FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY
10-MAUVE AREA, G-10/4, ISLAMABAD
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No.15 (7)/2019-HA (A)/6 — 21st January, 2020

Subject: **MINUTES OF 6th MEETING OF THE EXECUTIVE BOARD OF FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 09-01-2020**

The 6th meeting of the Executive Board of Federal Government Employees Housing Authority was held on 09-01-2020 at 11:00 am 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

(ASIF RASOOL LARIK)
Director (Staff)

Distribution:-

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

ii. Mr. Abdul Ghufran Memon
Additional Secretary (Cabinet)
Cabinet Division

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

iv. Dr. Arshad Mahmood
Additional Secretary (Expenditures)
Finance Division, Islamabad.

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

vi. Mr. Akhtar Jan Wazir
Additional Secretary
Establishment Division,
Islamabad

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, FGE Housing Authority, Islamabad.
3. All Directors, FGE Housing Authority, Islamabad
4. Office File.

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10-MAUVE AREA, G-10/4
ISLAMABAD
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MINUTES OF 6th MEETING OF THE EXECUTIVE BOARD OF THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 09-01-2020.

The 6th meeting of Executive Board of the Federal Government Employees Housing Authority was held on 09-01-2020 at 11:00 am 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 as follow:-

Agenda Item No. 1

CONFIRMATION OF THE MINUTES OF 5th MEETING OF THE EXECUTIVE BOARD OF FGE HOUSING AUTHORITY HELD ON 21-10-2019.

4. The Chief Executive Officer apprised that the 5th meeting of the Executive Board was held on 21-10-2019 and accordingly the minutes were issued on 23-10-2019.

5. It was further informed that no written observation is received against the minutes of 5th Board meeting. The Additional Secretary (H&W) raised an observation that in agenda No. 5, it was decided by the Board that outcome of the inquiry report in the case of Mr. Baaz Muhammad be shared with the Board members. That is reflected in the discussion but not mentioned in the decision of the minutes. The Secretary / Chairman, Executive Board endorsed the comments of Additional Secretary (H&W) and directed to incorporate the same in the minutes.

DECISION:-

6. The Executive Board unanimously approved the minutes of the 5th meeting, with the direction to incorporate observations of Additional Secretary (H&W) in the agenda-5 of the minutes.

P-T-O

Agenda Item No. 2

FOLLOW UP AGENDAS OF 5TH EXECUTIVE BOARD MEETING

I) ACQUISITION OF LAND – JV POLICY (LAND SHARING IN G- 15/3)

7. The same agenda was placed before 5th Executive Board meeting dated 21-10-2019. The decision of the BoD is reproduced below;

> **After detailed deliberation Board allowed FGEHA to enter into settlement with Mr. Asim Tiwana, however, to enter into JV Agreement Mr. Asim Tiwana has to properly apply through EOI and his case be processed in accordance with the provisions of JV Policy duly approved by the Federal Cabinet and brought before Executive Board separately.**

8. In this regard Mr. Tiwana submitted his proposal through EOI, which was placed before Technical Committee on 16-12-2019 and after detailed deliberations, Technical Committee (minutes enclosed) decided to place the negotiated terms before the Executive Board for its approval before entering into JV Agreement. The brief in this regard is as under:-

i. The land measuring 149 Kanals located at G-15/3 owned by Mr. Asim Tiwana, out of this land FGEHA acquired the land measuring 144 kanals vide award of LAC, ICT, Islamabad in the year 2009. Compensation of the land has been determined by the LAC @ Rs. 1,050,000 / per kanal which totals to Rs.156, 450,000/-, and the same has not been received by Mr. Tiwana so far.

ii. The landowner Mr. Tiwana challenged the said award by filing writ petition No. 2781/2009 before Lahore High Court, Rawalpindi Bench on the ground that his land has not been acquired for public purpose and at low price. The petition was dismissed by the Lahore High Court after a detailed deliberation and on merit. Being aggrieved from the order of High Court, Mr. Tiwana filed ICA No. 28/2010, and pending before Islamabad High Court, with next date of hearing fixed on 14-01-2019.

iii. Mr. Tiwana offered to settle the land and court case with FGEHA and intend to sign JV agreement for construction of High Rise Apartment at a price as determined by LAC of 144 Kanals vide award announced in 2009.

iv. As per JV Policy of FGEHA, the JV agreement may be signed on the following terms:-

- Land being offered should be in compact piece, with clear title and free from all encumbrances.
- Offered price of raw land should be clearly indicated in proposals alongwith the terms of JV Offer.
- Only real owner or those with valid power of attorney/ valid legal agreement to sell with real owners of land are eligible.
- Authentic ownership documents by the revenue authorities should have been issued in the past three months.
- Affidavit to affect that proposed land/site is free from any litigation.

The salient features of JV as offered through EOI are as under:

v. Both the parties shall enter into a JV Agreement on **159 kanals** as per EOI submitted by Mr. Asim Tiwana and after JV Agreement Mr. Tiwana shall mutate all land in favour of FGEHA on LAC award rate.
vi. The apartment sharing formula shall be as per JV-Policy of FGEHA (75:25 ratio) with cost of development to be paid.
vii. The commercial area shall be distributed at 50% ratio between both parties with cost of development to be paid.
viii. Development/Construction work shall be carried out by JV partner as per FIDC/PEC guidelines.
ix. The preferred time for completion of the project would be 3-4 years, after execution of construction agreement.

9. It was further informed that the existing JV policy is silent with regard to the awarded land. Further, the land could be extended to 200 Kanals and may be used to build approximately 2500 apartments of various sizes. This would not only complement the Prime Minister vision of Naya Pakistan Housing Program, but also resolve the issue of affectees in the form of apartments, as the requisite 1300 plots are not available in G-15/3. This will also help in clearing the long outstanding issue of BUPs in sector G-14/1, 2 &3 in an expeditious and peaceful manner.

RECOMMENDATION:

10. Approval or Executive Board was solicited for signing of JV Agreement as per details and salient features enumerated in para 02 above.

Discussion:-

11. The CEO informed the Board that in the 5th Board meeting, it was decided by the Board to ask Mr. Asim Tiwana to properly apply through EOI and submit his proposal. In line with the decision of the Board, Mr. Asim Tiwana has submitted his proposal through EOI and ready to withdraw Court Case, if construction agreement is signed with him. The CEO highlighted the significance of the issue of settlement and relocation of effectees of G-14/1-2 & 3, which could only be proceeded with, if this 159 Kanals land in G-15/3 be utilized for apartments and plots for the said effectees of G-14/1-2 & 3 so that the development of the latter could be commenced with and the proposal worked out and submitted before the Board for approval is the only amicable way out to settle the protracted issue.

