FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY
10-MAUVE AREA, G-10/4, ISLAMABAD
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No.15 (7)/2019-HA (A)

11th Sep. 2020

Subject: **MINUTES OF 7TH EXECUTIVE BOARD MEETING OF THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 02-09-2020.**

7th Executive Board meeting of the FGE Housing Authority was held on **Wednesday 02nd September, 2020** at **04:30 pm** under the Chairmanship of Federal Minister for Housing & Works in the Committee Room of Federal Government Employees Housing Authority Islamabad.

2. The minutes of the said meeting are enclosed for information, please.

(FAAIZ ALI GILL)
Director (Staff)

Distribution:-

i. Mr. Tariq Bashir Cheema
Chairman EB/ Federal Minister
M/o Housing & Works, Islamabad

ii. Dr. Imran Zeb Khan
Secretary, M/o Housing & Works,
Islamabad.

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

iv. Mr. Khashih Ur Rehman,
Draftsman,
Law & Justice Division, Islamabad

v. Ch. Muhammad Anwar
Chief (PP&H)
Planning Commission, Islamabad

vi. Mr. Rizwan Ahmed Sheikh
Joint Secretary (Expenditures)
Finance Division, Islamabad.

vii. Mr. Amer Ali Ahmad
Chief Commissioner
ICT, Islamabad.

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

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

x. Chairman
Capital Development Authority
Islamabad.

xi. Mr. Waseem Hayat Bajwa,
Secretary EB/ Director General
FGE Housing Authority, Islamabad

xii. Chief Engineer
FGE Housing Authority, Islamabad

xiii Mr. Amir Mohiyuddin (co-opted member)
Joint Secretary (Estate)
M/o Housing & Works, Islamabad

CC:

All Directors/DC, FGE Housing Authority, Islamabad

GOVERNMENT OF PAKISTAN
MINISTRY OF HOUSING & WORKS
FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY
10-MAUVE AREA, SECTOR G-10/4, ISLAMABAD
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Subject: **MINUTES OF 7th EXECUTIVE BOARD MEETING OF THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 02-09-2020.**

7th Executive Board meeting of the Federal Government Employees Housing Authority (FGEHA) was held on 02-09-2020 at 04:30 p.m. under the Chairmanship of the Honourable Federal Minister for Housing & Works, in the Committee Room of the Federal Government Employees Housing Authority Islamabad. The list of participants is enclosed.

2. The proceedings of the meeting commenced with the recitation of the Quranic verses by the Director General, FGEHA.

3. The Director General, FGE Housing Authority welcomed the respectable members of the Executive Board.

AGENDA ITEM NO.01

Subject: - CONFIRMATION OF THE MINUTES OF 6th EXECUTIVE BOARD MEETING OF FGE HOUSING AUTHORITY HELD ON 12-8-2020.

4. 6th Executive Board meeting was held on 12-08-2020 and the minutes were issued on 28-08-2020.

5. No observation, in writing has been received from any member of the Executive Board.

RECOMMENDATIONS:

6. The minutes of the 6thmeeting are placed for confirmation please.

DISCUSSION:

7. Director General briefed the Board that no observation formally has been received from any member of the Board whereas amendments required in decision of two agenda items and placed before the Board for approval.

i. Correction of period of financial year of audited accounts that was presented as an additional agenda item No.3 of 6th Executive Board meeting was erroneously typed as 01-7-2019 to 15-07-2020 instead of 01-07-2019 to 15-07-2019 these audited accounts are required for winding up of company as FGEHF. Board agreed to incorporate the said correction / rectification in the minutes accordingly.

ii. The DG informed that, in agenda item No.04 of 6th Executive Board meeting that as requested by the JV partner, 4th plot (i.e. Plot # 16) of similar size (210' x 220') in the joint venture was added to already proposed three plots for apartments' construction. It would increase total number of residential apartments from 771 to 1028, with the addition of 4th tower of similar design. Upon recommendation of 10% share of commercial / amenities area on actual cost basis by the Steering Committee, the Executive Board accordingly endorsed this recommendation and directed that, additional share of commercial/amenities area over and above 10%, shall be contingent upon the recommendations of Transaction Advisor; but in the Minutes of the Meeting the decision was recorded as the " The ratio of commercial area shall be subject to recommendations and analysis of Transaction Advisor" which needs correction. The Board agreed with the proposed amendment / correction in the decision of agenda item No. 4 in the Minutes of the 6th Executive Board meeting.

iii. The DG further informed the Board that JV partner additionally proposed that 4th Tower in a whole (i/c residential and commercial share) shall be considered as share of JV Partner and it shall be allowed to construct and sell 4th Tower on its own expenses (i/c commercial/amenities and residential area).The commercial / amenities area in 4th Tower is approximately 22% of the total commercial / amenities area of the Project (i-e all 4 towers combined). He has also requested to shift his 25% residential share in the whole project, to the fourth tower, whereas FGEHA may get all other three towers as its share which shall be 75% of residential share. Additional Secretary H&W inquired whether

the fourth tower/plot has been added as a part of JV agreement, if so then why 100% commercial/amenities area will be given to JV partner. DG replied that the fourth tower / plot is part of JV agreement as recommended by the Steering Committee and endorsed by the Executive Board in its 6th meeting. Secretary, Housing and Works inquired when JV partner is adding additional plots and bearing all the expenses of construction why JV partner required any approval from FGEHA or Executive Board. The DG replied that by adding fourth tower / plot, FGEHA's share of apartments will substantially increase from 578 to 771 apartments. As far as exclusive share of 22% without transaction advisor opinion is not appropriate. The commercial / amenities share should be ascertain as per recommendations of transaction advisor as per regulations / policy of FGEHA.

