FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY
10-MAUVE AREA, G-10/4, ISLAMABAD

No.15 (7)/2019-HA (A)/4-Act,2020

14th May, 2020

Subject: **MINUTES OF 4th MEETING OF THE EXECUTIVE BOARD OF FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY UNDER FGEHA ACT, 2020 HELD ON 22-04-2020.**

The 4th meeting of the Executive Board of Federal Government Employees Housing Authority under FGEHA Act, 2020 was held on 22-04-2020 at 11:30 AM under the Chairmanship of Honorable Federal Minister for 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

(MUHAMMAD ADNAN DAYAR)
Director (Coordination)

Distribution:-

i. Mr. Tariq Bashir Cheema
Chairman EB/ Federal Minister
Ministry of Housing & Works

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

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

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

vii. 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

xii. Chief Engineer
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.

GOVERNMENT OF PAKISTAN
MINISTRY OF HOUSING & WORKS
FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY
10-MAUVE AREA, SECTOR G-10/4
ISLAMABAD
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MINUTES OF 4th MEETING OF THE EXECUTIVE BOARD OF THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 22-04-2020

The 4th meeting of the Executive Board of the Federal Government Employees Housing Authority (FGEHA) was held on 22-04-2020 at 11:30 AM under the Chairmanship of the Honorable Federal Minister for Housing & Works, in the Committee Room of the FGE Housing Authority. (The list of the 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.

4. The welcome note was followed by the discussion on the agenda items by the Board Members.

Agenda Item No. 1

CONFIRMATION OF THE MINUTES OF 3rd MEETING OF THE EXECUTIVE BOARD OF FGE HOUSING AUTHORITY HELD ON 09-03-2020.

5. The Director General apprised that the 3rd meeting of the Executive Board was held on 09-03-2020 and the Minutes thereof were circulated to all the members and FGEHA has not received any written observations from any of the Board members.

DISCUSSION

6. The Director General, Pak PWD, suggested to further incorporate the following in the decisions of Agendas No 2 and 3 of the Executive Board Meeting No. 3 held on 09-03-2020, as per paras detailed below:

- Addition of "subject to fulfillment of all codal formalities by the FGEHA related to the technical and financial matters" to **Para 2.16** of the DECISION of the Agenda Item No. 2, which says:
  "Signing of construction agreements with M/s Aryaan Land Linkers & Contractors and M/s Best Construction & Rakhshani Builders are principally

approved as per the cost breaks up chalked out by Technical Committee and amendments decided by the board".

- Further to incorporate, "implementation of Cabinet decision w.r.t. JV Policy shall be ensured by the FGEHA in all respects" be added to the **Para 3.8** of the DECISION of the Agenda Item No. 3, which says:

"i. Existing JV policy approved by the Federal Cabinet in 2016/2019 may be reviewed, However, projects whose approvals have been already granted will be continued on existing JV policy.

ii. No Land shall be purchased for apartments after launching of 30000 units as mandated to FGEHA under the Naya Pakistan Housing Program.

iii. The Committee constituted for drafting rules for JV will work on various JV models for land sharing and apartments. The committee may utilized the expertise of other personals deemed necessary for drafting a comprehensive and workable JV rules. "

7. The Chairman Board observed that, decision on Additional Agenda Item II of the 3 rd. Executive Board Meeting, held on 09-03-2020, that, no previous experience is required for direct recruitment to BPS 17, may be clarified further by adding that **'no previous experience is required up to BPS 17"** so that there remains no ambiguity regarding requirement of previous experience for recruitment in the lower grades/ posts as well.

DECISION:

8. The Executive Board approved the minutes of 3rd Executive Board meeting held on 09-03-2020, with the following additions:

i. Addition of "subject to fulfillment of all codal formalities by the ~~FGEHA related to the technical and financial matters" to~~ the Para 2.16 of the DECISION (of the Agenda Item No. 2) will be made.

ii. Further that, "implementation of Cabinet decision w.r.t. JV Policy shall be ensured by the FGEHA in all respects" be added to the Para 3.8 (Decision) (Agenda Item No. 3).

iii. There shall be no requirement of any previous experience for direct recruitment/ initial appointment for the posts up to BPS-17. The Service Rules 2008 shall be deemed to be amended/ revised to the extent of requirement of previous experience for posts up to BPS-17.

Agenda Item No. 2

Subject: **REVISION IN LAYOUT PLAN OF SECTOR G-13**

9. Phase-III Sector G-13 was launched, in 1996, by the Federal Government Employees Housing Authority and land was acquired under Land Acquisition Act 1894 for allotment of plots to FG employees and other specified group

on "no profit no loss basis". Planning of the said sector was carried out by CDA and initially 5960 plots of various categories were created.

10. Later on, 12 residential plots of 500 Sq. yard were created on commercial area of Sector G-13 and handed over to the Housing Foundation for allotment to FG employees. Out of the 12 plots 04 have already been transferred to the bonafide purchasers. These created plots were challenged by HABITAT Society of Sector G-13 vide writ petition No. 1986/2011 in the Islamabad High Court Islamabad. The matter was placed before 136th meeting of the Executive Committee held on 05-12-2015 and decided as under:-

> ***"The Executive Committee decided that 12 residential plots of 500 Sq. yrd which was created in commercial area may be converted in original place and the allottees of the said plots be compensated as per market value. The Executive Committee further directed that in this regard approval may be sought from CDA to convert in its original place"***

11. The above decision was submitted in the Islamabad High Court and the honorable court vide order dated 15-06-2016 disposed of the aforementioned writ petition. The order is reproduced as under:-

> ***"In view of statement of learned counsel for respondent No. 1 / Housing Foundation, no further proceedings are called for, petition stands disposed of having borne fruit. The interveners, retain any grievance, may avail appropriate remedy".***

12. The matter was again placed before 140th meeting of the Executive Committee held on 16-06-2016 and decided as under:-

> ***"Board in the light of the decision of the High Court has decided that 12 created residential plots may immediately be converted into commercial area and the matter may be taken up with CDA for restoration as per original layout plan. The Board further directed that out of 12 plot the guidance with regard to 07 allottees may be taken from the Prime Minister Office and remaining 05 allottee may be paid compensation as per market value after fulfillment of legal and codal formalities."***

13. Another writ petition No.3054/2017 in case titled Shahid Ahmed Kamal Vs FGEHF was filed by the affectees of these 12 plots in the Islamabad High Court Islamabad. The same has been disposed of vide order dated 4-02-2020 with the following directions:

> ***"With the consent of the learned counsels, the matter is remanded to the Director General, Federal Government Employees Housing Authority. The latter after affording an opportunity of hearing to the petitioners or their authorized representatives is expected to consider and decide the grievances, inter alia, having regard to various orders passed by this Court and pursuant thereto decisions taken by the***

Executive Committee in its meetings held on 05.01.2015 and 16.06.2016, respectively. The Court expects that the Director General of the respondent Authority will pass speaking orders at the earliest, preferably within 45 days from the date of receiving certified copy of this order".

14. Upon the directions of Honorable Islamabad High Court, all the petitioners appeared for personal hearing before the Director General, Housing Authority and the following draft working of the Housing Authority has been made for kind consideration of the Executive Board to accommodate the petitioners and 70 other liability cases of the Housing Authority.

i. FGEHA has re-planned the vacant / available land along the Railway Line falling in Sector G-13 in accordance with CDA Planning parameters to accommodate the petitioners and other affectees of these plots. After re-planning the said area, Planning Wing of FGEHA created plots of different sizes including 50x90. The created plots would be allotted through balloting amongst the petitioners / affectees after approval of the Executive Board.

ii. Alternatively, FGE Housing Authority is ready to compensate / refund the deposited (principal) amount along with the interest at current bank rate to the allottee / transferee in the light of decision of Honorable Islamabad High Court and Honorable Supreme Court. Relevant portion of court decision is as under:-

"In case, referred offer is not acceptable to any allottee / transferee, the principle amount shall be returned along with interest at the current bank rate accruing on already paid amounts".

