairman" means Chairman of the Executive Board of the Authority;

(c) "Chief Executive Officer" means the Chief Executive Officer of the Authority appointed under section 8;

(d) "Executive Board" means the Executive Board constituted under section 6;

(e) "Foundation" means the Federal Government Employees Housing Foundation duly registered with the Securities and Exchange Commission of Pakistan;

(f) "Governing Body" means governing body constituted under section 4;

(g) "member" means a member of the Executive Board;

(h) "prescribed" means prescribed by rules or regulations, as the case may be;

(i) **"regulations" means regulations made under this Ordinance;**

(j) **"rules" means rules made under this Ordinance;**

(k) "scheme" means any scheme, plan, facility or project for development of land for residential or commercial purposes undertaken, planned or approved by the Authority including the schemes earlier launched and started by the Foundation before commencement of this Ordinance;

(l) "specified area" means all lands owned, purchased, acquired or procured by or vested in or leased to the Foundation under any law before the commencement of this Ordinance and such other land as may be purchased or procured or acquired or vested in or leased to the Authority in Islamabad Capital Territory or other parts of Pakistan; and

(m) "specified groups" means any group as decided by the Governing Body from time to time.

3. **Authority.-** (1) The Federal Government shall, by notification in the official Gazette, establish the Federal Government Employees Housing Authority, within thirty days of the commencement of this Ordinance.

(2) The Authority shall be a body corporate having perpetual succession and common seal with power to purchase, procure through acquisition or otherwise, land as well movable and immovable properties and assets with the object to hold, possess, sell, lease, transfer, exchange any property including landed property and to regulate the schemes undertaken by it in the specified area.

(3) The head office of the Authority shall be at Islamabad. The Authority may establish regional offices in other parts of Pakistan with the approval of Executive Board.

(4) The Authority shall also be the local authority in the specified area and shall be responsible for all public services and facilities.

(5) While making or arranging, planning, designing and executing a scheme in specified area, adherence to local municipal regulations and master plan of the concerned district shall be ensured.

4. **Governing Body,- (1) There shall be a Governing Body consisting of the following :-**

(a) Secretary of the Division concerned with the affairs of the Authority	***President***
(b) Secretary, Cabinet Division	***Vice President***
(c) Secretary, Establishment Division	***Member***
(d) Secretary Law and Justice Division	***Member***
(e) Chief Executive Officer	***Member***

(2) The Chief Executive Officer shall also act as the Secretary of the Governing Body.

5. **Powers, Functions and meetings of the Governing Body.-** (1) Subject to the provisions of this Ordinance, the Governing Body may take such decisions and exercise such powers, as may be necessary for carrying out the purpose of this Ordinance.

(2) Without prejudice to the generality of forgoing powers but subject to the provisions of this Ordinance, the Governing Body may:-

(a) Review progress and activities of the Authority;

(b) Lay down policy for guidance of the Executive Board.

(c) Consider and approve budget and audit report of the Authority.

(d) Transact such other business of the Authority and as the Executive Board may place before it.

(3) The decision of the Governing Body shall be through majority of its members present and voting. The President shall have casting vote.

(4) The President shall preside over meetings and in his absence the meetings shall be presided over by the Vice President:

Provided that if the President and the Vice President are unable to preside over the meeting of the Governing Body then any senior member chosen by the members present, shall preside the meeting.

(5) The Governing Body shall meet at least twice a year or as and when required or considered necessary by the President or on the request of Chief Executive Officer.

6. **Executive Board.-** (1) The general administration, supervision and control of the affairs of the Authority shall vest in the Executive Board, which shall consist of;-

(a)	Secretary of the Division concerned with the affairs of the Authority	*Chairman*
(b)	Additional Secretary, Cabinet Division	*Member*
(c)	Additional Secretary, Ministry of Interior	*Member*
(d)	Additional Secretary, Finance Division	*Member*
(e)	Additional Secretary, Establishment Division	*Member*
(f)	Draftsman Law and Justice Division	*Member*

(g) Additional Secretary of the Division concerned with the affairs of the Authority — *Member*

(h) Managing Director, Pakistan Housing Authority Foundation — *Member*

(i) Director General, Pakistan Public Works Department — *Member*

(j) Chief Commissioner, Islamabad Capital Territory — *Member*

(k) Chairman, Capital Development Authority Islamabad — *Member*

(l) Chief Executive Officer — *Member*

(2) The Chief Executive Officer shall also act as the Secretary of the Executive Board.