8. Dy. Chief (PP&H) highlighted that the policy represented in agenda item No.5 of minutes of 6th Executive Board meeting showed and implied to oblige / facilitate a single person, whereas policy should have a broader coverage for a group of people. The DG informed that the said policy shall not be for any single person, although the policy for retired employees of M/o Housing and Works was not covered under the quota reserved for Ministry Housing and Works.

9. The chair inquired whether the projects of high rise apartments launched by FGEHA have been planned to observe the seismic/ building codes 2007. The DG informed the Board that all the high rise apartment projects whether in Islamabad or anywhere have been designed / planned their structures by incorporating all rules and regulations of seismic control and building code 2007.

DECISION:

10. Board approved the amendments in the decision of additional agenda item No.3 and agenda item No.4 in the minutes of 6th Executive Board meeting as under:

i. Amendment in decision of additional agenda item No.3:
Executive Board approved Audited Accounts of the Federal Government Employees Housing Foundation for the Period 01-07-2019 to 15-07-2019 for winding up of Federal Government Employees Housing Foundation as Company with SECP.

ii. Amendment in decision of agenda item No.04:-

a. The Board approved the recommendations of Steering Committee to enter into composite (JV and construction) agreement with M/s Margalla City (Pvt) Ltd on salient features.

b. The share of JV partner in commercial/amenities area beyond 10% would be subject to recommendations of Transaction Advisor.

iii. The Board rejected the proposal of Margalla City (Pvt) Ltd mentioned in para 7 (iii) regarding exclusive share in commercial / amenities of Tower 4.

AGENDA ITEM NO. 2

Subject: PAYMENT OF LAND TO M/S GREEN TREE (PVT) LTD FOR GREEN ENCLAVE-1, BARA KAHU, ISLAMABAD

11. The Executive Committee of Federal Government Employees Housing Foundation (FGEHF) in its 105th meeting held on 17-03-2009 gave approval of Bara Kahu Housing Scheme with M/s Green Tree (Pvt) Ltd. Afterwards an agreement was executed with M/s Green Tree Pvt Ltd. on 01-04-2009 for purchase of 3000 kanals private land at Bara Kahu, Islamabad. As per agreement, FGEHF paid an amount of Rs.1.67 billion out of Rs.2.86 billion in April, 2009 in advance as cost of land to M/s Green Tree (Pvt).

12. Meanwhile after the approval from Prime Minister of Pakistan, membership Drive, Phase-I on "first come first serve basis" was initiated on 28-08-2009 under which 36000 employees got registered up to Feb 2014.

13. The Honourable Supreme Court of Pakistan on a newspaper report, took Suo-Moto notice in June, 2009, that land was purchased on high price. Thus no further action was taken during the pendency of the said case. The case was disposed of on 27-02-2013 with the order that *"no escalation in the land cost on any ground will be allowed and payment of remaining portion of cost of land be clubbed with measurable targets"*. Accordingly, the Executive committee in its 126th meeting held on 29-07-2013 set the measureable targets and the payment of land was clubbed with the same.

Afterwards a petition was filed by FGEHF in Supreme Court that M/S Green Tree (Pvt.) Ltd. has not adhered to the terms and conditions of original agreement and the decision of Executive Committee dated 29-07-2013. Supreme Court dispose of the said petition (Suo Motu Case No. 4 of 2011) dated 02-06-2014, deciding that for construction purposes i.e. bridge and access road, a separate construction agreement needs to be signed as per Clause 21 of original agreement. Further it was also decided that terms and conditions of construction agreement will be bounding to both parties for payment purposes.

14. Accordingly, construction agreement was signed between FGEHA and M/s Green Tree for development work in April, 2019 with total amount of Rs. 5,598.98 Millions. In the said agreement it was obligated to the contractor that 100 feet access road from Murree Expressway to the site via Angori Road including bridges shall be constructed by the Contractor free of cost. As per agreement performance security of Rs. 559.89 Million @10% of total contract price was submitted by the contractor and his JV partner.

15. Meanwhile Executive Board in its 154th meeting on 10-08-2018, decided to pay an amount of Rs. 343 Million to M/s Green Tree (Pvt) Ltd. @ 3,100,000/- per kanal for the land required for access road measuring 59 Kanal and 5 Marlas in excess of land i.e. 3000 Kanals as per initial JV agreement in 2009. Accordingly payment was made for 42 Kanals, however, it was later objected by Audit authorities that as per Supreme Court decision, no escalation in the project cost on any ground will be allowed.

16. In April, 2019, consent letter was issued against 3282 No. of Plots However, NESPAK, the project consultants during the survey has identified that change in CDA Zoning Regulations has resulted in increase in green area percentage from 8% to 15%, hence an additional 222 Kanal of land was required in order to accommodate the existing allottees. M/s Green Tree (Pvt) Ltd agreed to provide this excess 222 Kanal to FGEHF on old rates i.e. Rs.950,000/Kanal. So far out of 222 Kanal, 97.6 Kanal of land is mutated in favor of FGEHA, whereas 124.4 Kanal is still pending on the part of M/s Green Tree Pvt Ltd. NESPAK also pointed out that 700 Kanal out of 3000 Kanal is not suitable for plotting purpose due to difficult terrain,

hence M/S Green Tree was required to provide an alternate 700 Kanal of land adjacent to the scheme. So far only 604.2 Kanal is exchanged whereas remaining 95.8 Kanal is still to be exchanged. At present our of 3375 Kanals, **3153 Kanal and 7 Marla** of land has been mutated in name of FGEHA whereas mutation of remaining **221 Kanal-13 Marla** is still pending with M/s Green Tree (Pvt) Ltd. Details of land transferred and payment made so far.