15. In order to accommodate the petitioners and other liability cases, the Planning Wing of FGEHA has carried out a comprehensive exercise and identified a piece of vacant land belonging to FGEHA along railway line in Sector G-13/3 & G-13/4. Accordingly, new plots are created within the planning parameters of CDA (**Annex-2B**) as under:

S.No.	Plots Size	Area (Sq.ft)	No. of Plots
1	50' x 90'	4500	05
2	45' x 100'	4500	08
3	Odd Size	4000	01
4	35' x 70	2450	02
5	30' x 60'	1800	01

6	25' x 60'	1500	01
7	30' x 40'	1200	02
8	25' x 40'	1000	08
	Total		**28**

16. As a result of creation of these plots, land use percentage of residential area has increased from 46.07 % to 46.36% which is well within the Planning parameters of CDA.

17. Further, the CDA has also created some plots along railway line belonging to Pakistan Railways as per original layout plan of Sector G-13/1 &4 on land measuring 14 Kanal-15 Marla (10 Kanal-10 Marla in Sector G-13/4 and 4 Kanal-5 Marla in Sector G-13/1). Now the allottees have constructed houses on these plots. This has resulted in dispute between allottees, FGEHA and Pakistan Railways.

In view of the above, following recommendations are made:

RECOMMENDATIONS:

18. Revision in Layout Plan of Sector of G-13 may be allowed by creating following additional plots:

S.No.	Plots Size	Area (Sq.ft)	No. of Plots
1	50' x 90'	4500	05
2	45' x 100'	4500	08
3	Odd Size	4000	01
4	35' x 70	2450	02
5	30' x 60'	1800	01
6	25' x 60'	1500	01
7	30' x 40'	1200	02
8	25' x 40'	1000	08
	Total		**28**

19. The above said plots will be offered in the first instance to the following petitioners/ affectees of 12 created plots through balloting:

Sr. No.	Name & DoB	Initial Allottees/Purchasers
1.	Mr. Mushtaq Malik 02-04-1948	Transferred to Mr. Tassadaq Hussain (Petitioner in WP No.3536/2019)

2.	Mr. G.M Sikandar 14-09-1949	Original allottee
3.	Mr. M. ZafeerAbbasi 08-01-1950	Original allottee
4.	Mr. Iftikhar Ahmed Khan 10-01-1952	Original allottee
5.	Mr. Mehmood Akhtar 02-12-1952	Transferred to Mr. Usman (Petitioner in WP No.3536/2019)
6.	Mr. Talat Rasheed Miyan 19-09-1953	Transferred to Mr. Tahir Hussain Qureshi (Petitioner in WP No.3536/2019)
7.	Raja Muhammad Abbas 20-12-1953	Subject to eligibility with regard to deposit of payment
8.	Mr. Ahmad Bakhsh Lehri 03-03-1954	Original allottee
9.	Mr. Shah Din Sheikh 01-06-1955	Transferred to Mr. Aamir Syed (Petitioner in WP No.3536/2019))
10.	Mr. M. Asghar Ch. 07-10-1958	Original allottee
11.	Mr. Shahid Ahmed Kamal	Original Allottee He has been POL for F-14

20. The remaining plots shall be allotted to other liability cases pending in Sector G-13 on merit with priority given to cases having court decision.

21 Alternatively, FGE Housing Authority is also ready to compensate / refund the deposited (principal) amount along with the interest at current bank rate to the allottee / transferee in the light of decision of Honorable Islamabad High Court and Honorable Supreme Court. Relevant portion of court decision is as under:-

> ***"In case, referred offer is not acceptable to any allottee / transferee, the principle amount shall be returned along with interest at the current bank rate accruing on already paid amounts".***

22. Pakistan Railways may be given 14Kanal-15 Marla land along Railway line in Sector G-13/2 in lieu of the Land utilized/ occupied & thereafter allotted by FGEHA to its allottees belonging to Pakistan Railways. **This proposed/ alternate piece of land shall only be used as right of way by Pakistan Railways as per original Lay out plan.**

DISCUSSION

23. The Board was briefed by the Director General (DG) that, out of 12 created plots, later four (04) plots further transferred to bonafide purchasers; and they also challenged in the Islamabad High Court (IHC) in addition to litigation by Habitat Society of G-13. The Executive Committee in its meeting held on 05-12-2015 decided

to revert back the land use of that area to its original classification as per LOP approved by the CDA (commercial area), and the allottees may be compensated as per market value. It was further apprised by the DG that the Executive Committee in its meeting held on 16-06-2016, again directed to restore the area back to originally plan commercial area and to further seek guidance from the Prime Minister regarding 7 allottees besides compensation to 5 allottees with regard to market value.

24 Later on, the IHC disposed off writ petition no. 3054/2017 dated 04-02-2020, with the order that the DG, FGEHA to grant personal hearing to the petitioners and pass speaking orders within 45 days. To resolve the issue, the Planning Wing of FGEHA has worked out proposal as per recommendations elaborated above with regard to creation of 28 plots on the available vacant land in G13 along Railway line. Alternatively, FGEHA would compensate / refund the principal amount with interest at the current bank rate, as directed by the Supreme Court in its order. The DG further clarified that even after accommodating the above petitioners, nearly 56 liability cases will still be pending.

25. The Secretary, Housing & Works, inquired (i) whether the plot creation is legal; (ii) physical position is clear (iii) whether the CDA by-laws are adhered to; and (iv) FGEHA to ensure that no trespassing is occurred. The DG FGEHA assured the Board regarding adherence to the byelaws in creation of these plots. The Chairman Board inquired about the issue of Railway land and its right of way. The DG FGEHA explained that as per original layout plan of CDA, about 15.5 kanals land of Railway was encroached and construction also made by some allottees. The Railway authorities stopped construction and finally the issue was settled with the Railway authorities by mutually agreeing to swap/allocate the same size of land for the right of way as being encroached. The Chairman also stressed that there should be no further legal issue in these plots so that the resultant allottees might not get entangled in another problem while getting rid of one. Responding to these observations, the DG informed that, regular plots have been created as a result of re-planning while ensuring fulfillment of caveat of right of way to Pakistan Railways. On inquiry, by the Chairman regarding refund, the Secretary responded that, no one would be willing to avail that option given the fact that, market value of a plot far surpasses the principal amount plus interest thereon. The Director General categorically informed the Board that the allotments to the petitioners will be made from FG Serving Quota as per rules.

26. Lastly, the Board grant approval to resolve this long outstanding issue amicably by re-planning and creating 28 plots subject ***to strict adherence to the CDA by-laws, right of way to the Railways.*** The Chairman, FGEHA Board emphasized categorically that FGEHA shall make it sure that there be no litigation among the Pakistan Railway Authorities and subject allottees, in future. Further, the Chairman further directed that in order to ensure transparency, the Director (Estate) will also show the Executive Board the final list of allottees of these 28 newly created plots.