12. The Additional Secretary (H&W) inquired as to why Mr. Asim Tiwana filed / appeal in Islamabad High Court, whereas, the initial litigation was decided by

the Lahore High Court. The DC, FGEHA informed that prior to establishment of IHC all cases of Capital Territory was adjudicated by Lahore High Court (Rawalpindi, Bench). The Additional Secretary (Cabinet) was of the view that FGEHA may forcefully plead its case in the court, as Mr. Asim Tiwana's legal position is weak. The Additional Secretary (Law) / Draftsman also observed that the land has been acquired by the FGEHA under Section-4 of the Land Acquisition Act-1894 and it tantamounts to paying for the land owned by FGEHA. The Chairman observed that most of the members are not in favor of agenda, hence FGEHA may pursue its case in Islamabad High Court by apprising the court regarding willingness of Mr. Tiwana for a JV agreement with FGEHA in lieu of possession of land. The Board appreciated the out of box thinking proposed, but, evaluating it legally it would be prudent, that as the matter is sub-judice in the court of law hence, we may wait for the final decision of the court.

DECISION:-

13. The Executive Board after detail deliberation decided to defer the agenda till the final decision of Islamabad High Court.

II. REGULATIONS TO COMPLEMENT THE JV POLICY

14. The CEO briefed the Board that the subject agenda was placed before 5th Executive Board meeting dated 21-10-2019 (Annex-I). The decision of the BoD is reproduced below;

> **After detailed deliberation, the Executive Board decided to defer the agenda item in order to give members sufficient time to examine the proposal. It was decided that the agenda item will be placed in next meeting of the Executive Board for decision.**

15. Now, in line with above reproduced decision of the 5th BoD meeting, the proposals are resubmitted with slight improvements, for approval of the Executive Board, please:-

I. **For Land Sharing Model (4:1):** FGE Housing Authority may adopt the formula of 4:1 with private partner i.e. one (1) kanal of Residential plot against four (4) kanals of raw land subject to payment of respective share of cost of development by the latter, as the major portion of land will be wasted.

II. **For Land Sharing (70:30):** FGE Housing Authority shall bear the development cost including the portion/share of the private/JV Partner. In this formula 70 % developed Residential plots shall be owned by FGEHA & remaining 30% Residential Plots shall be

given to 2nd Party in uniform ratio against each category. Minimum land for land sharing may be 1000 Kanals of raw land.

III. **The Commercial Area in Land Sharing:** FGE Housing Authority shall negotiate the commercial area with 2nd Party based on detailed Financial Analysis and to compensate the 2nd Party, incase cost of land is on higher side.

III. For Calculation of Cost of Construction (per sq feet):

16. Provincial Communication and Works rates (C&W) shall be adopted as these rates are revised quarterly and are customized to each district/zone. For cost of construction, the prevailing C&W provincial rates shall be followed and for Islamabad-ICT, the rates of Rawalpindi shall be adopted.

IV. Modification of Four Tier Structure of Committees under JV Policy:

- The idea for Joint Venture, to increase land bank of the then FGEHF (now FGEHA) was conceived in 128th Meeting of Executive committee dated 11-10-2013. A series of In house deliberations were made and finally the JV policy was in principle approved by the Federal Cabinet in its meeting dated 18-08-2016. The JV policy which was approved inherently adopted the concept of land purchase. Determination of cost of land proved to be a herculean task. Therefore, a three tier committee was suggested and thereafter the same were constituted i-e Technical, Evaluation and steering committee.
- However, the recent additions in JV policy approved by the Federal Cabinet incorporated the land sharing and End Product models of Joint Venture. Moreover, the status of organization also changed from Foundation to Authority through promulgation of ordinance dated 12-07-2019.In addition to it the composition of Evaluation and steering committee include representatives from Ministry of Law & justice and Finance division. However, the representatives of both the ministries /divisions are also members of Executive board. Therefore, the exercise of steering and evaluation committees is infact a duplication of work and it causes inordinate delay. As, the JV policy was formulated in 2016 and at that point of time legal paradigm was different as of now because FGEHA is now an authority through an ordinance. The basic reason to obtain the status of Authority was to implement the vision of Prime Minister of Pakistan with respect to low cost housing schemes. However; the four tier structure of committees has impaired timely delivery of PM's vision.
- It is also pertinent to mention that The Honorable Supreme Court of Pakistan in its judgment dated 15-5-2014 in CA no 67 & 68 of 2013 has decided as under:

  "It may be noted that the affairs of CDA are run under the Capital Development Authority Ordinance, 1960 and rules and regulations framed there under and that of the FGEHF though sponsored by the Federal Government, has its own Governing Body and its affairs are being managed and run by Executive Committee, neither the Prime Minister not the Minister nor the President of Pakistan have any say in the affairs of either".

- Besides, it is a fundamental principle of jurisprudence that law i-e Act or ordinance is a primary legislation and rules or policies are sub-ordinate legislation. Foregoing in view, in terms of power enshrined in sub section(1) of section 7 read with section 21 of the Ordinance, the Executive board may

modify the fourtier structure of committees and reduce it to two tier (i-e Evaluation committee and thereafter Steering Committee).

RECOMMENDATIONS

17. It was recommended that the evaluation process may only be limited to 02 tier Committees. TOR's and Constitution of committees are as below:

EVALUATION COMMITTEE

a. Director (JVP)	Convener
b. Deputy Director (Technical)	Member
c. Deputy Director (Planning)	Member
d. Deputy Director (Finance)	Member
e. Deputy Director (Land)	Member
f. Deputy Director (Law)	Member
g. Assistant Director (JVP)s	Member/Secretary

TORs

- Opening of proposals
- Preparation of abstract/ synopsis of proposal received
- Inspection of sites (Planning, technical, services, utilities etc.)
- Preparation of feasibility containing preliminary recommendation regarding financial/economic/technical aspects and verification of clear title free from all encumbrances
- Land cost valuation
- Shortlisting of prospective firms
- Preparation of specific recommendations for Steering committee

STEERING COMMITTEE

a. Chief Executive Officer	Convener
b. Joint Secretary (MOH&Ws)	Member
c. Technical Advisor to CEO	Member
d. Director (Technical)	Member
e. Director (Law)	Member
f. Director (Planning)	Member
g. Director (Estate)	Member
h. Director (JVP)	Member
i. Director (Land)/DC FGEHA	Member
j. Director (Finance)	Member
k. Director(Coord)	Secretary

TOR's

- To Oversee work of Evaluation Committee
- To ensure transparency & fairness in entire process
- Preparation of JV agreement in light of standardized MoU
- Making specific recommendations to Executive board for approval of JV agreement

DISCUSSION:-

18. The CEO apprised the Board that as per Joint Venture Policy duly approved by the Federal Cabinet, there are two methodology for land sharing. One is 1 kanal of land against 4 kanals land and second is 70/30 ratio between FGEHA and JV partner, respectively but who will develop the land is not specified in the policy.