17. Now M/s Green Tree (Pvt) Ltd. has requested the FGEHA to pay the remaining cost of land which is already mutated in accordance with decision of Executive Board 's 154th meeting dated10-08-2018 as well as Supreme Court decision dated 02-06-2014.

RECOMMENDATIONS:

(i) A Separate agreement may be made with M/s Green Tree (Pvt) Ltd. for provision of land measuring 59 Kanal and 5 Marlas @ Rs. 3,100,000/- per kanal for purpose of access road, and additional 315 Kanal and 15 Marla @ Rs. 950,000/- per kanal to accommodate additional open area, since the cost of additional land is not covered in the original agreement (It is being restricted to only 3000 Kanals).

(ii) Payment for remaining portion of land which is clubbed with construction of bridge and access road as per original agreement may please be provided to the M/s Green Tree (Pvt) Ltd. by amending clause (5) of original land agreement on the plea that construction of bridge and access road are now covered in construction agreement for which performance security is already submitted. Furthermore it will help in speeding up of all construction activities and giving possession to allottees within the stipulated time.

DISCUSSION:

18. DG informed that long outstanding issue which was remained in apex courts from 2009-2014 and started again in the year 2018. Infrastructure development work of Green Enclave-I Bara Kahu have been started since December 2019 and will be completed by the end of December 2021. M/s Green Tree requested that FGEHA is holding two types of guarantees from him on the same project i.e holding payment

of 500 kanals of land as security and Rs.559.8 million as bank guarantee against development works. M/s Green Tree requested that for any project, only one guarantee is applicable, therefore, FGEHA may release either payment of land of 500 kanals or bank guarantee of Rs.559.8 million against development works.

19. Secretary Housing & Works pointed out that the working paper provided, is not in accordance with the decision taken in 154th meeting of Executive Committee on the payment of land for access road to the project and other allied issues addressed. The decision of 154th meeting of the Executive Committee replicated below:

> *"The Executive Committee approved to release the amount to M/s Green Tree (Pvt) Ltd @3,100,000/- per kanal out of the next agreed instalment of 343 million (held with FGEHF as payment of land already mutated in the name of FGEHF) for the remaining land required to insure the completion of access road upto the project site. However, it was reiterated that this payment should be made in the presence of the sellers if land at the time of the entry of the mutation in the presence of the concerned revenue officer i.e. Tehsildar / Naib Tehsildar"*

20. Secretary H&W further emphasized that Executive Committee / Executive Board cannot take any decisions against the orders / judgments of the apex courts and in this case the honourable Supreme Court of Pakistan has categorically decided that there will be "no escalation in the cost of land". Secretary H&W inquired from Director (Internal Audit) FGEHA whether any audit para made against the payment of access road? Director (IA) replied that audit authority pointed out the same issue in audit para that how FGEHA paid Rs.3,100,000/- per kanal on account of access road, which is against the decision of Honourable Supreme Court of Pakistan. DG further, added that this issues are placed before the Executive Board for clarification, regarding payment of access road.

21. Additional Secretary H&W was of the opinion that FGEHA may hold both the guarantees, for security and successful complication of the project. DG briefed that in any agreement only one guarantee will be binding for both the parties hence releasing one guarantee will be in the best interest of FGEHA and completion of the project.

22. Joint Secretary (Estate) inquired whether the bank guarantee is valid or expired. Director (IA) informed that bank guarantee is valid/ intact and it was recently verified from the respective bank who have issued the bank guarantee. Dy. Chief (PP&H) added that the bank guarantee should be verified from the respective bank periodically till the completion of the project. MD PHAF suggested that a fool proof mechanism shall be developed for bank / performance guarantee of the contractors for timely completion of projects. JS (Expenditure) raised a query how much land has been mutated in favour of FGEHA. Director Planning, FGEHA replied that 3153 kanals out of 3375 kanals has been mutated in the name of FGEHA.

23. DG further briefed that due to revision of Zoning Regulations of CDA Green Area for zone-IV was devised from 8% to 15% and M/s NESPAK (consultant FGEHA) highlighted that plots cannot be created on 700 kanals of land due to hilly / difficult terrain. DG also added that M/s Green Tree has already exchanged 604 kanals of suitable land whereas 96 kanals will be mutated soon. The DG informed the Board that the purpose to bring the agenda before the Executive Board to seek clarification on the decision taken in 154th meeting and also to get directions on the payment for additional land measuring 375 kanals which was not covered in the initial agreement signed on 01-04-2009.

24. Member Planning on behalf of chairman CDA raised a query that why FGEHA getting additional land for green area although they can change layout plan of green area on 700 kanals of hilly area. DG informed that as per layout plan approved initially by CDA, there were 3244 plots, therefore, it has been decided in various Executive Committee / Executive Board that there will be no compromise on number of plots & M/s Green Tree shall provide additional Land to cover green area as per CDA byelaws.

25. The Chair inquired about the progress of infrastructure development work at site. The Director (Planning) informed that so far 14% ground work at site has been completed and six piles for the construction of bridge of the access road has been completed but for the last 30 days the progress is very slow due to rainy season. The chair directed the DG to arrange a visit in the next week to visit /check the progress.