DECISION

27. The Board approved the following:

a) Revision of the Layout Plan of Sector G-13 for creation of 28 plots of various sizes as proposed vide Para 18 of the Recommendations above, in accordance to the CDA byelaws and within the permissible land use allocation.
b) To accommodate the petitioners (having favorable court orders) and affectees of 12 created plots from amongst the liability cases, as per Paras 19 & 20 of the recommendations above. Also, if not satisfied, refund/compensation option as per para 21 in the light of court directions.
c) Allocation of 14 Kanal-15 Marlas land along Railway line in Sector G-13/2 to Pakistan Railways in lieu of the Land utilized/ occupied & thereafter allotted by FGEHA to its allottees belonging to Pakistan Railways. This proposed/ alternate piece of land shall only be used as right of way by Pakistan Railways as per original Lay out plan.

Agenda Item No. 3

APPROVAL TO ENTER INTO JV AGREEMENTS

28. After following due procedures and verifications of Proposals received as per approved JV policy. These firms have been shortlisted from 1st and 5th EOI advertised, as per PPRA rules.

29. The salient features of agreement in respect of each scheme are as below:-

A. Land Sharing with M/s Canadian Star Development Corporation Mouza Manga Murree Road Rawalpindi.

30. M/s Canadian Star Development Corp. submitted the proposal for construction of 100,000 homes with FGEHF in response to 1st EOI dated 12-10-2019. The former gave his consent on JV project on 1400 kanals of land located in Mouza Manga, Tehsil Murree District Rawalpindi on land sharing formula of FGEHA. The

land title has been verified from concerned Revenue office. Further the important features were considered by the Steering / Evaluation Committee, and now submitted for the approval of executive board:-

i. The M/s Canadian Star shall mutate the land, free from all encumbrances, in the name of FGEHA free of cost as per land sharing formula (70:30). However, expenditure incurred in the transfer / mutation of land shall be borne by the FGEHA.30% of Residential Plots shall be given to M/s Canadian Star Development Corp.
ii. Share of developed commercial plots shall be decided upon recommendation of Transaction advisor of FGEHA to be hired in due course.
iii. Allotment Letters of the share pertaining to Canadian Star shall be issued by FGEHA upon recommendation of the M/s Canadian Star Development Corp.
iv. The infrastructure development work shall be done by the M/s Canadian Star Development Corp, through its developer.
v. FGEHA shall hire a separate Engineering Consultant and Transaction advisor for vetting of engineering designs and preparation of financial model respectively.
vi. The development cost of all the residential, commercial & amenities plots shall be borne by the FGEHA.
vii. Separate construction agreement shall be signed within 60 days of signing of JV agreement, after recommendation/ approval of technical committee duly vetted by FGEHA engineering consultant. JV partner shall be bound to fulfill PEC criteria for signing of construction agreement.
viii. M/s Canadian Star will ensure provision of all utilities (i.e. water, electricity, sewerage disposal etc.) and provision of proper access, as per relevant bye-laws.

RECOMMENDATION:

31. In view of the salient features as per para 02, the Executive Board may allow FGEHA to enter into the JV agreement with M/s Canadian Star Development Corp., in the Mouzas Manga, Tehsil Murree, District Rawalpindi for land measuring 1400 Kanals.

B. Offer of 212 Kanals 9 Marlas Land On Standard Sharing Formula in Green Enclave-I At Barakahu, Islamabad.

32. The 5th Expression of Interests were called through daily Newspapers of the country on 1st February, 2020. M/s Green Tree also submitted a proposal for 212

Kanals and 9 Marlas on land sharing &construction of apartments on end product basis. The land is owned by Khawan Shahid Raja & Adeel Shahid and is contiguous to Green Enclave-I – a project of FGEHA being executed by M/S Green Tree, which makes it more attractive for good will of GE-I and also makes it an attractive option for registered members. The offered cost per sq.ft is 5200 Rs. including cost of land + infrastructure, + construction + provision of services + all other cost of all kinds.

The salient features of the model may be as under;

i. The M/s Green Tree (Pvt.) Ltd shall develop all of land and shall bear its development cost as well.
ii. Based on 4:1 formula of land sharing 53 plots each of 1 kanal may be given to land owners i.e. Mr. Khawan Shahid Raja & Adeel Shahid.
iii. The remaining land shall be developed in shape of single plot, which shall be used for construction of apartment complex on turnkey basis at actual cost to be worked out by the consultant hired by FGEHA as per detailed/approved LOP & Drawings, as per JV Policy.
iv. The first right of refusal for construction of apartments may be given to the JV partner as per JV policy.

RECOMMENDATIONS:

33. The FGEHA may be allowed to enter into JV agreement with M/S Green Tree to transfer 212 Kanals land in favour of FGEHA on land sharing free of cost. The JV agreement will be followed by Construction Agreement upon fulfillment of all legal/procedural formalities.

DISCUSSIONS

34. The DG apprised the Board that, in the Mouza Manga, Tehsil Murree, District Rawalpindi, M/s. Canadian Star Development Corporation has offered to develop plots on 1400 kanals of land with FGEHA on ratio of 70:30 proportionate share on the basis of JV Policy. It was highlighted by the Director General that, the said firm will mutate land in name of FGEHA free of cost on the basis of 70:30 land sharing ratio; where mutation cost will be borne by the FGEHA, and 30% plots will be given to the said Canadian Star Development Corporation; and sharing of commercial plots will be decided as per advice of Transaction Advisor. The JV partner shall have the first right of construction / development. The DG also apprised that both the projects have been considered by steering committee as per JV Policy and endorsed to process with certain reservations pertaining to ensuring to basic utility services etc.

35. The Chairman noted that, how the land is being taken free of cost when the FGEHA is giving the Developer 30% of the developed plots and the first right of development/ construction instead of ensuring minimal possible cost of development by going through open bidding process, following PPRA Rules. Further highlighted by the Federal Minister for Housing & Works that, if the JV partner doesn't possess the development / construction capability or the requisite expertise / rating according to the Pakistan Engineering Council (PEC) Standards, which will be of no use except adding to the cost of the project, making it more costly compared to the cost of the project awarded through open bidding process. The Chairman further remarked that, how the competitiveness of rates will be ensured when the construction contract is awarded to the JV partner as first right and without going into open bidding? And that, this way there seems no criterion (i.e. MES / CDA rates) envisaged to decide about rates efficiently and effectively.

36. Responding to the observations delineated above, the DG said these land sharing mechanisms are covered under JV Policy approved by the Cabinet in 2016 and 2019 are attached at **Annex-A & Annex-B** and that, the FGEHA gets 55% plots as a result of 1:4 sharing ratio, while 70% of plots are obtained through 70:30 sharing ratio. It was explained further that, no scheme could be materialized till SBP recommended valuation method was adopted and there were still issues in valuation of land as both the parties differ on valuated price vis-à-vis assessed and market price. Hence, to do away with valuation and to efficiently deliver affordable housing, these land sharing methods for joint ventures were adopted, with no upfront land payments. The DG FGEHA also clarified to the board with regard to the difference in land acquisition and Joint Venture Project. He briefed that if the purpose is only land acquisition, then after land acquisition whether through payment or land sharing, the construction may be done later through competitive bidding. But, in case of joint ventures, as per approved policy, the intention was to have an end to end project involving all aspects i.e. land and development, with inherent checks as envisaged in the policy. The DG further apprised the Board that the hired consultant will ensure market rates by adopting a transparent mechanism as done in the two recently approved construction agreements in which the benchmark was MRS x BOQs. Hence, the question of market rates does not arise. In case, the Board opined that MES or Pak PWD rates, that may be taken accordingly. He further stated that, no body was willing to take risk of entering into JV agreement by mutating land in name

of the FGEHA, he elaborated that the consultant will vet the rates and standards and further will be examined by the Technical Committee of the FGEHA.