7. **Powers, Functions and Meetings of the Executive Board.-** (1) **Subject to the provisions of this Ordinance, the Executive Board may take such decisions and exercise such powers, as may be necessary for preparation, planning, approval and development of schemes in the specified area for carrying out the purposes of this Ordinance.**

(2) Without prejudice to the generality of forgoing powers but subject to local laws, the Executive Board may:-

(a) **purchase, procure through acquisition under the Land Acquisition Act, 1894 (I of 1894) or any other prevailing law for the said purpose, as per approved policy from Federal Cabinet for the time being invogue, as applicable at the site of the scheme, or otherwise any land or property in Islamabad or any part of Pakistan and hold, manage, reclaim and take possession of such land or property, in accordance with law;**

(b) **prepare plan, approve, develop, execute, implement, maintain, manage and regulate any scheme in the specified area;**

(c) **accord approval of the layout plans, building plans of the scheme in conformity with the local municipal regulations;**

(d) accord approval for collection of revenues for maintenance of the scheme and enforcement of regulations made under this Ordinance;

(e) enter into contracts, arrangements, joint venture agreements with any person or firm, for preparation, planning, development, execution, implementation and maintenance of schemes in the specified area, for carrying out the purposes of this Ordinance;

(f) incur any expenditure and procure land, buildings, plant, machinery, equipment, instrument and necessary materials;

(g) carry out, maintain, arrange, manage and provide all facilities, services and utilities including water, electricity, gas and sewerage for schemes in the specified area;

(h) impose, vary and recover development charges, transfer fee, service charges, toll or other charges in respect of any land or buildings within any scheme in the specified area;

(i) lease, purchase, procure, sell, exchange, mortgage, rent out or otherwise dispose of any property vested in the Authority;

(j) modify, re-plan or cancel any scheme or a part thereof in the specified area;

(k) do all such acts and deeds and things that may be necessary or expedient for the purpose of proper preparation, planning, development, execution, implementation, management and maintenance of residential and commercial property in the schemes in the specified area;

(l) plan, approve and execute mergers and amalgamation with other housing schemes or cooperative housing societies;

(m) obtain loan for the purpose of generating capital for its scheme or seek contributions from members of the schemes or drives announced and floated by the Authority;

(n) receive grants from the Federal Government for the purpose of generating capital for its scheme or seek contributions from members of schemes or drives announced and floated by the Authority; and

(o) **Accord approval of launching of schemes for Federal Government employees and other specified groups to be determined by governing body.**

(2) The decision of the Executive Board shall be made through majority and its quorum shall be simple majority of its members. The Chairman shall have casting vote.

(3) The Chairman shall preside over meetings and in his absence any senior member chosen by the members present shall preside the meeting.

(4) The Executive Board shall meet as and when required or considered necessary by the Chairman or on the request of Chief Executive Officer.

8. **Chief Executive Officer.- (1)** There shall be a Chief Executive Officer of the Authority who shall be appointed by the Federal Government. The qualification, terms and conditions etc., of the Chief executive Officer shall be such as may be prescribed by rules.

(2) The Chief Executive Officer shall exercise such powers and perform such functions as may be prescribed by regulations.

9. **Appointment of officers and officials.- (1)** The Executive Board may, in such manner and on such terms and conditions as may be prescribed by regulations, appoint such officers, employees, staff, experts, consultants and advisors as may be necessary for purposes of this Ordinance.

(2) On the winding up of the Foundation all officers and employees thereof shall become the employees of the Authority on the terms and conditions as may be prescribed which shall not be less favorable than the terms and conditions being availed by them in the Foundation on commencement of this Ordinance.

10. **Delegation of powers.-** Subject to this Ordinance, the Executive Board and the Chief Executive Officer may, by order in writing, delegate to any officer of the Authority any of its or his powers to perform such functions and duties as may be specified in the order.

11. **Committees.-** The Executive Board may, by order, constitute committees **including Finance Committee, Budget and Accounts Committee and such other committees as may be deemed necessary for carrying the functions of the Authority** and assign to them such specific

functions for efficient performance of the Authority. The committees shall perform the functions in the manner specified in the order.

12. **Funds of Authority.**- (1) There shall be a fund known as the Federal Government Employees Housing Authority Fund, which shall vest in the Authority

(2) The following shall be the sources of the Fund, namely:-

(a) all moneys received from the members of the Authority;

(b) all grants from the Federal or Provincial Governments;

(c) transfer fees, services charges, penalties, etc;

(d) any donation or other sum of money received by the Authority shall be credited in the fund.

(3) The fund shall be kept in the scheduled banks and shall be utilized, spent and regulated in such manner as may be prescribed by regulations.

(4) The budget of the Authority shall be approved by the **Governing Body** and its accounts shall be maintained and audited in such manner as may be prescribed by the **regulations**.

(5) The annual audit of the Authority shall be conducted by the Auditor General of Pakistan.