DECISION:

26. The Board decided that:

a. Price of land including access road should not be more than Rs.950,000/- per kanal, as already mentioned in original land agreement. The board clarified that decision taken in 154th meeting of Executive Committee with regard to payment of land @ Rs.3,100,000/- per kanal for access road, would be paid from the remaining payment of land Rs.343 million, already mutated in the name of FGEHA. Any payment made by FGEHA on account of payment of land over and above @Rs.950,000/- per kanal would be adjusted in next payments.

b. Payment of land may not be clubbed with payment of development / construction except measurable targets in JV agreement of 2009. However, remaining payment of land which has been mutated in the name of FGEHA may be released on achieving the targets as per Supreme Court decision dated 27-02-2013. FGEHA should retain the bank guarantee provided against the construction agreement as security and release the payment of 500 kanals of land to M/s Green Tree (Pvt) Ltd.

AGENDA ITEM NO.03

Subject: - CONSTITUTION OF COMMITTEE FOR POST OF CHIEF ENGINEER (BS-20)

27. Section 8 of the FGEHA Act, 2020 empowers the Executive Board of the Authority, to appoint such officers, employees and other staff as may be necessary in such a manner and on such terms and conditions as may be prescribed by the Regulations. The FGEHA Service Regulations 2020 are in the process of formulation and drafting, which include terms and conditions of appointment, promotion, transfers and correlated matters in respect of employees of FGEHA.

28. The vacant post of Chief Engineer (BS-20), FGEHA is to be filled through direct recruitment, however, no criteria is available for this appointment under the existing Rules of FGEHA.

29. The Executive Board in its 4th meeting adopted the Establishment Division's O.M. dated 26.5.2000 for constitution of committee for appointment of the said post, however, the committee mentioned therein is of general nature for the appointment of Federal Government employees in BS-20. Whereas, the FGEHA Act, 2020 exclusively empowers the Executive Board for the said appointment through regulations.

30. Establishment Division's O.M dated 26-05-2020 is in field, however, sub section (2) of section 32 of FGEHA provides overriding effect to FGEHA Act 2020 over other laws of the land. Foregoing in view, in pursuance of power vested under section 5 of Act, read with section 8, read with sub section 2 of section 32 of Act, ibid following committee is proposed to fill vacancy of Chief Engineer BPS-20.

i. Federal Minister for Housing & Works Chairman of committee.
ii. Secretary Housing & Works
iii. Additional Secretary Housing & Works
iv. Joint Engineering Advisor Housing & Works
v. DG, FGEHA, Secretary to committee.
vi. General Manager, NESPAK as co-opted member

RECOMMENDATIONS:

31. Para 30 above may be approved so that vacancy of Chief Engineer may be filled.

DISCUSSION:

32. DG briefed that for hiring of BS-20 officer the selection committee recommended in para 30 may be approved, so that the process of appointment of hiring of Chief Engineer can be expedited. Addl. Secretary (H&W) pointed out that only JEA and GM are professional Engineers whereas remaining members are officers working in M/o Housing and Works. Member Planning CDA endorsed the view point of Addl. Secretary. Joint Secretary (Estate) M/o H&W added that one member shall be from Pakistan Engineering Council and one may be taken from NUST University being an academia professional.

33. DG (PWD) objected for inclusion of academia professional in the selection committee because he /she will not have any field experience. Secretary (H&W) suggested that DG (PWD) will be replaced with Addl. Secretary Housing and Works and include one member from PEC as member in the committee. Joint Secretary (Estate) apprised the Board on two points first that it should be selection committee instead of Committee and second that Board approved committee in last meeting and now it will be reconstitution of the selection committee.

34. Member (Planning) inquired about the qualification / experience criteria for appointment of Chief Engineer BS-20. DG informed that FGEHA is preparing its HR regulations whereas the qualification / experience criteria for appointment of Chief Engineer (BS-20) is as below:

Qualification & Experience:

i. BS. Civil Engineering with minimum of 25 years' experience in the relevant field and/or Construction, Construction Management, Infrastructure development work, Construction of houses/apartments, PPRA Rules, FIDIC Documents and Contract Evaluation Reports or;

ii. MSc/MS. Civil Engineering or Construction Management with 20 years of experience in the relevant field and/or Construction, Construction Management, Infrastructure development work, Construction of houses/apartments, PPRA Rules, FIDIC Documents and Contract Evaluation Reports

a. **Age Limit:**
The minimum age for this post shall be 50-55 years and no age relaxation shall be granted.

35. DG (PWD) inquired what will be the Job description of Chief Engineer. The DG, FGEHA informed the complete Job descriptions of Chief Engineer. DG (PWD) raised another query that power of technical sanction has not been provided in the JD of Chief Engineer which needs to be incorporated. It was also decided that Chief Engineer will give approval of payment of projects executed under JV agreement and through DWP. DG (PWD) suggested that financial / technical sanction powers of different tiers may be prepared. DG FGEHA suggested the Housing Authority may adopt the PWD schedule of Technical Sanction.

36. The chair directed that DG FGEHA and DG (PWD) may submit HR regulations for appointment of Chief Engineer within few days. The chair, further inquired from Director (Admn) FGEHA, how many applicants applied for the job of Chief Engineer (BS-20). She informed that almost 36 applications received for the said posts. The chair directed the DG that all applicants will be called for interview, so that best/ professional Chief Engineer can be selected amongst them. The chair, directed the DG, share the timelines for appointment / hiring of Chief Engineer. The DG informed that all requisite /codal formalities for hiring of Chief Engineer shall be completed till 15th Sep. 2020.