19. The Chairman inquired about the policy adopted by the Defence Housing Authority (DHA). The CEO informed that DHA follows 4 kanal to 1 kanal land sharing formula. The Additional Secretary, Finance Division observed that the original policy was approved by the Cabinet and any amendment in the policy shall be referred to Cabinet. The CEO, FGEHA informed that original policy is not being amended only some procedural clarifications are required particularly with regards to development work in case of land sharing on 70/30 ratio. The Chairman stated that the policy contains broad contours and issues are decided as per general principle of understanding. The Additional Secretary (Finance) observed and suggested that the Board should be apprised on the basis of a case study containing financial details to decide the matter.

DECISION:-

20. The Executive Board decided that the agenda be placed before the Board with complete details of financial impact for land sharing model of 70/30 ratio for 1000 kanals land.

Agenda Item No. 3

APPROVAL OF PC-I's AFTER CONSIDERATION OF DWP.

21. The CEO apprised the Board that the Federal Government Employees Housing Authority has finalized the launching of following housing schemes and is at the verge of initiating bidding process for engaging the Contractors. The Consultants for Detailed Design and Construction Supervision of these projects have been hired. The PC-I's of the projects have been approved by the DWP held on 24th December, 2019. The details are as follows:

I. KASHMIR AVENUE APARTMENTS, G-13.

22. It was apprised to the Board that after inauguration by the Honorable Prime Minister of Pakistan on 17-04-2019 a land measuring 56 Kanals has been earmarked for the Construction of Housing Foundation Towers in Mauve Area, Sector G-13, Islamabad. The project aims at providing housing facilities to the federal government employees, in accordance with objectives of the plan. The tower is planned on 56 kanals of area in G-13 Mauve Area Sector consisting of three blocks each having three basements, ground plus nineteen floors out of which second to nineteenth floors are typical in design. The housing foundation tower is located near Islamabad Chowk along with Kashmir highway at a distance of around 10 km from Zero Point interchange and 02 km from Golra Chowk off Peshawar Road and is approachable through Kashmir Highway.

23. The process for the Hiring of Consultant was initiated by floating a Request for Proposal advertisement for Master Planning, Designing, Procurement and Detailed Construction Supervision for Construction of Kashmir Avenue Apartments at Sector, G-13, Islamabad in National Daily News Paper. Single Stage Two Envelope Procedure was adopted for Evaluation of Consultants. M/s Designmen Engineers Private Limited was awarded the project after Evaluation purpose.

RECOMMENDATIONS:

24. The PC-I amounting to Rs. 15.02 Billion was approved by the DWP held on 24th December, 2019. The same was hereby placed before the Executive Board for its consideration and subsequent approval.

II. PC-I OF TWO FLOOR'S:

25. The CEO informed the Board about following detail of Construction of 3rd and 4th Floor of FGEHA Head Office Building at Mauve Area Sector G-10/4, Islamabad:

26. The project includes construction of two floors (3rd and 4th) of FGEHA Head Office Building located at 10-Mauve Area, Sector G-10/4, Islamabad. The PC-I has been prepared on the basis of present and future requirements for existing and newly inducted technical as well as managerial staff to provide them with office accommodation. The existing office space is insufficient to accommodate the staff and there is dire need of additional office space. The FGEHA office was initially designed

for Lower Floor + Ground Floor + 4 Floors, wherein Lower Floor + Ground Floor + 2 has been constructed and functionalized.

RECOMMENDATIONS:

27. The PC-I amounting to Rs. 138.544 Million was approved by the DWP held on 24th December, 2019. The same was hereby placed before the Executive Board for its consideration and subsequent approval.

DISCUSSION:-

28. The Additional Secretary, Interior Division inquired about the limit for DWP to sanction PC-I as per new guidelines. He was of the view that the Ministry / Division in its DDWP can sanction / approve PC-I's upto the limit of Rs. 2 billion and the instant PC-I is more than Rs. 15 billion. The CEO replied that the limit is for PSDP projects, whereas, no project of FGEHA is funded by the Federal Government. The Additional Secretary (Interior) further inquired about rules position. Further the Additional Secretary (Cabinet) inquired whether the PC-I's are submitted before Board for approval or information. If it is for approval then abstract of cost in respect of the above two projects may also be shared with the board. The CEO agreed to enclose abstract of cost of both the projects with the meeting minutes and the same are annexed as (**Annex-A).**

29. The Director Technical-I clarified the rules position as per planning manual and contended that for autonomous organizations there is no limit for projects funded from their own source and also endorsement of the board is required. The rule position in this regard, as per manual for M/o Planning Development and Reforms ***Page 23, Guidelines 2.11, Development Working Party (DWP- autonomous organizations) (Annex-B)*** may be shared with the board. The Chairman directed that the same may be shared with the Board members. The Chairman observed that DWP has approved the PC-I's and it is only for information of the Board.

DECISION:-

30. The Executive Board after detail discussion decided that approval of PC-I is the exclusive domain of DWP, and it has already been approved, if the Board has to endorse the same, details of PC-I may be placed before the Board in the upcoming Board meeting for approval.

CONSTITUTION OF TECHNICAL COMMITTEE

31. The CEO informed the Board that JV wing is working on different projects under Naya Pakistan Housing Schemes on Joint Venture Policy as approved by Federal Cabinet. FGE Housing Authority has recently signed 03 No's JV agreement of Plots/ Apartments with various JV Partners. Furthermore, as JV involves direct contracting, so in order to execute the instant and future projects, Construction agreements are required to be signed with JV Partners. Therefore, following committee is proposed to examine, amend & finalize the construction agreements and thereafter, submission of the same to Executive Board for its final approval as enshrined in Section 7 of FGEHA Ordinance 2019.

• CEO/DG-FGHEA	Chairman
• JEA M/o H & W	Member
• Director Technical-I& II	Member
• Director Planning	Member
• Director JVP	Secretary/Convener
• Director (Law)	Member
• Director(Finance)	Member
• Rep. of Engineering Consultant, FGEHA	Member
• Technical Advisor to CEO/DG	Member
• Any other co-opted member.	

