FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY
10-MAUVE AREA, G-10/4, ISLAMABAD
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No.15 (7)/2019-HA (DS)/30 Dated: 15th December, 2023

Subject: **MINUTES OF 30th EXECUTIVE BOARD MEETING OF THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 30-11-2023**

30th Meeting of the Executive Board (EB) of the Federal Government Employees Housing Authority (FGEHA) was convened under the Chairmanship of the Honorable Prime Minister / Minister-in-Charge Housing and Works Division, under clause 5 (4) of the FGEHA Act, 2020 on **30th November, 2023 at 12:00 PM** in the Committee Room of Ministry of Housing and Works, 1st Floor, B-Block, Pak, Secretariat, Islamabad.

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

(AMMARA YUNUS)
Director (Staff)

DISTRIBUTION:

1. Mr. Anwaar-ul-Haq Kakar, Prime Minister of Pakistan/ Minister in-charge of Housing & Works/Chairman Executive Board.
2. Dr. Shahzad Khan Bangash, Secretary, M/o Housing & Works, Islamabad.
3. Mr. Waqas Ali Mahmood, Additional Secretary, M/o Housing & Works.
4. Mr. Muhammad Israr, Draftsman, Law & Justice Division, Islamabad.
5. Ch. Muhammad Anwar Hussain, Senior Chief (Technical/ PP&H), Planning Commission, Islamabad.
6. Mr. Saad Faazil Abbasi, Sr. Joint Secretary (Expenditures), Finance Division, Isb.
7. Capt. (R) Anwar-ul-Haq, Chief Commissioner, ICT, Islamabad
8. Capt. (R) Anwar-ul-Haq, Chairman CDA, Islamabad.
9. Mr. Muhammad Shahid Hussain, Managing Director, PHA Foundation, Isb.
10. Mr. Anwar ul Haq Dogar, Director General, Pak PWD, Islamabad.
11. Capt. (R) Muhammad Zafar Iqbal, Director General, FGEHA, Islamabad.
12. Col. (R) Imtiaz-ul-Haq Khattak, Chief Engineer, FGEHA, Islamabad.
13. Mr. Ashfaq Ahmad Ghumman, (Co-opted Member) Sr. JS, M/o H & W, Isb.
14. Mr. Muhammad Adnan Dayar, (Co-Opted Member) JS (Estate) M/o H & W, Isb.

Copy for information and further necessary to:

i. Director (Finance), FGEHA
ii. Director (Planning), FGEHA
iii. DC/LAC /Director (Land) , FGEHA
iv. Director (Law), FGEHA
v. Director (Revenue), FGEHA
vi. Director (IT), FGEHA

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

Subject: **MINUTES OF 30TH MEETING OF EXECUTIVE BOARD OF THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY HELD ON 30-11-2023**

30th Meeting of the Executive Board (EB) of the Federal Government Employees Housing Authority (FGEHA) was convened on 30th November, 2023 at 12:00 PM in the Committee Room of Ministry of Housing and Works, 1st Floor, B-Block, Pak, Secretariat, Islamabad. The Honourable Prime Minister / Minister-in-Charge Housing and Works Division could not attend the meeting due to his official engagements. In his absence, members of the Executive Board, as per Section 5 (4) of the FGEHA Act, 2020 ***"The Chairman shall preside over the meetings and in his absence any senior member chosen by the members present, shall preside the meeting"*** elected the Secretary (H&Ws), being the senior most member of the Executive Board, to preside the meeting as Chairman.

2. Proceedings of the meeting commenced with the recitation from the Holy Quran. At the outset of the meeting, the Chair welcomed the participants. List of participants is enclosed.