DECISION:

37. The Board decided to reconstitute the selection committee comprising on the following:-

Sr. No.	Designation	Members
a.	Federal Minister for Housing & Works	Chairman
b.	Secretary Housing & Works	Member
c.	Director General, Pak. PWD	Member
d.	Joint Engineering Advisor Housing & Works	Member
e.	Representative of PEC	Member
f.	Director General, FGEHA	Secretary to Committee
g.	General Manager, NESPAK	Co-opted member

AGENDA ITEM NO.04

Subject: - APPROVAL OF DRAFT HR REGULATION OF FGEHA

38. FGEHF was established in 1989. HR Regulations of FGEHF were framed in 2008 and duly approved by Executive Committee in its 99th meeting dated 29-05-2008 FGEHF was granted status of Authority initially through promulgation of ordinance and later on by Act of Parliament FGEHA Act 2020.

39. In pursuance of power granted under section 26 of FGEHA Act 2020, draft HR regulations are submitted for approval.

RECOMMENDATIONS:

40. The Executive Board may approve the Para-37 above, please.

DISCUSSION:

41. The DG informed that HR regulations are still under process of compilation and it will be placed before the HR committee. This will be presented in the next Board meeting.

DECISION:

42. The Board deferred the agenda item and endorsed the proposal that draft HR regulations will be presented in next Board meeting after consideration and endorsement from the HR committee.

AGENDA ITEM NO.5

Subject: INCLUSION OF DIRECTOR (REVENUE) AS MEMBER IN FINANCE, BUDGET & ACCOUNTS COMMITTEE AND HR COMMITTEE

43. In pursuance of Section 10 of FGEHA Act 2020 various committees had been created i.e Finance, Budget & Accounts Committee, HR Committee. Post of Director (Revenue) FGEHA has been newly created & may be included in Finance, Budget & Accounts Committee. Moreover, Director (Law), FGEHA may include in HR Director Revenue in both committees.

RECOMMENDATIONS:

44. The Executive Board may approve the inclusion of Director (Revenue) FGEHA in both committees whereas Director (Law) FGEHA in HR committee.

DISCUSSION:

45. DG appraised the Board that different committees have been constituted by the Executive Board on various matters from time to time, which are as under:

a) Finance, Budget & Accounts Committee
b) HR Committee
c) Technical & Evaluation Committee
d) Steering Committee

46. DG informed the Board that Director (Revenue) has recently joined FGEHA and it is proposed that he will be included as a member in both committee's i.e Finance, Budget & Accounts committee and HR Committee, whereas Director (Law) will be included in HR committee as he has been preparing HR Regulations. The previous composition of these two committees are as under:

FINANCE, BUDGET & ACCOUNTS COMMITTEE

Joint Secretary (Expenditure), Finance Division	Chairman
Joint Secretary (Estate), M/o H&W	Member
CF&AO, M/o Housing & Works	Member
Director (Admin), FGEHA	Member
Director (Internal Audit)	Member
Director (Finance), FGEHA	Member cum Secretary

HR COMMITTEE

Additional Secretary, M/o H&W	Chairman
Joint Secretary (Admin), M/o H&W	Member
CF&AO, M/o Housing & Works	Member
Director (Finance), FGEHA	Member
Director (Coord)	Member
Director (Admin), FGEHA	Member cum Secretary

47. Additional Secretary M/o Housing & Works suggested that the constitutions of committees may be rationalized. He further added that Financial Advisor (Works) may be included in these committees instead of CF&AO and relevant Directors of FGEHA, who have any agenda to explain, can appear before the committees and present respective agenda but not be included as member of the committee. The Board agreed with this proposal. Secretary (H& W) suggested that JS (Expenditure) included in both committees.

DECISION:

48. The Board unanimously decided and reconstituted the committees as under:

FINANCE, BUDGET & ACCOUNTS COMMITTEE

Joint Secretary (Expenditure), Finance Division	Chairman
Joint Secretary (Estate), M/o H&W	Member
CF&AO, M/o Housing & Works	Member
Director (Revenue), FGEHA	Member
Director (Admin), FGEHA	Member
Director (Finance), FGEHA	Member cum Secretary

HR COMMITTEE

Additional Secretary, M/o H&W	Chairman
Joint Secretary (Estate), M/o H&W	Member
JS (Expenditure), M/o Finance	Member
Director (Finance), FGEHA	Member
Director (Admin), FGEHA	Member cum Secretary

AGENDA ITEM NO.06

Subject: **APPROVAL OF FGEHA CONDOMINIUM RULES, 2020**

49. The FGEHA has launched several housing schemes since 1990 and so far been able to provide only 23,000 residential units to the Federal Government Employees and other specified groups. However, still a huge backlog persists of about 1,85,000 Federal Government Employees, registered with FGEHA and waiting for allotment of plots. In order to provide affordable housing, FGEHA has launched high rise apartment projects in Islamabad, Lahore and Karachi where as many other projects are in pipeline.

50. However, at present no law exists in order to safeguard the rights of ownership and maintenance of these high rise apartments which can only to be covered in Condominium Laws. It is expedient to settle and secure the right of ownership in multi-storey buildings and make arrangements for their upkeep, sanitation and further development. Therefore, FGEHA Condominium Rules, 2020 had been drafted which are placed before the Executive Board for consideration and approval please.

RECOMMENDATIONS:

51. Approval may please be granted for FGEHA Condominium Rules, 2020 to be implemented on FGEHA controlled schemes.

DISCUSSION:

52. Director (Planning) briefed the Board that FGEHA didn't made Condominium Rules which is a dire need of the time. FGEHA has drafted these rules for approval by the Executive Board. The Board appreciated the efforts so far made by the FGEHA in compilation of these rules and Board further directed to bring the same agenda in next meeting.