37. The Chairman, FGEHA Board, directed to re-examine the JV Policy of 2016 and 2019 and get it amended by the Cabinet, to the benefit of the registered members of the FGEHA, as it appears to be comparatively more beneficial to the interest of the JV partner, and for the purpose a committee comprising on Additional Secretary (H&W), Joint Secretary (Estate), M/o Housing & Works and Director General , FGEHA was assigned the said task and forward the proposals to the Secretary, M/o Housing & Works for final scrutiny and to present it to the Board.

38. The Secretary Law /Draftsman, Law and justice Division also recommended re-examination of the JV Policy for further improvement. He further clarified that the new JV policy whether approved by Board or the Cabinet would have a prospective effect for the future schemes and could not be implemented retrospectively on the projects already processed through the existing JV policy.

39. The DG responded with the proposal to prepare JV Regulations under JV Policy; but the Minister suggested taking it again to the Cabinet for rectification of such anomalies, if needed, after discussion by the officers, as mentioned in Para 37. He stressed that, we want to save money through competitive process as outlined above.

40. Besides, Secretary Housing reiterated the stance taken by the Chairman for making the JV Policy better before entering into any JV agreement on the basis of the current JV Policy.

41. Regarding the proposal of 212 Kanals and 9 Marlas contiguous to the Green Enclave-I, submitted by M/s Green Tree, the DG elucidated that it is best suited to the interest of the FGEHA to conclude JV with the said JV Partner on 4:1 sharing basis which would enable the FGEHA to deliver to its registered members. The cost of development will also be borne by the JV Partner while giving it the first right of refusal or construction of apartments as per JV Policy. The Chairman was however excited on the proposal that even development is being borne by JV partner, but still deferred the agenda till reframing the JV policy as proposed above.

DECISION

42. ***The agenda item was deferred with the stipulation that, the Additional Secretary, Housing & Works, Joint Secretary (Estate), Housing & Works, and the Director General, FGEHA will jointly revisit the JV Policy to***

make it more beneficial for the members of FGEHA and forward the proposal to the Secretary Housing for final scrutiny and to present it afterwards in the next Board meeting and thereafter for amendment of the same from the Cabinet, if needed.

Agenda Item No. 4

APPROVAL OF MINUTES OF THE MEETING OF FINANCE, BUDGET AND ACCOUNTS COMMITTEE DATED 14.04.2020

43. A meeting of Finance, Budget and Accounts Committee of FGEHA was held on April 14, 2020 under the Chairmanship of Mr. Rizwan Ahmed Sh, JS, Expenditure, Ministry of Finance, Islamabad (Minutes of the meeting at **Annex-4A)**. Four (04) agenda items were discussed in the meeting.

PLACEMENT OF FUNDS

44. The committee recommended the following:

a. The amount invested with NBP may be retained, because it is the only AAA rated bank in the list and a government owned bank and offers maximum safety to the investment. However Rs. 500 Million may be disinvested from NBP to be placed with Soneri Bank for 03 months TDR because of highly competitive rate being offered by Soneri Bank.

b. The amount invested with JS Bank may be retained and rolled over with the same bank because of efficient service delivery, and very competitive rates offered (Second highest for one month TDR) and an AA rating of the bank. The committee also recommended that amount of Rs. 1,000,000,000/- invested with JS bank on 03 months TDR may also be converted to 01 Month TDR in the same bank due to the reason spelled above.

c. The amount invested in Emaan Silk Bank may also be retained in the same bank for competitive rates being offered and efficient service delivery in the past.

d. The amount of Rs. 504,403,945/- invested in Bank of Khyber may be retained with the same bank, because of competitive rates. However, the committee recommended that an amount of Rs. 500,000,000/- invested with Bank of Khyber maybe disinvested from BOK and be

placed at 03 months TDR with Soneri Bank because the bank has a AA rating, offers better competitive rates.

e. The amount invested with Silk Bank Corporate Branch may be retained with the same bank because the bank offered the highest rate in both categories of TDR (01 month & 03 months).

Progress on new/existing revenue measures, recommended by finance, budget and accounts committee

45. The committee recommended the following:

- The committee appreciated the action planning carried out by FGEHA and emphasized that timelines may be kept flexible in the wake of current situation of corona pandemic in the country. The committee directed that in every meeting of the committee the revenue collection details/statement for the previous quarter must be submitted for perusal/progress monitoring.

Audited accounts of the Federal Government Employees Housing Foundation for the period July 01, 2019 to January 15, 2020

46. The committee recommended that the accounts for audit by the approved firm and directed to complete the task as early as possible for the liquidation process of FGEHF before closure of current financial year.

Budgeting process of FGEHA for the FY 2020-21

47. After detailed discussion, the committee gave following timelines for the Budgeting process of FGEHA:

a. Budgeting process may be completed and presented to Finance, Budget and Accounts Committee by May 15, 2020.
b. Annual Budget of FGEHA for FY-2020-21 must be presented on or before June 10, 2020 before FGEHA Executive Board for its approval.

DISCUSSION

48. The Director (Finance) explained that, bids were called through proper bidding process which were opened and evaluated by the Finance, Budget & Accounts Committee (FBAC) and recommended the following:

- Investment with the NBP may be retained because of AAA rating and being the public sector entity; but Rs. 500 million may be

disinvested from the NBP to invest in Soneri Bank which offers lucrative 03 month TDR.

- Amount invested with the JS Bank may be retained and rolled over because of efficient service and second highest for one month TDR, while having AA rating. FBAC also recommended conversion of Rs. 1,000,000,000.00 as 03 month TDR with JS Bank may be converted to one month TDR.
- Funds invested with Silk Bank may also retained there for efficient service and competitive rates being offered.
- Rs. 500,000,000.00 (out of Rs. 504,403,945.00 deposited) may be disinvested from the Bank of Khyber deposited with the Soneri Bank having as 3 month TDR because of AA rating and better rates.
- The investment with the Silk Bank may be retained as rates in both 01 month & 03 month TDR are the highest.

49. The Additional Secretary Housing remarked that, as notified by the Ministry of Finance, all banks with ratings AAA, AA & A are qualified and, hence bank offering higher interest rate should be preferred; and he further requested the Joint Secretary, Ministry of Finance to clarify regarding this and thoroughly focus and analyze financial technicalities given the fact of all above-mentioned ratings are acceptable. He further added that, as per Finance Division's O.M. doesn't differentiate government and non-government banks, hence the focus should be on as much diversification as possible to ensure maximum financial benefit for the organization, while at the same time a ceiling for maximum investment in a bank at a particular point in time may also be defined which would further help achieve maximum diversification in the investment portfolio.

50. While attending to the observation regarding the ceiling definition, the DG informed that, a benchmark of Rs. 01.00 billion has already been decided as the maximum investment limit in a bank at a time.

51. The Chairman observed that banks like Khyber Bank and Bank of Punjab are also government banks and if Finance Division's O.M. doesn't differentiate government and non-government banks, investments may be given to these banks, if these banks offer good comparative returns.