3. Agenda Items discussed in the meeting and decisions taken are presented below:

AGENDA ITEM NO. 01

CONFIRMATION OF THE MINUTES OF 29th EXECUTIVE BOARD MEETING OF FGE HOUSING AUTHORITY HELD ON 21-09-2023

4. Director General, FGE Housing Authority briefed the members of the Board that Minutes of 29th Executive Board meeting were circulated on 17.10.2023 and no reservation had been received from any member of the Board. The Executive Board went through the contents of the minutes and unanimously confirmed the Minutes of 29th Executive Board meeting.

DECISION:

5. **The Board confirmed the minutes of the 29th Executive Board meeting.**

AGENDA ITEM NO. 02

Subject: RE-CONSIDERATION OF MINUTES / DECISIONS OF 27TH EXECUTIVE BOARD MEETING HELD ON 20-07-2023

6. The Board was briefed that 27th Executive Board (EB) meeting was held on 20-07-2023, under the chairmanship of Federal Minister for Housing & Works, in the Committee Room of Ministry of Housing & Works, Pak Secretariat and minutes were issued on **24-07-2023**.The minutes of 27th EB meeting were placed in the 29th EB meeting for confirmation with the information that no reservation from any member of the Board had been received. However, the Board decided as under,

> ***"The EB decided to defer the confirmation of the minutes/ decisions of the 27th EB meeting with the direction to place all agenda items of the meeting before the next meeting of EB for re-consideration."***

7. In compliance to the decision of the 29th EB meeting mentioned vide para-6, minutes of 27th Executive Board meeting were presented for re-consideration.

DISCUSSION:

8. The board was informed that the 27th meeting of Executive Board was held on 20.07.2023 and subsequently, minutes were circulated on **24.07.2023**. Afterwards, 29th meeting of the Board was held on 21.09.2023 and minutes of the meeting were circulated on **17.10.2023**. Therefore, after a considerable span of approximately 02 months, for which the decisions of the 27th EB meeting had remained in field, implementation of few decisions was made in compliance to the directions of the EB. The Board was briefed about the implementation status of decisions of 27th Executive Board. The Board, bearing in mind the decisions of 27th EB as fait accompli, considered the confirmation of minutes a mere formality as no reservation had been received from any Board member, who were in attendance of 27th EBM, till commencement of 30th Board meeting held on 30-11-2023.

DECISION:

9. **The Board confirmed the Minutes of 27th Executive Board Meeting as a mere formality in view of the decisions of the said meeting having already taken effect.**

AGENDA ITEM NO. 03

Subject: **AUCTION OF COMMERIAL PLOTS OF VARIOUS CATEGORIES IN SECTOR G-13, G-14**

10. Director General briefed the Board that FGEHA is a self-sustaining Authority, with sole reliance on its own revenue sources. Proceeds from auction of commercial properties is the main revenue source for Federal Government Employees Housing Authority (FGEHA).

11. Director General also briefed that so far, several auctions had been conducted; the last being held in November, 2020. Three types of commercial areas were planned in sector G-13 & G-14 i.e. Class-III Shopping Centres, Main Markaz & Mauve Area. Summary of plots planned, auctioned/ disposed off and balance is as under:

Table-I

Area	Type	G-13			G-14			Total balance plots
		Plots	Auctioned	Balance	Plots	Auctioned	Balance	
Main Markaz	Commercial, Public Buildings, Others (Masjid, Petrol Pump etc)	41*	3	38	20	-	20	58
Class-III Shopping Centres	Commercial, Others	77	69	8	37	11	26	34
Mauve Area	Mix-Use, Corporate Office, Public Building, Others (Masjid, Petrol Pump etc)	6	-	6	13	-	11	19
Total		**124**	**72**	**52**	**70**	**11**	**57**	**109**

** The number is tentative*

12. The Board was apprised that out of the above mentioned 109 plots of different categories, **approval of 38 plots had already been accorded in previous Board meetings.** Out of remaining 71 number of plots, approval of 26 plots is being sought from the Executive Board. Whereas, approval for auction of balance 45 plots would be sought later because of the following reasons:

- Lien of Pak. Army on 38 plots in G-13 Markaz
- Presence of BUP's on 5 plots in G-14 Markaz
- 01 Mix-use plot in G-14 Mauve area will be reserved for future use.
- 01 plot of Public Building in Sector G-14/2 will be reserved for future use.