DECISION:

53. The Board deferred the agenda item.

AGENDA ITEM NO.07

Subject: **INCREASE OF RETAINERSHIP FEE OF LEGAL ADVISOR OF FGEHA**

54. Legal Advisor is appointed under the power vested in FGEHA Act 2020. The fee of Legal Advisor was Rs.25,000/- per month. Now the scope of Authority has increased manifold. It entails JV agreements, preparation of MoUs with Govt.-to-Govt. Besides, input of Legal Advisor is also sought in drafting of Contract Agreements. Moreover, opinion of Legal Advisor is taken as and when required on all legal matters.

RECOMMENDATIONS:

55. In view of above the matter is placed before the Executive Board for approval of enhancement of retainership fee from Rs.25,000/- to Rs.75,000/- per month.

DISCUSSION:

56. DG briefed the Board that Legal Advisor has been performing various assignments for vetting of JV agreements, preparation of MoUs with Govt.-to-Govt. Besides, legal opinion is sought on all other legal matters. FGEHA is paying Rs.25,000/- per month which isn't commensurate with the services being perfomed by the legal advisor, therefore, the retainership fee may be increased from Rs.25,000/- to Rs.75,000/- per month. The chair inquired whether FGEHA is paying Rs.25,000/- on case-to-case basis or monthly basis. The DG informed that it is on monthly basis @Rs.25,000/-. Secretary (Housing & Works) suggested that Rs.25,000/- per month is not enough and it may should be enhanced to Rs.50,000/- per month. The chair and other Board members agreed to the proposal.

DECISION:

57. The Board decided that retainership fee of Legal Advisor to be enhanced from Rs.25,000/- to Rs.50,000/- per month.

AGENDA ITEM NO.08

Subject: **SIGNING OF AGREEMENT WITH BANKS ON MORTGAGE FINANCING**

58. It is to inform that the Executive Board in its 6th meeting held on 12 Aug 2020, granted principle approval for undertaking mortgage financing Agreements/MOUs as per recommendations of the Finance, Budget & Accounts committee. FGE Housing Authority held number of meetings with commercial banks for submission of formal agreements. The Formal Agreement/MOU has following salient features.

i. Mark up rates with KIBOR
ii. Financing Tenures
iii. Terms and Conditions

59. As soon as they get approval of formal agreements/MOUs from their head-offices, it will be provided by banks. Finance wing is in touch with them. Keeping in view, if approved, we may please go ahead for signing of Formal Agreements/MOUs with commercial banks.

60. Bank of Punjab provided Draft Agreements/MOU for signing, MOUs/ agreements from other Commercial Banks are awaited.

RECOMMENDATIONS:

61. It is recommended that Executive Board may approve para 58 above for signing of agreement /MOUs with commercial banks for Mortgage Financing on the offered mark-up rates.

DISCUSSION:

62. DG asked Director (Finance) to brief the Board on this agenda. Director (Finance) informed the Board that prospective allottees/members approached the FGEHA for provision of mortgage financing for plots/apartments. He also informed the Board that Executive Board has gave approval of proposals of 5 commercial banks with offered rates + kibor in 6th Executive Board meeting. Director (Finance) further informed the Board that before signing the formal MoUs/Agreements with these

commercial banks the draft MoU/Agreement placed before the Executive Board for approval.

63. Secretary Housing & Works informed that it has been categorically directed by the Prime Minister of Pakistan to State Bank of Pakistan and other banks for provision of mortgage financing, that all the banks shall place the terms & conditions alongwith rates offered by banks on web portal. Likewise FGEHA will place the rates alongwith all terms and conditions offered by all banks on the website of FGEHA so that anyone who wants to avail the facility of mortgage financing from any bank may avail the same as per his / her own choice / convenience. Additional Secretary M/o Housing & Works pointed out that first three conditions provided in draft MoU/agreement by the Bank of Punjab are not suitable and be changed after deliberation with the bank before signing MoU/Agreement.

DECISION:

64. Executive Board gave approval in principle and decided that provision of mortgage financing, will be placed on web portal, with all terms & conditions alongwith rates offered by all banks, so that any registered member can avail the facility of mortgage financing from any bank as per his / her own choice / convenience.

AGENDA ITEM NO.09

Subject: **PAYMENT OF PLOTS ALLOTTED IN SECTOR F-14/F-15 IN LIEU OF SECTOR G-13/G-14 AFFECTED DUE TO DECISION OF APEX COURT**

65. Seniors officer of BS-22 were allotted plots in Sector G-13 under Prime Minister Assistant Package scheme on the recommendations received from Establishment Division and other eligible members are allotted plots on the piece of land in sector G-13 created by CDA due to non-availability of regular plots in that sector. Subsequently on the direction of Supreme Court of Pakistan, the said creation of plots as deleted from layout plan (LOP) being crated in amenity area. All allotments made against created plots were cancelled / withdrawn and Federal Secretaries / other eligible members were allotted alternate plots in sector F-14/F-15 housing scheme.

66. Some of officers / allottees of alternative plots either challenged their allotment of F-14/F-15 in the Court of Law or submitted representations to the departmental authorities for restoration of their earlier cancelled plots of G-13 / G-14 and also agitating against receiving amount at par with newly allotted plots in sector F-14/ F-15 and Park Road. Whereas this allotment was in lieu of their cancelled plots previously allotted to them in G-13/G-14 etc. the detail of allottees of Sector F-14 / F-15 under PM Package and others as the liability of G-13/F-14 etc. is annexed.

RECOMMENDATIONS:

67. The matter is placed before the Executive Board for decision whether the allottees of alternative allotted plots in sector F-14/F-15 & Park Road may be charged price at par with the regular allottees of the said sector / Scheme or they may be charged the cost of plots as per rates of allotment in their respective previous sector i.e. G-13 / G-14 etc.