DECISION:

52. ***The Board approved minutes of the meeting of Finance, Budget and Accounts Committee held on 14-04-2020.***

Agenda Item No. 5

BRIDGE FINANCING FOR EHFPRO LIFESTYLE RESIDENCY G-13 ISLAMABAD

53. The EHFPRO project is aimed at providing subsidized yet luxurious housing facilities to eligible Federal Government servants. In consideration of this foremost objective, the project is intended to be completed on Non-profit basis and further subsidize planned via proceeds from sale of commercial area and sale of general public quota apartments. Therefore, major portion of apartment units i.e. 75% (FG Quota) were offered to federal Government employees, being prime beneficiaries of the project. Whereas, residential apartments units (GP Quota) and commercial area were to be sold on maximum market prices available.

54. The project's financial plan mainly rests on two types of revenue streams i.e. sale of apartments and sale of commercial area. Apartments' sale proceeds are to be received as per 3 years installments plan. And commercial area can be offered on lump sum amount or on shorter period of installments. Although the approval for the sale of commercial area has been granted by EHFPRO Board and it was to be auctioned in March, 2020, yet due to corona lockdown the process could not be launched as planned.

PROJECT'S FINANCIAL SYNOPSIS

55. The overall cost of the project is around Rs. 34 billion. Currently the work completed is around Rs. 9 billion and it was all financed through installments received from FG quota of apartments. The budgeted revenue heads and related estimates are listed hereunder:

EHFPRO (Pvt) Ltd.		
Project Revenues		
	(Rs.)	
Receipts From FGE Allotments	11,565,900,000	
- Additional Floors Allotments	2,369,200,000	
GP Apartments @ current market rate	7,401,115,888	
Commercial area (Covered area)		
Commercial area (Saleable area)	18,229,920,000	
Additional cost of commercial area	(2,026,189,634)	
	16,203,730,367	
Total Revenues		37,539,946,255

56. Currently, the installments due from successful FG applicants is amounted to Rs. 1.2 billion. This overdue revenues are not being recovered on time, mainly due to current lockdown in the country. On monthly basis, the works on site physically done are generally estimated to be more than Rs. 300 Millions, whereas we

need to enhance this figure and increase the speed of construction works in order to meet stipulated deadline i.e. completion by December 2020. The work has slowed down recently due to liquidity problems and cash flow issues which may lead to delay in the project completion.

57. Considering the current hurdles, EHFPRO Board has requested FGEHA to arrange a facility of bridge financing for the Life Style Residency Project installment on urgent basis so that EHFPRO may be able to complete the project as per already approved schedules and meet assigned deadlines.

TERMS AND CONDITIONS FOR BRIDGE FINANCING FACILITY

58. Following are proposed term and conditions for the subject Bridge Financing Facility:

a. The amount proposed to be financed may be upto Rs.02 Billion as such sum will be sufficient to undertake next 4 to 6 months planned constructions works as per approved contract agreement and time period. The Gross loan amount may be transferred in main project collection accounts operated under joint signatories of EHFPRO Board members as per the EHFPRO Joint Venture Agreement (JVA).

b. As security for such proposed bridge financing facility it may be considered that 50 % of General Public quota apartments (i.e. 25% of total apartments) may be held as collateral by the FGEHA. This quota is EHFPRO share of the apartments. Sale of specified GP quota apartments can be restricted as per the FGEHA desired terms and sale thereof may be made in the manner suitable to FGEHA and related proceeds may also be received by FGEHA directly in designated accounts therefore.

c. Repayments for financing facility may proposed in two equal quarterly installments or the sale of commercial area whichever is earlier.

d. The bridge financing is allowed only for 06 months. After the stipulated time, in case of non-repayment of disbursed financing, the applicable discount rates i-e kibor + 2% will be charged to EHFPRO.

RECOMMENDATION

59. Based on above discussion and request by the EHFPRO Board, it is proposed that an amount of Rs.02 billion in different installments may be provided through bridge financing for the project of EHFPRO to keep the pace of construction works and meet the approved schedule /timelines.

DISCUSSION

60. The Director General and Director (Finance) briefed the Board Members regarding the need for bridge financing for EHFPRO Lifestyle Residency G-13 that

because of lack of funds due to remaining unpaid installments by the applicants and delayed auction of commercial areas and due of Corona pandemic outbreak, there is dire need of funds which can be arranged through bridge financing. He further informed that the proposal for bridge financing has also be approved by the EHFPRO Board.

61. The Secretary Housing & Works observed that it was an administrative decision to be taken by DG, FGEHA at his own level as the Executive Board's mandate is with respect to policy decisions. The said matter should be resolved by the management of the FGEHA. At maximum, it could be presented to the Finance Committee for the decision. The Chairman endorsed the stance of the Secretary.

62. The following aspects may be considered while deciding the matter of bridge financing:

- Due diligence may be done before deciding for the bridge financing.
- Recoupment of the lending account / scheme must be ensured at later stage out of proceeds of the borrowing scheme account.
- Finance Committee, being a competent forum to deal with such matters, will decide such cases, added the Additional Secretary.

DECISION

63. ***The Executive Board directed DG FGEHA to take decision in the matter regarding Bridge Financing as the instant matter demands administrative decision and not the policy decision. At maximum, the matter may be taken in Finance and Accounts Committee, if needed.***

Agenda Item No. 6

RELAXATION OF CRITERIA REGARDING ALLOTMENT OF APARTMENT CHEME

64. Lifestyle (EHFPRO) launched its 1st project in sector G-13 for construction of apartments. Subsequently, EHFPRO was also assigned the project of construction of apartments at Karachi site of FGEHA as per decision of 143rd Executive Committee decision taken on 22-12-2016. Now, FGEHA has launched new projects of apartments in different cities of Pakistan under Naya Pakistan housing program.

65. In this regard, an ambiguity has arisen regarding allotment to those bonafide members who have been issued offers of apartment scheme of EHFPRO at Karachi conditionally but could not be materialized due to a pending litigation. Now, the question arises whether these bonafide members are eligible for obtaining any apartment out of newly launched apartment schemes.

66. In this connection following two options are placed before the Executive Board:-

I) All those members who have applied in EHFPRO Karachi apartment scheme may also be allowed to participate / opt offer of allotment in other newly launched projects of FGEHA by retaining their membership at Karachi scheme and finally be given a chance to opt one of the both scheme in case both scheme stand mature.

OR

II) Members may be allowed to get apartment in newly launched scheme in addition to their membership at EHFPRO scheme at Karachi being having status of different city.

RECOMMENDATION:

67. The case is placed before the Executive Board for approval of one of the above referred two options.

DISCUSSION

68. The Board was briefed by the DG that, pending litigation regarding EHFPRO Karachi apartments has made it difficult for bonafide applicants to timely get the apartments. Hence it is proposed that either of the aforementioned options mentioned under para 66 may kindly be approved.

69. It was further elaborated by the DG that, there are almost 1700 bookings and around 350 apartments planned. Hence the applicants may be accommodated in new schemes by giving options to applicants as: opt for Karachi or Islamabad apartments, both or the best of both offers.

70. The Chairman remarked that the applicants may only opt for one apartment, and not two. The Chairman further stated that the Carlton Hotel like precious property may be defended once for all through a competent and well-versed legal counsel in the best interest of FGEHA and its registered members.

71. Responding to the observation by the Chairman, the Director (Law) explained that, FGEHA has already hired an experienced and competent law firm and the case is being heard by the Sindh High Court (SHC).