13. The details of plots available for auction/ disposal, approved in previous meetings and balance plots for which approval was being sought are as under:

Table-II
DETAIL OF PLOTS APPROVED IN PREVIOUS EB

	Location	No of Leftover / available plots	No. of plots already Approved for auction / disposal	Approval granted by EB	No. of plots for which approval is not sought	Plots sought for approval
G-13	**Main Markaz**	38	00	-	38	00
	Class-III Shopping Centre	08	08*	9th & 27th	00	00
	Mauve Area	06	04	18th, 22nd &27th	00	02
G-14	**Main Markaz**	20	00	-	05	15
	Class-III Shopping Centre	26	*25*	*27th*	*01*	*00*
	Mauve Area	11	01	*27th*	*01*	*09*
Total		**109**	**38**		**45**	**26**

International auction of plot for hotel in its 22nd meeting, while in its 18th meeting, the Board granted approval of disposal of hospital plot by auction through **RFP.*

14. Moreover, the board was also apprised that after the approval for auction of different categories of plots in 27th Executive Board, 19 plots were scheduled to be auctioned on12th-13th September, 2023. However, the auction was postponed due to various reasons.

15. A comprehensive auction plan as per Table-III, for the remaining plots for revenue generation in the light of position explained in Para-13 above, was presented before the Board. DG FGEHA briefed the Board that auction would be conducted in three phases in financial year 2023-24 & 2024-25, after fulfilling all legal/ codal formalities and as per financial requirements to develop sectors/ projects.

Table-III
AUCTION PLAN

	No. of plots	Plots Category	Tentative Time Frame for Auction / Disposal
Phase-I	11	11 plots reserved for Public buildings (Letters to government departments inviting their interest and subsequent allocation as per fixed rates)	Immediate
	19	i) 18 plots Class III ii) 1 plot Fuel Station	After 21 days of the approval of the EB
Phase-II	1	1 plot for Hotel through international auction	Feb-Apr,2024
	10	i) 8 plots, G 14 Markaz ii) 2 plots, Corporate	
	8	i) 7 plots, G 14 Markaz ii) 1 Plot Hospital	
Phase-III	15	Commercial plots in Class-III Shopping Centers of G-14/2 & 3	Fiscal Year 2024-25
Total	**64***		

**In addition to 64 plots 01 plot was already auctioned but erroneously placed in the 27th Executive Board for approval.*

16. The Board was further apprised that the reserve price of the plots would be finalized by the auction committee/ auction management committee after due diligence. In this regard, services of a valuator, duly approved by Pakistan Banks Association (PBA), would also be hired for price valuation based on valuation standards in addition to the GPI formula being practiced by CDA for their commercial auctions.

RECOMMENDATIONS:

17. Following approvals were sought from the Executive Board:

i. Disposal of 11 plots of Public Buildings, as mentioned in Table-II, as per CDA policy.

ii. Disposal of 15 plots, as mentioned in Table-II through open public auction.

DISCUSSION:

18. The Board was further briefed on three-phased auction plan of FGEHA as given in Table-III (para-15). In response to the query regarding conducting the auction in a relatively less favourable market conditions, DG FGEHA apprised the Board that the auction had been segregated in 3 phases and in the first phase only 19 plots were planned for auction followed by other two phases. It was further briefed that response/feed-back of the first phase of auction would determine the market pulse for conducting the auction of subsequent phases. Furthermore, it was also intimated that the results of the auction would be placed before the Board for approval and hence, final decision would rest with the Board. It was also briefed to the Board that composition of auction committee and auction management committee along with TORs was approved in 27th Board meeting. Auction Committee was responsible for exercising supervision and oversight of the entire process of auction, hence composition of the Auction Committee was made in a manner to ensure transparency and fairness.