DISCUSSION:

68. DG asked Director (Estate) to brief the Board on the agenda item. Director (Estate) informed the Board that 65 plots were created by the CDA in the amenities area which were allotted to Federal Secretaries/officers of BS 20-22, but the residents committee filed writ petition in Hon. Supreme Court of Pakistan. The honourable court cancelled all plots created in the amenities area. Further the affectees were offered plots in F-14/15, Islamabad in lieu of earlier allotment being treated as liability cases. Now a number of affectees are agitating against Housing Authority regarding charging cost of plot as per payment schedule of Sector F-14/F-15 and demanding that they may be given plots in new sectors on the rates as per allotment made to them earlier in Phase-III. Secretary (H&W) endorsed the proposal as the matter has already been settled.

DECISION:

69. The Board decided that the allottees of alternative allotted plots in sector F-14/F-15 & Park Road may be charged cost of plot as per rates of allotment in their respective previous sector i.e. Phase-III.

AGENDA ITEM NO.10

Subject: **APPROVAL OF COLLECTION OF OCCUPANCY CHARGES IN LIEU OF FACILITIES/SERVICES PROVIDED BY FGEHA IN SPECIFIED AREAS**

70. The residents of G-13 and G-14/4 are not paying property tax to CDA or MCI since 2015 on the plea that CDA is not lawfully entitled to collect property tax from them as it does not provide any services/maintenance in sectors G-13 and G-14/4 after transfer of these sectors to FGEHA. These sectors come under the jurisdiction of FGEHA and all the requisite facilities/services are being provided by the Authority. Section 3(4) of the FGEHA Act, 2020 declares FGEHA as a local authority for a specified area with the prime responsibility of providing all public services and facilities. Moreover, Section 5(2)(e) of the Act ibid empowers the Executive Board to impose and vary fee, tax, charges in the specified areas. Relevant provision of the Act is reproduced hereunder:

> ***"impose and vary development charges, transfer fee, service charges, toll, tax or other charges in respect of any land or building within any scheme in the specified area".***

71. The instant agenda item was earlier placed before the Executive Board in its meeting held on 12th August, 2020 wherein the Board deferred the said agenda item while directing Director General, FGEHA to place the matter in next Board meeting alongwith specific percentage to be levied / imposed in addition to examining its legal aspects.

72. It is pertinent to mention that FGEHA is custodian of land of G-13 and G-14 sectors and is duly providing all municipal services and allied facilities to the residents of these sectors. The facilities provided and the development / rehabilitation/ maintenance work carried out by the FGEHA adds value to the properties located in the areas under the jurisdiction of FGE Housing Authority, therefore FGEHA is lawfully entitled to collect any charges/taxes from the residents of these sectors just like the way CDA collects the charges/taxes from the residents/occupants of the sectors falling under its jurisdiction.

73. The annual value of buildings and lands for the purpose of this levy shall be determined by an admixture of plot area and the covered area of the buildings thereon multiplied by the respective figures shown below against each category:-

I) RESIDENTAIL PROPERTIES

	Category/Rating Area	Plot Area Per Sq.Yds (Rs.)	Covered Area Per Sq.Ft. (Rs.)
1.	**Sectors G-13 and G-14**		
	Plot area upto 100 Sq.yds including flats	4.00	6.00
	Plot area 101-200 Sq.yds including flats	5.00	8.00
	Plot area 201-250 Sq.yds including flats	6.00	9.00
	Plot area 251-356 Sq.yds including flats	8.00	10.00
	Plot area above 356 Sq.yds including flats	10.00	12.00

II) NON RESIDENTAIL PROPERTIES

	Category/Rating Area	Plot Area Per Sq.Yds (Rs.)	Covered Area Per Sq.Ft. (Rs.)
1.	Markaz Sectors G-13 and G-14, Shopping Centers & Non-Residential Properties outside Commercial area	7.00	11.00
2.	Private Hospitals	7.00	11.00
3.	Hotels/Motels		
	a) Plot area upto 1000 Sq.Yds.	12.00	18.00
	b) Plot area more than 1000 Sq.Yds	15.00	22.00
4.	Fruit & Vegetable Market, Cold Storage	6.00	10.00
5.	Industrial & Institutional Prosperities including Public & Private Corporations & Council Clubs, Gyms, etc.	5.00	9.00 (shed area 4.50)
6.	Petrol Pumps/CNG and Service Stations	90.00	---
Note: 10% increase will be applicable for every year on these rates from 1st July of the relevant year.			

III) The following categories of Buildings and Lands shall be exempted upto the extent shown against each category.

	Category/Rating Area	Exemption
1.	One residential house, flat or apartment owned and self occupied (not on self-hiring basis) by the owner/allottee or his family including his parents. GPA having selling power is not entitled for any exemption.	50%

2.	One residential house, flat or apartment belonging to a widow if she owns no other property anywhere in Pakistan. This exemption shall also be available to widow's minor sons and unmarried daughter of a widow after her death.	100% up to Plot area 240 Sq.Yds.
3.	One residential house / flat / apartment owned by the family of Shaheed shall be entitled for exemption.	100%
4.	One residential house, flat or apartment owned and occupied (not on self-hiring basis) by a retired Government employee whether in his own name or in the name of or jointly with his/her spouse or dependent minor children. This exemption shall be available if it is his/her or their only property in Pakistan and he/she or they are themselves living in the house or, as the case may be, flat or apartment. The exemption shall also be available in the case of death of the retired employee to the surviving spouse and minor children of the deceased employee. (In case of having any other built up property, the owner shall be entitled to 50% exemption on self-occupation). GPA having selling power is not entitled for any exemption.	75%
5.	Places set apart for public worship and actually so used and used for no other purpose	100%
6.	Hospitals, Dispensaries, clinics, educational or training institutions and libraries located on the plot allotted for specific purposes and run wholly from charitable contributions and donations	100%
7.	Buildings and Lands owned by the Federal and Provincial Government but excluding Semi-Government/Autonomous Bodies, Public and Private Corporations	100%
8.	Buildings and Lands vesting in FGEHA. This, however, does not include lands leased out to private individuals and corporations, companies and firms or to any group of individuals.	100%
Note: Self occupation rebate would be allowed only on current dues and arrears of last one year.		