RECOMMENDATION:

32. Approval of Executive Board was solicited for constitution of above referred committee for comprehensive technical examination and subsequent recommendation to E-B to enter into construction agreements with JV partners.

DISCUSSION:-

33. The CEO informed the Board that DWP of FGEHA is comprised of members from Finance Division, Law Division, Planning Commission and FGEHA. The member of Planning Commission particularly Chief (PPH & Land) has informed in the DWP meeting that this committee can only approve PC-I's of projects on Govt. owned land and for approval of construction agreements of JV scheme a new committee comprising on the officers of FGEHA be constituted. The Member Planning CDA raised an observation that proposed committee is indigenous as all members are from FGEHA, he was of the view that there shall be some members from outside for proper examination and discussion on the proposals.

34. The Additional Secretary (Interior) inquired that in agenda No. 2 proposal is for 2 committees instead of the 3 Committees, whereas, in this agenda a Technical Committee is proposed without framing the TOR's of the Committee. The Chairman directed to incorporate TOR's of the Committee in the minutes. The CEO informed the Board that committee proposed in agenda-2 will examine and finalize JV agreements, whereas, this committee will examine and approve construction agreements thereof.

DECISION:-

35. After detail deliberation Executive Board approved the constitution of Technical Committee with the following TOR's as discussed during the meeting:

- To adopt uniform work specifications for FGEHA Projects.
- Examine draft construction agreements by the committee as being vetted by the consultant hired by FGEHA in the light of RFP
- Checking of rates of individual items, and in case of abnormal quoted rates, analysis be demanded.
- Ensure to have certified statistical bulletin regarding basic rates of items
- Finalization of construction agreement as per FIDIC/PEC rules and recommendations of the consultants for approval by competent authority / forum

Agenda Item No. 5

PURCHASE OF LAND FROM NATIONAL ACCOUNTABILITY BUREAU (NAB) (PLEA BARGAIN CASES)

36. The CEO briefed the Board that the FGEHA is striving to increase its land bank by entering into joint venture agreement with various Federal Government departments. It is pertinent to mention that National Accountability Bureau (NAB) has a record of land confiscated in favor of Govt. of Pakistan and Provincial Governments of Punjab through voluntary return and plea bargain. In order to identify such land free from encumbrances, a letter was written to Deputy Chairman NAB. Recently a meeting was also held between CEO FGEHA, and Director General NAB (Operations), Islamabad and it was agreed upon that the confiscated land by NAB in favor of Federal Govt. / Provincial governments at various locations across the country through voluntary return / plea bargain may be utilized for housing projects for Federal Government Employees. The formalities regarding valuation, mutation and possession of such pieces of land will be shared with board as being mutually agreed with NAB.

RECOMMENDATION:

37. The approval of Executive Board was solicited to engage in negotiations with NAB Authorities for identification and purchase of attach land for the purpose of launching of new housing projects.

DISCUSSION:-

38. The Additional Secretary (H&W) stated that the land attached with NAB, confiscated through plea bargain, is not the property of NAB, instead, it is the property of the Federation. The CEO, FGEHA informed that the private land which is taken up by the NAB, is auctioned / sold to payoff general public liabilities, in case of plea bargaining. The Additional Secretary (H&W) further stated that even in such case NAB do not have authority to transfer land as it belongs to Federation. The CEO clarified that the private land particularly in the case of Private housing schemes does not belongs to the federation, as it is an attached asset for subsequent disposal.

39. The Additional Secretary (Law) also endorsed the views of Additional Secretary (H&W) and stated that even private land, if confiscated, belongs to the Federation. The CEO, FGEHA informed the Board that approval is solicited only to enter into negotiation with NAB and further modalities will be decided as per law. The Chairman stated that the matter be referred to Law Division for advise.

DECISION:-

40. The Executive Board after detail discussion decided that matter be referred to Law and Justice Division through M/o Housing & Works for legal opinion in the matter.

Agenda Item No. 6

CHANGE OF LOCATION OF SCHOOL PLOT IN FGEHF SCHEME PHASE-I SECTOR 24-B, KDA SCHEME-33, GULZAR-E-HIJRI, KARACHI.

41. The CEO informed the Board that Senator Engr. Rukhsana Zuberi, President, TEC Education Foundation submitted a request on the subject mentioned above. Subsequently, the matter regarding allotment of school plot at KDA Scheme-33, Karachi was placed in 132nd meeting of the Executive Committee of Housing Foundation held on 08th January, 2015. The decision taken by the Executive Committee at that time is reproduced as under:-

"After detailed deliberation, the Executive Committee decided to reject the request of the bidder M/s Tec being inconsistent with the clause-1 of the Allotment and Master Plan"

42. Now, in the light of repeated requests received from Senator Engr. Rukhsana Zuberi, President, TEC Education Foundation, it was decided to refer the case to Planning Wing of FGEHA for examination of the request of the applicant keeping in view the existing byelaws of Sindh Building Control Authority (SBCA) or any other respective Authority. The remarks of the Deputy Director & Director Planning of FGEHA are as under:

"It is desirable to have bigger road for school to avoid traffic congestions during school timings"
"Planning point of view, we don't see any objection"

RECOMMENDATION:

43. In view of all facts stated above, the case was placed before the Executive Board for consideration / decision please.

DISCUSSION:-

44. The Additional Secretary (Cabinet) inquired about the clause-I and Master Planning mentioned in the previous decision, and whether there is any change in Master Planning. The Chairman observed that if there is a change in Master Planning then we cannot do it, as it is clearly mentioned in the Ordinance that local authorities bye-laws shall be observed. The CEO informed that only location of the school is changed without effecting overall Master Plan.

45. The Additional Secretary (Cabinet) observed that location of school is proposed to be shifted from 100 ft to 200 ft wide road, and could have financial implications, particularly when the school was allocated in 2008 and after 12 years the price of land has certainly gone up to a greater extent. The Chairman also endorsed the comments of Additional Secretary (Cabinet).

DECISION:-

46. The Executive Board after detail deliberation did not approve the agenda and directed to inform the applicant Engr. Rukhsana Zuberi accordingly.

Agenda Item No. 7

APPROVAL OF 5% SERVICE CHARGES.

47. The CEO informed the Board that Federal Government Employees Housing Authority (FGEHA) was established under section 42 (i) of the Companies Act 2017 as organization not for profit working since 1990. No funds are allocated in the budget of Federal Government. An amount of around Rs. 500 million is being incurred annually to meet administrative expenditures of FGEHA. It has been observed that administrative expenditures are being increased due to launching of new projects under Naya Pakistan Housing Program. Moreover, it is informed that FGEHA has been charging @ 2% service charges on the cost of land / plot in its previous housing schemes, which is quite insufficient to meet the ongoing administrative expenditures and it has to depend open profit on investments.