DECISION

72. ***Allotment of only one apartment to the applicants/ members at either of stations (i.e. Islamabad or Karachi) as proposed vide option I of para 66 and give up for the second, was approved by the Board.***

Agenda Item No. 7

ALLOTMENT OF PLOT TO MR. MUHAMMAD YANOOR KHATTAK

73. Mr. Muhammad Yanoor Khattak, an employee of Estate Office had applied for allotment of Category-III plot in Membership Drive Phase-I (Bara Kahu) under F.G Serving quota. He was issued a Cat-III Consent Letter on 20th April, 2015 and after confirmation of service particulars he was issued Provisional Offer Letter (POL) on 01.12.2016 under Green Enclave-I. As per record of FGEHA, he has deposited first installment / down payment of Rs. 309,180/- against his consent letter and accepted the offer.

74. Mr. Khattak, after his retirement in January, 2013, again registered himself with HF for Cat-II plot in Membership Drive Phase-II (Pocket-I Extension) on 18.01.2017. His date of birth is 02.01.1953 and he stands retired from service on 01.01.2013. The Executive Committee of FGHA in its 108th meeting held on 09.09.2009 approved increase from 1% to 2% quota reserved for employees of Ministry of Housing & Works and its attached departments (with at least 1 ½ years continuous serving period in the Ministry / department, and also having a regular service of 10 years) in all future schemes of FGE Housing Foundation as per following distribution:-

i)	Ministry of Housing & Works	1%
ii)	Pak. PWD	0.5%
iii)	Estate Office	0.3%
iv)	National Housing Authority	0.2%

75. It is mentioned that the lists of serving and retired officers/officials of Estate Office duly recommended and forwarded by the Estate Office / Ministry of

Housing & Works vide their letters dated 27.07.2017 and 18.08.2018 were received in this Office. The name of Mr. Yanoor is in the separate list of retired officers of Estate Office. Therefore, he could not be allotted a plot as there was no policy/ precedent about allotment to a retired employee under reserved quota of M/o Housing &Works and its attached departments. So far, only serving employees have been issued allotment letter.

76. Mr. Muhammad Yanoor Khattak lodged complaint in Wafaqi Mohtasib regarding allotment of Cat-II plot under 0.3% quota reserved for the employees of Estate Office. Honorable Wafaqi Mohtasib (Ombudsman)'s Secretariat vide its findings dated 28.01.2020 has recommended to place the case of complainant (Mr. Yanoor Khattak) before the committee of Housing Authority for further consideration – as an old liability – on priority basis; and convey its final decision to the complainant as well as that Office within 60 days. In case the Agency (HA)/Complainant continues to be aggrieved by these final recommendations, it / he so desire, prefer a representation to the President within 30 days. Accordingly the case of Mr. Yanoor Khattak was placed in the Liability Committee of FGEHA in its meeting held on 26-02-2020 and who did not recommend his case for allotment of plot as per criteria in vogue. The said decision has been conveyed to Wafaqi Mohtasib on 14-14-2020.

RECOMMENDATION

77. The case is submitted for further consideration in the light of recommendations of the Liability Committee and directions of Wafaqi Mohtasib.

DISCUSSION

78. To brief the Board, the DG explained that, Mr. Muhammad Yanoor Khattak was a retired employee (retirement date is 01-01-2013) who has claimed for Cat-II under serving quota plot in January 2013 after retirement; while he was issued Consent Letter for Cat-III plot in Green Enclave-I on 20-04-2015 and Provisional Offered Letter on 01-12-2016. Even his name appears in the list provided by the Estate Office, among the names of the retired officers. Hence, his request for allotment of Cat-II plot under serving employees quota of the Estate Office cannot be acceded to.

79. It was explained further, he took the case to the Federal Ombudsman which remanded the case back to the Authority for disposal as an old liability. Accordingly, the case was taken up by the Liability Committee which didn't

recommend allotment as requested by the aggrieved; and the same has been communicated to the Wafaqi Mohtasib.

80. The Secretary Housing proposed to simply follow the policy. However, the Director (Estate) replied that there exists no policy to cater for such cases.

81. It was recommended by the Minister to amend the relevant rule(s) to fill the gap in order to deal with such cases or formulate the new policy; but the fact was highlighted by the Draftsman, Law & Justice Division, that a policy cannot be retrospective but can only be prospective. Hence such old cases would remain unresolved even after having made amendment in such policy / rule.

82. The Additional Secretary highlighted that the aggrieved person got retired in 2013 while being in BS-18 regular; allotment vide Consent Letter offered in 2015; then the question is why is he being denied the apparently due right of Cat-II plot? The Director (Estate) explained that he obtained membership in 2009 when he was in BS-17; hence the entitlement is of BS-17 (the Cat-III plot).

83. The Chairman recommended to make a new policy or amend the existing such policy to address such cases on priority and according to the law. It was added by the DG that plot be allotted if not already given / allotted during his service.

DECISION

84. **The Executive Board directed to amend the existing policy/rules and to formulate a new Policy to cater for such like cases.**

Agenda Item No. 8

CONVERSION OF POST OF DIRECTOR ESTATE-II TO DIRECTOR REVENUE

85. The FGEHA, under the flag ship of Naya Pakistan Housing Program, has been tasked to take up new initiatives in major cities across the country to provide low cost housing to government employees. In this regard following schemes have been launched already:

a. Apartment Scheme G-13 Mauve Area
b. Chaklala Scheme Rawalpindi
c. Badian Road, Lahore
d. Indus Vista Apartments B-17, Islamabad
e. Skyline Apartments near New Airport, Islamabad

86. The revenue section of Finance Wing is working hard to generate revenue for the FGE Housing Authority. In this regard, several surveys have been conducted in Sectors G-13 & G-14/4 by the Revenue Section and unearthed violations/non-implementation of bylaws/rules and non-payment of water conservancy charges and other taxes under FGEHA Act. Revenue Section in unable to check violations i.e. non conforming use of residential buildings, unauthorized installation of mobile towers, non-payment of water conservancy and delayed construction charges due to absence of senior officer at top.

87. Forgoing in view, we may convert one post of Director Estate-II to Director Revenue to resolve the revenue matters efficiently and effectively. Moreover, its conversion of already existing post, therefore, no financial implications and creation of post, are involved, hence, Financial and HR committees recommendations are not required.

RECOMMENDATION

88. Approval from Executive Board is solicited for conversion of Director Estate-II, BS-19 post into Director Revenue BS-19.

DISCUSSION

89. The significance of revenue generation was emphasized by the DG while citing it as the lifeline of the Organization especially after having been enacted into Authority. Moreover, it was explained by the DG that, revenue matters of the Authority are complex and there remains huge gap in completing the home work for revenue generation and collection thereof, which calls for an exclusive senior officer for this challenging task. For this, the DG proposed conversion of the post of Director (Estate-II) to the post of Director (Revenue). Accordingly, there will be only one Director Estate to administer the Estate Wing.

DECISION

90. **The Board approved conversion of the post of Director (Estate II-BPS 19) to post of Director (Revenue, BPS-19).**

Agenda Item No. 9

POSTING OF OFFICERS ON ROTATION BASIS FOR CAPACITY BUILDING

91. Presently, almost forty nine (49) officers from BS-17 to BS-19 are serving in FGE Housing Authority on permanent basis in different cadres i.e. General, Finance, Revenue, Technical and IT who are appointed through promotion and direct

appointment basis. Since, the creation/establishment of FGEHF and now FGHEHA, it is observed that due to specific/ limited working environment, officers of FGEHA are facing capacity issues and they need exposure. Therefore, through necessary trainings and transfer/ posting in different offices their capacity can be enhanced. In order to enhance skills and capacity building of regular officers of FGEHA, it is required to provide them equal opportunities to avail different trainings and development courses from other training institutions and ministries.