13. **Acquisition of land.**- Acquisition of any land or any interest in land for the purpose of Authority shall be deemed to be an acquisition for public purpose within the meaning of the applicable Land Acquisition Act, 1894 (I of 1894) or **any other prevailing law for the said purpose, as per approved policy from the Federal Cabinet currently invogue.**

14. **Power to cancel allotment.- (1)** The Chief Executive Officer may cancel or revoke or rescind any allotment, transfer, license, lease or agreement on the recommendation of a committee constituted by the Executive Board.

(2) An appeal from an order under sub-section (1) shall lie before the Executive Board. When the Executive Board is deciding the appeal the Chief Executive Officer shall not participate in the proceedings.

15. **Encroachments.- (1)** If a person encroaches on the property of the Authority or any open space or illegally possesses property of an allottee, transferee, licensee or lessee in the specified area, he shall be liable to punishment of imprisonment which may extend to two years or fine which may extend to five hundred thousand Rupees or both.

(2) The Magistrate of the first class shall conduct summary trial of an offence under sub section (1) and pass any sentence provided in that sub section in accordance with the provisions of Chapter *XII* of the Code of Criminal Procedure, 1898 (Act V of 1898) on the complaint filed by an officer of the Authority authorized under the regulations.

(3) If a person encroaches on the property of the Authority or any open space or illegally possesses property of an allottee, transferee, licensee or lessee in the specified area, the Magistrate may, during or on conclusion of trial under sub section (2) but subject to the final decision of the Civil Court, order the police to forthwith remove encroachment or dispossess the illegal possessor.

16. **Violation of building regulations.-** If a person violates the building regulations in the specified area, the Authority may, in the prescribed manner, direct the person to remove the structure or part of the structure or pay fine to the Authority which may be fixed in the regulations for each category of violation.

17. **Transfer and savings.-** On the commencement of this Ordinance;

(a) all assets, rights, powers, authorities and privileges and all property, movable and immovable, bank balance, bank account, reserve funds, investment and all other interests and rights in or arising out of such property and all liabilities and obligations of whatever kind of Foundation, established before this Ordinance, shall stand transferred to and vested in the Authority;

(b) all contracts and agreements entered into, all rights acquired and all matters and things agreed to be done by the Foundation and obligations incurred shall be deemed to have been entered into, acquired or agreed to be done by the Authority;

(c) all contracts, projects, schemes, work, whether in progress or not and all guarantees undertaken, obligation, liabilities executed or subsisting in the name of the Foundation shall be deemed to be contracts, projects, schemes, work, guarantees, undertakings, rights, obligations, liabilities of the Authority;

(d) all land owned, purchased, acquired or procured and developed by the Foundation shall be deemed to be the property of the Authority;

(e) all leases executed in the name of the Foundation before commencement of this Ordinance shall be deemed to be leases executed in the name of the Authority;

(f) all suits, appeals, petitions or legal proceedings by or against the Foundation shall be deemed to be suits, appeals, petitions or legal proceedings by or against the Authority;

(g) all allotments and transfer of plots, whether residential or commercial, made by the Foundation shall be deemed to be allotments and transfers made by the Authority;

(h) all pending disputes or matters, if any, before the Foundation shall stand transferred to Authority and shall be decided by the Chief Executive Officer and any aggrieved party shall have the right to appeal before the Executive Board within ninety day;

(i) all bylaws, policies and regulations in force immediately before commencement of this Ordinance shall continue to remain in force until altered amended or repealed; and

(j) notwithstanding anything mentioned herein before, all and every rights and obligations of Foundation shall stand transferred to the Authority and Foundation shall be wounded up in accordance with law.

18. **Appeal.-** Any person aggrieved by any order passed by Chief Executive Officer in respect to his rights in relation to any plot, built up or otherwise, may file an appeal before the Executive Board within ninety days of such order. Such appeal shall be decided by the Executive Board excluding the Chief Executive Officer, who passed such order.

19. **Overriding effect.-** The provisions of this Ordinance shall have overriding effect notwithstanding anything contained in any other law for the time being in force.

20. **Power to make rules.- The Authority may with the approval of the Federal Government**, by notification in the official Gazette, make rules to carry out the purpose of this Ordinance.

21. **Power to make regulations**.- The Executive Board may make regulations, not inconsistent with the rules, to give effect to the provisions of this Ordinance.

22. **Recovery as arrears of land revenue.-** If a person fails to pay any amount due to the Authority, the Collector shall, on the request in writing of the Authority, recover the amount as arrears of land revenue.

23. **Validation.-** All actions done or taken by the Foundation, before the commencement of this Ordinance, shall be deemed to have been validly done or have been taken under this Ordinance to the extent they are consistent with the provisions of this Ordinance.

24. **Removal of difficulty.-** If any difficulty arises in giving effect to any of the provisions of this Ordinance, the Federal Government may give such directions, consistent with the provisions of this Ordinance, as it may consider necessary for removal of such difficulty.