RECOMMENDATION:

48. Keeping in view above stated facts, it was proposed that service charges @ 5% of the cost of plot/ flat may be charged from all the prospective allottees of upcoming projects.

DISCUSSION:-

49. The Additional Secretary (Cabinet) inquired about the financial impact of the increase, so that we can assess the need and requirement. The CEO informed that in PHA foundation, there is 8% service charges levied. The MD, PHAF informed that 8% charges are levied only on Kurri Road Scheme, whereas, in other schemes only 4 % service charges are levied. The Director Finance informed the Board that presently a meager amount of Rs. 1.5 million to 2 million is earned through service charges as no new scheme is running at present. The CEO informed that there is a need to make FGEHA self sufficient financially, as presently it rely on interest income on the deposits of allottees. The CEO contented that we should do away with the practice of interest income. As new schemes are about to be launched soon, the ratio of revenue earned through service charges is likely to increase manifolds.

DECISION:-

50. The Board after detail discussion approved increase in service charges to be levied on allottees from 2% to 4% for future schemes.

Agenda Item No. 8

APPROVAL OF THE MINUTES OF THE HR COMMITTEE.

51. HR Committee in its 2nd meeting held on 11th November, 2019 recommended following, for further consideration by the Executive Board:

i. Regularization of contingent/contract staff.
ii The creation of two (02) posts of DAD (Legal) (BS-16), one to be filled through initial appointment and one through promotion (in accordance with criteria for promotion to BS-16 as per Service Rules 2008), with required qualification i.e. LLB, and in accordance with the Service Rules 2008 of the Housing Authority / Esta Code.
iii. The creation of post of the Private Secretary (BS-17), to be filled through promotion, for support to the Chief Engineer (BS-20).
iv. The creation of 22 new regular posts of drivers to be filled through fresh recruitment.
v. The change in nomenclature of post of DAD Revenue (BS-16) to Tehsildar (BS-16).

RECOMMENDATION:

52. Minutes of the HR Committee were enclosed for approval of the Executive Board.

DISCUSSION:-

53. The CEO informed the Board that two meetings of HR Committee have been held, first on 11-11-2019 and the second one was held on 08-01-2020. The Additional Secretary (H&W), who is the Chairman of HR Committee apprised the Board about proceedings of HR Committee meetings according to the agenda.

54. The Additional Secretary (H&W) also presented the minutes of the meetings of 3rd HR Committee meeting held on 08.01.2020. The agenda included the following:

<table>
<tr><th>S.N</th><th>Agenda of 3rd HR Committee</th><th>Recommendations of HR Committee</th></tr>
<tr><td>1.</td><td>Creation of posts for Estate Wing</td><td>Pended</td></tr>
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<table>
<tr><th>S.N</th><th>Posts</th><th>BPS</th><th>No. of Posts</th></tr>
<tr><td>a.</td><td>Assistant Director Anti-Encroachment</td><td>17</td><td>01 Post on Regular basis</td></tr>
<tr><td>b.</td><td>Security Supervisors</td><td>07</td><td>04 Posts on Contract basis</td></tr>
<tr><td>c.</td><td>Security Guards</td><td>01</td><td>25 posts on Contract basis</td></tr>
<tr><td>d.</td><td>Technicians</td><td>12</td><td>06 posts on Contract basis</td></tr>
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<tr><td>3.</td><td>Creation of posts for Karachi Office Wing</td><td>Pended</td></tr>
<tr><td>4.</td><td>Creation of posts for Director Staff</td><td>Pended</td></tr>
<tr><td>5.</td><td>Creation of posts for Finance Wing</td><td>Recommended<table><tr><th>S.N</th><th>Posts</th><th>BPS</th><th>No. of Posts</th></tr><tr><td>a.</td><td>Inspector Revenue</td><td>14</td><td>02 Posts on Regular basis</td></tr></table></td></tr>
<tr><td>6.</td><td>Creation of posts for IT Wing</td><td>Recommended<table><tr><th>S.N</th><th>Posts</th><th>BPS</th><th>No. of Posts</th></tr><tr><td>a.</td><td>Assistant Manager IT</td><td>17</td><td>01 Post on Regular basis</td></tr></table></td></tr>
<tr><td>7.</td><td>Creation of posts of LDC & Naib Qasids for Different Wings of FGEHA</td><td>Recommended<table><tr><th>S.N</th><th>Posts</th><th>BPS</th><th>No. of Posts</th></tr><tr><td>a.</td><td>Naib Qasid</td><td>02</td><td>21 Posts on Regular basis</td></tr></table></td></tr>
<tr><td>8.</td><td>Creation of posts for Planning/JVP Wing of FGEHA.</td><td>Recommended<table><tr><th>S.N</th><th>Posts</th><th>BPS</th><th>No. of Posts</th></tr><tr><td>a.</td><td>DD Planning</td><td>18</td><td>01 Post on Regular basis</td></tr><tr><td>b.</td><td>AD Planning</td><td>17</td><td>02 Posts on Regular basis</td></tr><tr><td>c.</td><td>Senior Draftsman</td><td>16</td><td>01 post on Regular basis</td></tr><tr><td>d.</td><td>Senior Surveyor</td><td>11</td><td>02 posts on Regular basis</td></tr></table></td></tr>
<tr><td>9.</td><td>Amendment in FGEHA Service Rules</td><td>Recommended as proposed</td></tr>
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The Additional Secretary (Cabinet) proposed that a complete rationalization of the HR of FGEHA may also be done and presented to the board.

DECISION:

55. After detailed discussion the Board approved the minutes of the 2nd and 3rd HR Committee meetings held on November 11, 2019 and January 08, 2020 respectively, with the direction that recruitment against the vacant posts in FGEHA be considered through a competitive process as per Service Rules of FGEHA, as amended from time to time.

Agenda Item No. 9

UTILIZATION OF LAND IN SECTOR G-13 FOR SETTLEMENT OF LEGAL DISPUTES.

56. The CEO apprised the Board that the matter of utilization of redundant land in Sector G-13, vacated by Pakistan Railways for settlement of legal dispute was placed before the Executive Board in its 5th meeting for settlement of long-standing

legal disputes especially the case of Mr. Baaz Muhammad. The Executive Board however deferred the agenda until the next meeting.