92. In the same context, it is proposed that regular officers may be posted / attached in different sections of Ministry as well as and its attached departments e.g. PWD, PHA, Estate Office or NC etc for variety of experience and to make them familiar with different dynamics of new working practices in Federal Secretariat.

RECOMMENDATION

93. Approval is solicited from Executive Board for posting of regular officers of FGE Housing Authority on rotation basis through, posting, transfer and deputation in different Federal Ministries/Divisions. Furthermore, 10% DTL reserve for BS-17 & 18 officer of FGEHA may also be approved to achieve above mentioned objective.

DISCUSSION

94. Given the deficient skills and professional capacity of the 47 officers (in BS-17 to BS-19) of FGEHA, the DG proposed posting of FGEHA officers on rotation basis to the Ministry of Housing & Works and other such departments like i.e. PHA, Pak PWD, Estate Office, National Construction etc. for variety of experience and to get the FGEHA officers trained from training institutions to build their capacity for efficient and effective professional working.

95. The Chairman and the Secretary suggested developing liaison with training institutions like Secretariat Training Institute, for capacity building of officers.

96. Proposal was made by the Additional Secretary Housing that, such arrangement can possibly be made between two autonomous organisations subject to request/willingness by the borrowing agency and consent by the lending agency.

97. It was stressed by the Draftsman, Law & Justice Division, that, proper and effective performance assessment by the reporting officer, without any leniency, would automatically filter out unfit officers. Failure to enforce proper performance evaluation system entails inefficiency due to capacity issues. Moreover, he was of the

point of view that the judgment of the apex court i.e. 2013 SCMR 1752 read with its review 2015 SCMR 456 bars deputation of employees of autonomous authorities in the Federal Secretariat.

DECISION

98. ***The Board decided to develop liaison with training institutions like Secretariat Training Institute (STI), for capacity development trainings to build capacity of FGEHA officers. However, the Board approved 10% DTL reserve for post of BPS 17 & 18 subject to actual utilization.***

Agenda Item No. 10

REGULATIONS TO COMPLEMENT JV POLICY

99. JV Policy was approved in 2016 and 2019 by the Federal Cabinet. The rationale for JV Policy was that land acquisition through Land Acquisition Collector under Land Acquisition Act 1894 was not catering to the needs of FGE Housing Authority regarding land banking. Following models are presented to complement JV Policy.

100. A Committee was constituted (annexed) to ponder over different JV models being practiced. The Committee proposed following 02 models, in addition to the existing JV models.

I. Investor model
II. Regulation model

RECOMMENDATION

101. The above-proposed JV Regulations Models may be submitted to the Board for approval.

DISCUSSION

102. Given the fact that, the land acquisition by the FGEHA isn't paying off to the desired extent, the DG stressed the need for adoption of various JV Models in order to complement the JV Policy. And accordingly two models are proposed here:

- Investor Model
- Regulation Model

103. The Chairman desired to also take this matter to the already proposed committee comprising of Additional Secretary, Joint Secretary (Estate), Housing &

Works and DG FGEHA for detailed deliberations thereon with submission of the same to the Secretary H & W to proceed further in making changes in the JV Policy, for making it more comprehensive and all-encompassing.

DECISION

104. ***The Board deferred the agenda item with recommendations for consideration by the committee comprising of the Additional Secretary (H&W) and Joint Secretary (Estate), Housing & Works and the Director General, FGEHA. Further to submit the same to the Secretary, M/o Housing & Works for the final word as how to proceed further.***

11. Additional Agenda No. I

APPOINTING AUTHORITY FOR THE POST OF BS-20 IN FGEHA

105. Reference 02nd Executive Board 01 post of Chief Engineer BS-20 was created in FGEHA. The post of Chief Engineer BS-20 was advertised in National Dailies on January, 2020. According to the Service Rules of FGEHA the Prime Minister is appointing authority for the appointment of BS-20 and above. However, there is no composition of Selection Committee / Board for making the recommendations for the appointment in respect of post of BS-20 and above in FGEHA.

106. According to the ESTACODE the composition of Selection / Promotion Board for the recommendations of appointment in BS-20 and above is as under,

i.	Secretary Finance Division	Chairman
ii.	Secretary, Establishment Division	Member
iii.	Secretary, Law & Justice Division	Member
iv.	Additional Secretary-I, Establishment Division	Member
v.	Secretary of the concerned Ministry	Co-opted Member
vi.	Additional Secretary Regulations, Finance Division	Member/ Secretary

107. In the light of above the following selection committee is proposed for making the recommendation of appointment of Chief Engineer (BS-20) and the Executive Board will be competent forum to approve subject appointment:-

i.	Secretary, M/o Housing & Works	Chairman
ii.	Additional Secretary-I, Establishment	Member
iii.	Sr. Chief , PP&H, Ministry of P D &R	Member
iv.	Additional Secretary, M/o Housing & Works	Member
v.	Director General, FGEHA	Member
vi.	Managing Director, PHA Foundation	Member

RECOMMENDATION

108. The above proposed composition of selection committee as proposed in para 107 was submitted for the approval before the Executive Board.

DISCUSSION

109. The Board was apprised by the DG that, in the wake of pressing need of the Chief Engineer (BS-20), the same post has been advertised and now short listing of the candidates is to be initiated for which Committee is to be constituted. Though the appointing authority for BS-20, as per the Service Rules of the FGEHA, is the Prime Minister, but they are silent on composition of the selection committee. Accordingly, the Selection Committee with the following composition is proposed for recruitment to the post of the Chief Engineer (BS-20):

- Secretary, M/o Housing & Works — Chairman
- Additional Secretary-I, Establishment — Member
- Sr. Chief , PP&H, Planning Commission — Member
- Additional Secretary, M/o Housing & Works — Member
- Director General, FGEHA — Member
- Managing Director, PHA Foundation — Member

110. The Secretary Housing remarked that, such a Committee has already been notified by the Establishment Division and the same is valid for FGEHA also, to recruit the Chief Engineer (BS-20).

DECISION

111. ***The Board recommended and approved the adoption of composition of the Selection Committee as notified by the Establishment Division (Annex-C), for selection against the BS-20 post of the Chief Engineer, FGEHA.***

12. Additional Agenda Item – JVP Wing

MODIFICATION OF THREE TIER STRUCTURE OF COMMITTEES UNDER JV POLICY

112. The idea of 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. The composition and TOR's of the committee were as below:

a). TECHNICAL COMMITTEE

i. Director JVP (Convener)
ii. Director (Technical)
iii. Director (Finance)
iv. Director (Estate)
v. Director (Law)
vi. AD JVPs

TOR's

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

b). EVALUATION COMMITTEE

i. Director General FGEHA(Convener)
ii. Joint Secretary Ministry of Housing and Works
iii. Representative of Ministry of Finance
iv. Representative of Ministry of Law
v. Representative of Planning Commission
vi. Director Administration/Company Secretary of FGEHA

TOR's

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

c). STEERING COMMITTEE

i. Director General FGEHA (Convener)
ii. Joint Secretary Ministry of Housing & Works
iii. Member Planning, CDA or Concerned municipal authority
iv. Representative of Ministry of Finance not below BS 20
v. Representative of Planning Commission not below BS 20
vi. Representative of Ministry of Law not below BS 20

vii. Land Acquisition/Real Estate Consultant of FGEA, to be appointed through open bidding.
viii. Director Administration/Company Secretary of FGEHA

TOR's

a. To Oversee work of evaluation committee and to provide direction where required
b. To ensure transparency & Fairness in entire process
c. Consolidation of Report Containing specific recommendations, for final decision of Executive Committee of Housing Authority
d. To Co-opt any member as it deems necessary, from public or private sector for the purpose of transparency and efficiency