Note:

a) Exemptions at Sr. No. 1, 2 & 3 will only be allowed on production of affidavit on Stamp Paper duly attested by Notary Public or on simple paper attested by Gazetted Officer other than FGEHA Officers for each respective year.

b) In case the charges are paid by an assessee by 30th September, within the Financial Year for which the charges are paid he/she shall be entitled to a discount or rebate of 5%.

c) After the expiry of financial year, a surcharge @ 1.5% per month shall be payable on outstanding charges.

d) Basement of residential properties will be charged @ half rates of applicable charges on built up covered area.

74. These rates shall come into force with immediate effect.

RECOMMENDATIONS:

75. Foregoing in view, the Executive Board is requested to allow FGEHA to impose/collect Occupancy Charges as per the rates provided in para 73 above from residents of the area under its lawful jurisdiction.

DISCUSSION:

76. DG asked Director (Revenue) to brief the Board on this agenda. Director Revenue briefed the Board that FGEHA is custodian of land of G-13 and G-14 sectors and has been providing all municipal services & allied facilities to the residents of these sectors, which includes development, rehabilitation, and maintenance work etc. FGEHA Act 2020 under section 5(2)(e) of the Act ibid empowers the Executive Board to impose and vary fee, tax, charges in the specified areas. Relevant provision of the said Act is reproduced hereunder:

> ***"impose and vary development charges, transfer fee, service charges, toll, tax or other charges in respect of any land or building within any scheme in the specified area".***

77. Director (Revenue) also briefed that every authority like CDA, DHA, KDA, FDA, PDA etc. collect charges/taxes from the residents falling under their jurisdiction on monthly / annually basis in lieu of provision of municipal l/ maintenance services. It is, therefore, recommended that FGEHA may be allowed to collect occupancy charges in lieu of services provided by FGEHA in its specified area at par with the CDA/MCI rates.

78. The DG further clarified that the said rates are in accordance with CDA/MCI rates. The chair asked that if the Housing Authority imposes and collects the said charges than it should be assured that CDA/MCI will not charge the said charges from the allottees / residents of the Sectors / societies of the Housing Authority. In this regard, on behalf of Chairman CDA, Member (Planning), CDA informed that CDA/MCI

is not charging / collecting any such taxes / charges from the residents of Sector G-13 and G-14/4 as the same fall in the lawful jurisdiction of FGEHA and since the responsibility of providing all public/ municipal services and allied maintenance facilities rests with FGEHA, therefore, the rightful claim of imposing / collecting the occupancy charges in lieu of provision of such services rests with FGEHA. Member (Planning), CDA further reiterated that CDA / MCI will not be collecting any such charge from the allottees / residents of the ICT sectors falling under the jurisdiction of FGEHA.

79. Dy. Chief (PP&H) appeared on behalf of Chief (PP&H) and JS (Estate), M/o (H&W) raised a query that the exemption percentages provided in table (iii) above are not same. The Director (Revenue) explained that the rates / exemptions provided in given tables are as per CDA / MCI rates. Member (Planning) CDA endorsed the same.

DECISION:

80. The Board unanimously agreed and approved to impose / collect occupancy charges as per the rates provided in para 73 above, from the residents of the area falling under the lawful jurisdiction of FGEHA. The Board further directed for the housing projects launched by FGEHA in other cities, the subject charges shall be charged as per the rates applicable / prescribed by the relevant municipal authorities, provided that the same have not already charged by the concerned municipal authorities.

The meeting ended with the vote of thanks to and from the chair.

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LIST OF PARTICIPANTS OF
7th EXECUTIVE BOARD MEETING OF FGEHA.
HELD ON 02-09-2020.

S No.	Name & Designation
1	**MR. TARIQ BASHIR CHEEMA** Chairman EB/ Federal Minister Ministry of Housing & Works.
2	**DR. IMRAN ZEB KHAN** Secretary, M/o Housing & Works, Islamabad.
3	**MR. ZAHOOR AHMAD** Additional Secretary M/o Housing & Works Islamabad.
4	**MR. IQBAL AHMED** Deputy Chief (PP&H) Planning Commission, Islamabad
5	**MR. RIZWAN AHMED SHEIKH** Joint Secretary, (Expenditure) Finance Division, Islamabad
6	**MR. BABAR SAHIB DIN** Director (A) on behalf of Chief Commissioner, ICT Islamabad.
7	**MR. TARIQ RASHEED,** Managing Director, PHA Foundation Islamabad.
8	**MR. SHAHID FARZAND** Director General Pak. PWD, Islamabad.
9	**DR.SHAHID MEHMOOD** Member Planning Capital Development Authority Islamabad.
10	**MR. AMIR MOHIYUDDIN** Joint Secretary(Estate) M/o Housing & Works, Islamabad Co-opted Member.
11	**MR. WASEEM HAYAT BAJWA** Director General FGE Housing Authority.
12	**MR. ATTA - UL- HAQ WAQAS** Chief Engineer FGE Housing Authority.