57. In the mean while the executing Court of Senior Civil Judge Islamabad decided the objection petition under Section-47 CPC and declared Mr. Baaz Muhammad an innocent bona-fide purchaser under Section-53 of transfer of property act. The role of FGEHA was also elaborated and it was held that it acted in accordance to its rules policy and there was no mala-fide on part of the Authority. The Honorable Court has however dismissed the said application as the matter had attained finality from the Supreme Court and ordered the plaintiff to handover possession of his house to the decree holder before the 18th of November.

58. The matter was placed before the Chairman Executive Board / Secretary Housing and Works who has been pleased to approve the LOP and has given a go ahead, being a matter of extreme urgency and to save the innocent bona-fide purchaser from dispossession. As per LOP three plots of size 25 x 40 were created to settle following legal cases.

S.NO	NAME OF AFFECTEE	DECISION/COURT ORDERS
1.	Mst. Jamila Khatoon	Hon. Supreme Court of Pakistan
2.	Mst. Hamida Qureshi	Hon. Supreme Court of Pakistan
3.	Mr. Zahid Chanzaib	Hon. Islamabad High Court

Resultantly, the matter which could not settle in the court has been amicably decided. The Worthy Chairman however, directed to place the matter before the Executive Board for formal approval, in its next meeting.

RECOMMENDATION:

59. The matter was placed before Executive Board for formal approval of creation of plots on the land vacated by Pakistan Railways for settlement of legal disputes / court cases and allotment to the affectees in the light of court orders as elaborated above.

DISCUSSION:

60. The CEO, FGEHA informed the Board about the background of the case arising out of the decision of Supreme Court. The Additional Secretary (H&W) inquired that the Supreme Court decided the case against Baaz Muhammad, then how a lower court can decide to accommodate him. The CEO informed that decision of the Supreme Court is executed through lower courts and Baaz Muhammad being a

bonafide purchaser is entitled to be accommodated. The Additional Secretary (H&W) further asked for the inquiry report and its outcome.

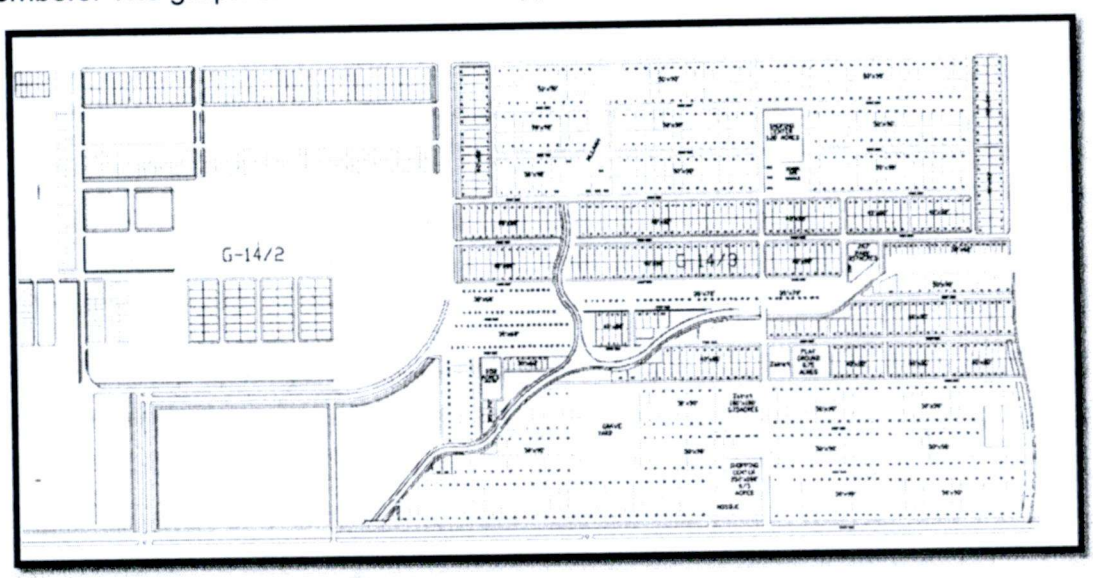
DECISION:

61. The Board endorsed the decision taken by the Chairman FGEHA and unanimously approved the creation of plots for further allotments as mentioned in Para 58 of the working paper.

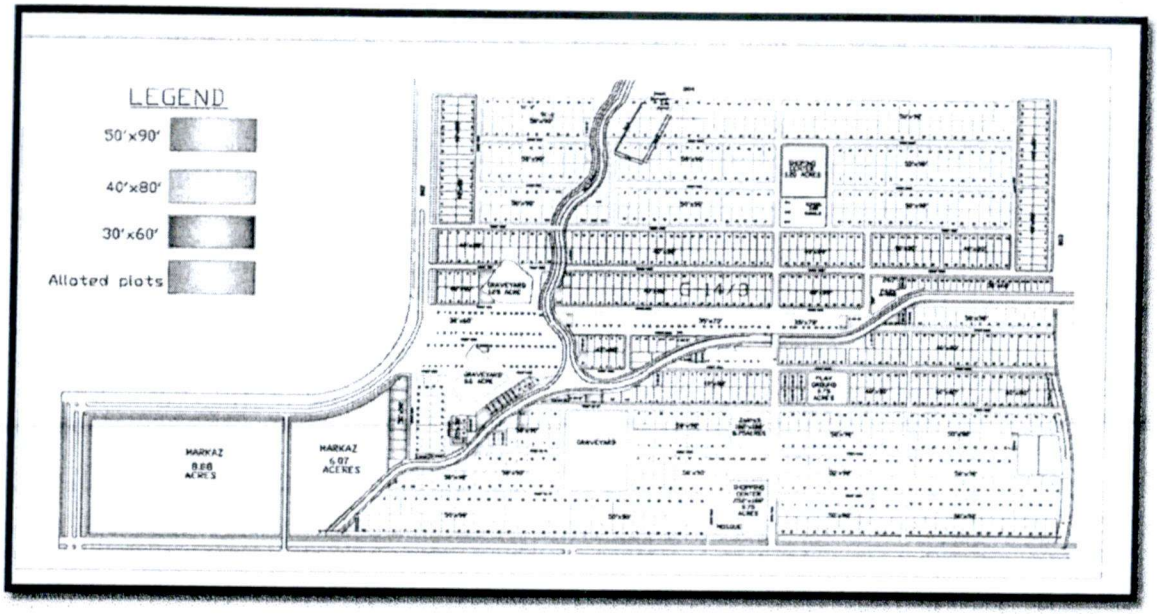
Agenda Item No. 10

RATIFICATION OF SECTOR G-14/1,2&3 LAYOUT PLAN AS PER PREVAILING LAWS & BYE-LAWS

62. The CEO informed the Board that the layout Plan of Sector G-14 was prepared and approved by the Capital Development Authority (CDA) in past. However, existing BUPs (Mosques, Mausoleum, Grave yards etc.) and other physical features (natural drainage) were not taken care of/ ignored while planning and accordingly approved. Consequently, allotment of plots was made by FGE Housing Authority on CDA approved LOP and the total number of available residential plots on site were reduced. This resulted in deprivation of genuine allotment to the bonafide members. The graphical details of CDA approved plan is as under:



63. It was proposed that FGE Housing Authority may be allowed to amend Layout Plan of G-14/1,2,3 and to adjust maximum possible number of residential plots in Sector G-14 without violating/ exceeding the permitted limited / ceiling of residential land use which is up to 55%, to compensate the affected allottees. The detail of affected plots and new plots on site as per proposed layout plan is as under:



The Board was also apprised about the affected plots by virtue of various existing features like graveyard, Nullah etc. which was not taken in to account at the time of planning. The detail is as under:

SUMMARY OF AFFECTED PLOTS IN G-14/1,2,3

S.N	AREA	STREET	SIZE OF PLOT	NO. OF PLOTS
1	Graveyard	95 & 96	30 x 60	13
2		93	40 x 80	16
3	Nullah		50 x 90	09
4			40 x 80	05
5			30 x 60	03
TOTAL				46

RECOMMENDATION:

64. Approval was solicited from the Executive Board for the proposed Layout Plan of G-14/1,2&3.

DISCUSSION:

65. The CEO informed the Board that the original plan approved by the CDA carry certain anomalies, as 46 plots were created on nullah and graveyards, which needs to be rectified. The Chairman inquired that whether FGEHA can amend the lay out plan it on its own. The CEO replied that the Authority is empowered to amend the LOPs. The CEO further informed that total 46 plots were affected, which have been created on available spaces in G-14/3, without changing the overall master-plan, except 1 plot which is slightly affecting commercial area, and thus slightly enhancing

the % age of residential area from 54.98 % to 55.34 %, else plan is within limits, as per land use bye laws of CDA. The Additional Secretary (Finance) inquired that amendments in LOP needs CDA ratification, the CEO replied that the CDA has already communicated that FGEHA being the Authority can amend its LOPs at its own.

66. The Additional Secretary Interior observed that whatever details been presented to the Board during meetings, are not duly been made part of the working papers, the same should have been incorporated for record purpose. The Chairman FGEHA directed that from now on all the details of agenda items may please be made part of the working papers for the perusal and comprehension of the worthy Board members. The CEO endorsed the observation for compliance.

The CEO presented the comparison of old LOP approved by CDA and the proposed LOP with certain amendments as under:

S No.	Land Use	CDA Standards	Old plan		Amended Plan		Proposed Plan	
			Area Acre (%)		Area Acre (%)		Area Acre (%)	
1	Residential	Max 55%	299.09	54.53%	301.57	54.98%	303.53	55.34%
2	Commercial + Parking	Max 5%	27	4.92%	24	4.37%	23.17	4.22%
3	Park, Playground and Nullah	Max 8%	24.42	4.46%	24.42	4.46%	23.68	4.31%
4	Public building	Max 4%	15.42	2.81%	15.42	2.81%	14.98	2.73%
5	Roads	Max 26%	182.55	33.28%	183.07	33.38%	183.07	33.38%
6	Graveyard	Max 2%						
	Total		**548.48**	**100.00%**	**548.48**	**100.00%**	**548.48**	**100.00%**

The Additional Secretary (Finance) observed that as per CDA approved plan, the overall ratio of green area, parks and commercial area are already below the standards and their further reduction will further aggravate the situation. The Director Planning FGEHA informed that the original plan and further the amended plan by CDA contained the percentages of amenities as shown in the chart above, and have not been amended by FGEHA. The reason for reduced amenities areas is due to the fact that the CDA had scarce land to plan as per their own standards and existing structures in form of shrines and graveyards. The FGEHA has for the first time proposed slight amendments to accommodate the effected allottees and there is no other option left with FGEHA except to make necessary corrections/amendments in layout plan for that purpose. Further Director (Planning) informed that the subsector G-14/3 has already been developed and possession is handed over to the allottees of

said sector, hence, these amendments are necessary to mitigate the grievances of allottees of affected plots.

67. The Additional Secretary Interior shared that by adopting the amendment FGEHA has to compromise on its revenue portion by converting the commercial area into residential. The Additional Secretary H & W shared that in the original & the amended plan as of 2008, no major amendment is proposed, the reduction in playground area is being 0.15 % and in public buildings is 0.08% which tentamounts to no violation, but, it is the only formula to accommodate/realize the longstanding allotments, been made twenty years ago. The CEO explained that effect in open spaces is because of excess in the area of graveyards. The Chairman FGEHA inquired as how these plots shall be allotted, the CEO FGEHA replied that these allotments shall be made through balloting. The Additional Secretary (Law) observed that the only way out to accommodate the effected allottees is to increase the residential area, as no plots can be created carving out the graveyards and nullahs. The Secretary (H&W) by concluding the debate emphasized that only meagre amendments are being proposed to accommodate the effected allottees.

DECISION:

68. The Executive Board after detailed deliberations ratified the amendments in plan of Sector G-14/3 as proposed.

Additional Agenda Item No. I
(Follow-Up Agenda Of 158th Meeting)

THE CASE OF ALLOTMENT OF PLOT TO EMPLOYEES OF HOUSING FOUNDATION AND MINISTRY OF HOUSING & WORKS QUOTA.

69. The CEO informed the Board that the issue was placed before 158th meeting of the Executive Committee of FGEHA regarding amendments in eligibility criteria of allotment of plots to employees of FGEHA under 1% quota reserved for employees of FGEHA. The decision of the Executive Committee was as under:-

> ***"The Executive Committee decided to maintain the condition of 10 years regular service as mandatory in addition to other terms and conditions of the respective schemes for allotment of plot / apartment to the employees of Housing Foundation and Ministry of Housing & Works in their specific quotas".***

70. As the FGEHA is launching various new housing schemes for allotment of plot/apartments to its registered members. In this consent of members is being obtained from members of Drive-I & Drive-II, without any pre-condition. The employees of FGEHA are eager to get apartment under 1% employees quota but the condition of 10 years service deprives many employees from their due right particularly when the others are applying for the same. It is also pertinent to mention here that the condition for 10 years service of FGEHA was set for allotment due to limited no of plots/apartments were available under 1% quota, just to accommodate senior employees.

71. In view of above, it would be unjustified for FGEHA if their quota of allotment of plot/apartment restricted with length of service, as most of the senior employees of FGEHA already been accommodated.