113. It is a fundamental principle of jurisprudence that Act 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 5 read with section 26 of the FGEHA Act 2020, the Executive Board may modify the three tier structure of evaluation committees and reduce it to two tier (i-e Evaluation committee and thereafter Steering Committee)

RECOMMENDATION

114. It is recommended to reduce evaluation process to two tier evaluation structure only. TOR's and Constitution of committees are as below:

a) TECHNICAL & EVALUATION COMMITTEE

i.	Director (JVP)	Convener
ii.	Director (Technical)	Member
iii.	Director (Planning)	Member
iv.	D.C (FGEHA)	Member
v.	Director (Land)	Member
vi.	Director (Law)	Member

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(if required)
- Short listing of prospective firms(Rejection/Recommendations of proposals)
- Preparation of specific recommendations for Steering committee
- To form a sub-committee if deemed necessary for site visits etc.

b) STEERING COMMITTEE

i.	Director General	Convener
ii.	Joint Secretary(E) MOH&W's	Member
iii.	Joint Secretary Ministry of Finance	Member
iv.	Chief Engineer FGEHA	Member
v.	Director (Planning)	Member
vi.	Director (JVP)	Member
vii.	Director (Law)	Member
viii.	DC FGEHA	Member
ix.	Director(Finance)	Member

TOR's

- To oversee work of Technical Evaluation Committee
- To define and ensure transparent /fair evaluation process
- To make negotiations on JV agreement with Private Partners
- Making of report Containing specific recommendations to Executive Board for final approval of feasible proposals
- To Co-opt any member as deemed necessary from public or private sector for the process of transparency and efficiency
- To re draft standardized MoU for each JV model. Deliberations on new /low cost proposals.

DISCUSSION

115. The DG informed the participants that, consequent upon approval of the JV Policy by the Federal Cabinet, three Committees namely: Technical Committee; Evaluation Committee; the Steering Committee, were created to deal with uphill task of land cost determination / finalization in order to build land bank for the FGEHA. The Board was proposed that, under Sub-section 01 of the Section 5, read with the Section 26 of the FGEHA Act 2020, the Executive Board may reduce the three tier structure of evaluation committees to the two tier structure (i.e. Evaluation Committee and Steering Committee) along with the revised proposed TORs.

116. The Chairman desired to take this matter along with JV Policy for mutual exhaustive discussion thereon by the Additional Secretary, Joint Secretary (E), Housing & Works and the Director General, FGEHA.

DECISION

117. ***The Board deferred the agenda item with instructions for the discussion on the subject agenda item at length by the Additional Secretary, Joint Secretary (E), Housing & Works and the Director General, FGEHA, further taking up the with the Secretary Housing, before submission to the Board in the next meeting.***

Annex A

PRIME MINISTER'S OFFICE
ISLAMABAD
*****

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

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

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

8th Sept, 2016

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

Cabinet Secretary

No. 256/M/SFM/16

JS (IA-I)

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

DECISIONS

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

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Item No. 1

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

MINUTES

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

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

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

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

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

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

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

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

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

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

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

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

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

DECISIONS

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

Annex - B

SECRET

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

DECISION

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

☆ ☆ ☆

CABINET DIVISION
CABINET DECISIONS
GOVERNMENT OF PAKISTAN

B

F.No. 1(1)/NPHP2019-JV-HF

GOVERNMENT OF PAKISTAN
MINISTRY OF HOUSING & WORKS
*****

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

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

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

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

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

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

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

Contd...P/2

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

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

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

01st July, 2019

(Dr. Imran Zeb Khan)
Secretary

Annex-C. 145-

(AMENDED UPTO 13TH JUNE, 2002)

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

No.6/4/96-R.3

Islamabad, the 10th May, 1997

OFFICE MEMORANDUM

SUBJECT: PROCEDURE REGARDING APPOINTMENTS IN AUTONOMOUSSEMI-AUTONOMOUS BODIES,UNDER THE FEDERALGOVERNMENT OF PAKISTAN.

In supersession of the instructions issued vide Office Memorandum No.1/85/94-E.6 dated the 12th September, 1994, the undersigned is directed to state that henceforth the cases of appointment to various posts in autonomous/semi-autonomous bodies shall be processed in accordance with the following guidelines:-

S.No.	Nature of Case	Selection Procedure	Approving Authority
i.	Appointment of Chief Executive/Head of the Organization.	Selection Board headed by the Minister Incharge to consider and recommend from a panel of three names for each vacancy : @ Provided that, where the charge of a Ministry/Division is held by the Chief Executive, the Selection Board shall be headed by the Secretary of the respective Ministry Division.	Prime Minister/ Chief Executive
*ii. (a)	Posting of government servants of BS-21 and above	To be processed through the Establish-ment Division	Prime Minister/ Chief Executive
(b)	Posting of government servants of BS-20	-	Establishment Secretary
©	Posting of government servants of BS-17 to 19	To be processed in the Ministry/ Division concerned.	Secretary of concerned Ministry/Division
(d)	Posting of government servants in BS-16 and below.	To be processed by the Department Concerned.	Heads of Departments

Establishment Division in case where the Prime Minister/Chief Executive is the competent authority.

5. Appointment to the post of Member (Finance), Director(Finance) or the Chief Finance Officer in any autonomous/semi-autonomous body irrespective of the designation shall be made with the approval of the Prime Minister/Chief Executive in case the post is in BS-20, equivalent or above. However, for these posts in BS-19/equivalent the Government's approval will be accorded by the Finance Secretary in consultation with the Establishment Secretary.

**6. All appointments approved by the President or the Chief Executive/Prime Minister shall be notified by the Establishment Division. Posting of Officers of BS-20 in autonomous and semi-autonomous bodies will also be notified by the Establishment Division. The terms and conditions of deputation to autonomous bodies shall be regulated by the prescribed standard terms and conditions of deputation. Any deviation from the standard terms and conditions of deputation shall require prior approval of Finance and Establishment Divisions.

(** substituted vide O.M.No.6/4/96-R.3 dated 10-4-2002)

7. In cases where these instructions are in conflict with the provisions of the Laws governing any Corporation, the provision of the Law to the extent of conflict shall prevail.

8. Establishment Division's U.O.No.1/85/94-E.6 dated the 5th May, 1996 regarding ban on promotion in the Corporations, is hereby cancelled.

Sd/.....
(Zarmast Khan Khattak)
Deputy Secretary to the
Government of Pakistan

All Secretaries/Additional Secretary Incharge of
Ministries/Divisions/Islamabad/Rawalpindi.

LIST OF PARTICIPANTS OF 4th MEETING OF THE EXECUTIVE BOARD OF THE FGEHA ESTABLISHED UNDER FGEHA, ACT-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. KHASHIH UR REHMAN,** Draftsman, Law & Justice Division
5	**MR. IQBAL AHMED** D.C (PP&H) Planning Commission, Islamabad
6	**MR. RIZWAN AHMED SHEIKH** Joint Secretary, (Expenditure) Finance Division, Islamabad
7	Chief Commissioner, ICT. Islamabad.
8	**MR. TARIQ RASHEED,** Managing Director, PHA Foundation Islamabad.
9	**MR. SHAHID FARZAND** Director General Pak. PWD, Islamabad.
10	**CHAIRMAN** Capital Development Authority Islamabad.
11	**MR. WASEEM HAYAT BAJWA,** Director General FGE Housing Authority.