RECOMMENDATION:

72. It is proposed that required length of service for FGEHA employees for allotment of plot/apartment be relaxed and should be 3 years or at par with other civil servants.

DECISION:

73. The Executive Board approved amendment in existing policy of eligibility for allotment of plot / apartment in favor of employees of FGEHA on completion of 5 years service, which was previously 10 years.

Additional Agenda Item No. II
(Follow-up agenda of 3rd Executive Board meeting)

ENTITLEMENT / ELIGIBILITY OF PLOT IN RESPECT OF OFFICERS / OFFICIALS WORKING IN FGEHA ON DEPUTATION BASIS.

74. The Executive Board was informed that in its 3rd meeting held on 04-09-2019 discussed the agenda and decided as under:-

> ***"The Executive Board decided that the matter be placed before the Executive Board after* establishment of Authority through an Act of Parliament".**

75. As the FGEHA is launching various new housing schemes for allotment of apartments to its registered members. In this regard consent of members is being obtained from members of Drive-I & Drive-II, without any pre-condition.

76. The officers / officials posted on deputation in FGEHA are performing duties devotedly for achievement of objectives of FGEHA and share the burden of work with employees of FGEHA for success of new schemes.

77. They are eager to get apartment under 1% quota of employees of FGEHA. As per policy already approved by the Executive Committee deputationists posted in FGEHA for one and a half year are eligible for allotment as per decision taken in 108th meeting.

78. It was mentioned that similar dispensation has been given to deputationists posted in PHA Foundation on completion of one year service. There is a need to rationalize the criteria in FGEHA for allotment to deputationists in line with sister organization (PHAF).

RECOMMENDATION:

79. It was proposed that required length of service for deputationists for allotment of apartment be relaxed to one year.

DISCUSSION

80. The Chairman FGEHA referred to the eligibility criteria for allotment of the PHAF and to maintain the uniformity, the agenda may be considered by the Board. The rest of the board members endorsed this view point.

DECISION:

81. The Executive Board approved amendment in existing policy of eligibility for allotment of plot / apartment to the deputationists working in FGEHA (in the quota of FGEHA employees) and the officials/officers of the Ministry of Housing and Works (In the quota of the Ministry of H&W), on completion of one year service, which was previously 1.5 years.

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

Annex - A

Annex-A

GENERAL ABSTRACT OF COST CIVIL & E/M WORKS

Construction of 3rd & 4th Floor of FGEHA Building At Mauve Area, Sector G-10/4, Islamabad

S. NO	DESCRIPTION	ESTIMATED COST (RS)	Cost/sft (PKR)
1	Building items	Rs. 66,664,300	2314.72
2	Partitions	Rs. 25,166,000	873.82
3	Water supply & sanitation	Rs. 1,652,552	57.361
	Total (A)	**Rs. 93,482,852**	**3245.9**
5	Internal electrification	Rs. 9,060,470	3145.8
6	Computer networking	Rs. 895,995	31.11
7	Telephone exchange	Rs. 949,038	32.95
8	Fire alarm	Rs. 1,494,892	51.91
9	CCTV System	Rs. 1,193,110	41.42
10	Shifting/prefixing existing services	Rs. 800,000	27.78
11	IESCO extension of load	Rs. 700,000	24.37
	Total (B)	**Rs. 15,093,505**	**524.06**
12	Split inverter air Conditioners	Rs. 6,874,800	238.72
13	Lift/Elevators (2 No. 1000 KG 12 passenger)	Rs. 18,000,000	625.0
14	Gas piping and appliances	Rs. 1,057,692	36.736
	Total (C)	**Rs. 25,932,492**	**900.42**
	Total (A)+(B)+(C)	**Rs. 134,508,849**	**4670.45**
	Add 3% contingencies	Rs. 3,495,265	121.36
	Total Estimated Cost	**Rs. 138,004,115**	**4791.81**

Covered area = 28800 SFT of 3rd & 4th Floor

Assistant Director
(Technical)

Deputy Director
(Technical)

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Annex -A.

Annex-A

GENERAL ABSTRACT OF COST CIVIL & E/M WORKS

Construction of Housing Foundation Towers in Mauve Area Sector G-13, Islamabad

S. NO	DESCRIPTION	COST (RS Million)	Cost /SFT (PKR)
1	Civil Works	11,125.48	3364.40
2	Public Heath Works (Internal)	830.30	251.1
3	Electro Mechanical Works	1,411.77	426.93
4	Landscaping	22.16	6.70
	Total Base Cost	**13,389.71**	**4049.13**
6	Contingencies @ 3% on base cost	391.39	118.355
7	Escalation @ 6.5 %per annum	961.08	290.64
8	Consultancy Charges @ 2% of base cost	267.79	80.98
(A)	**Total Direct Cost**	**15009.974**	**4539.10**

Covered area = 3,306,825 SFT of Housing Foundation Tower in Sector G-13 (Three basements & G+21)

Developmental Working Party (DWP – autonomous organisations)

2.11 The autonomous organisations, whether commercial or non-commercial having a board with any name, are competent to sanction their development schemes with 100 per cent self-financing with no government guarantee and involving less than 25 per cent foreign exchange/ foreign assistance (Annex-19), subject to the following:

i. The DWP should be constituted by each organisation and notified to consider and approve their self-financed projects.

ii. The DWP should be headed by the Chairman or head of the organisation and, among others, should include representatives, not below the rank of Joint Secretary, of the PD&R Division, Finance Division, and ministry or division concerned.

iii. The quorum of the DWP will be incomplete without the presence of either representative of the Finance Division or the PD&R Division. In case either of these Divisions does not agree to the project proposal or any aspect thereof, the case will be referred to the CDWP for consideration.

iv. The decision of the DWP will be subject to the endorsement of the Board of the organisation.

Annex-B

LIST OF PARTICIPANTS OF 6th MEETING OF THE EXECUTIVE BOARD HELD ON 09-01-2020

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. Abdul Ghufran Memon Additional Secretary (Cabinet) Cabinet Division
5	Dr. Arshad Mahmood Additional Secretary Finance Division, Islamabad.
6	Mr. Akhtar Jan Wazir Additional Secretary Establishment Division
7	Mr. Khashih Ur Rehman, Draftsman, Law & Justice Division
8	Chairman Capital Development Authority Islamabad.
9	Chief Commissioner ICT
10	Mr. Tariq Rasheed , Managing Director, PHA Foundation Islamabad.
11	Mr. Shahid Farzand Director General Pak. PWD, Islamabad
12	Mr. Waseem Hayat Bajwa, Chief Executive Officer FGE Housing Authority.