19. The chair and the members enquired about the mechanism of determining the reserve price. Director General FGEHA explained that reserve price of plots was finalised by Auction Committee through comparison of rates submitted by an independent third party (a PBA registered valuator) and worked out by applying the GPI formula as adopted by the CDA. The committee finalized higher of the two rates as reserve price of the plots to be put up for open public auction. The Committee for ensuring the fairness of the entire process and maximum competition among the potential bidders, sealed the reserve prices finalized by the committee. The chair enquired about the shelf life of reserve price and Price Index adopted for the purpose of reserve price. It was apprised that the price index of 2022-2023 was adopted in line with CDA practice. The chair advised that the committee could examine if there was any

substantial change in the price index and that could be incorporated in the reserve prices as per their prudence and collective judgment.

DECISION:

20. **The Board approved the recommendations contained in para-17 above with the direction to reconsider the reserve price if there is any substantial change in Price Index.**

AGENDA ITEM NO. 04

Subject: DISCUSSION ON THE LAYOUT PLAN OF SECTOR F-12/G-12

21. Director General FGEHA apprised the Board that to curtail the housing backlog, the Federal Cabinet allocated sectors F-12 and G-12 to FGEHA on 07-07-2020. According to the approved summary, following quota had been laid out for allotment:

Sr. #	Quotas	Sector F-12	Sector G-12
1	Federal Government Employees	40%	40%
2	General Public	20%	20%
3	Land Owners	25%	25%
4	Overseas Pakistanis	15%	15%

22. Further, land sharing formula (01 Kanal of Developed Plot in lieu of 04 Kanal of Raw Land) would be adopted during the acquisition of land up-to the maximum of 25% of total number of plots.

23. Sub Para 6(x) of the above noted summary stated that the award for Sector F-12 / G-12, notified by CDA in 1985 would be set aside by the CDA for issuance of fresh award by FGEHA. However, CDA award would be analysed for the purpose of identifying the land use of each property so that compensation be made as per Land Acquisition Act, 1894.

24. Director General further apprised that the affectees of the area had already challenged erstwhile Award of CDA in Lahore High Court (LHC), Rawalpindi Bench for enhancement in compensation of land. To address the grievances of the petitioners, as per direction of LHC, Rawalpindi Bench, as well as to announce fresh award as per directions of the Federal Cabinet, DC/LAC, FGEHA called the petitioners to the Court of DC/LAC, FGEHA on **23-04-2021** and after hearing, announced a judgment on **26-04-2021** declaring the rate of **Rs.72,33,000**/- per kanal. Further, the Executive Board in its 15th meeting held on 06-08-2021 endorsed the said Judgment and decided that it should remain in field.

25. The Executive Board in its 19th meeting held on 22-12-2021 decided to offer Plots to General Public and Overseas Pakistanis, based on OPF and DHA model, after cost

calculation based on market value and allotment would be done through Balloting. The Board also decided to invite applications for land sharing, within a specific timeline.

26. Later, the Agenda was placed again in the 20th meeting of Executive Board, held on 15-02-2022 and Board was informed about the tentative cost of 1 kanal developed plot to be approx. Rs. 23.99 million. "**The Board deferred the agenda till clearance from judicial forums**", as allotments in Sectors F-12/ G-12 were clubbed with the judgement regarding Allotment policy of Sector F-14/ 15 which had been suspended by the Islamabad High Court (IHC) and the matter is currently sub-judice in the Supreme Court of Pakistan (SCP). Law Wing, FGEHA is vigorously pursuing the case for fixation of early hearing.

27. Subsequently, contrary to the decision of the Board, may be due to oversight, an advertisement was published in National dailies on 28-08-2023 regarding registration of overseas Pakistanis and General Public for allotment of plots in Sector F-12/ G-12. According to this advertisement, the tentative cost of developed plot was Rs. 30 Million per kanal.

28. The Executive Board took up the matter in its 29th meeting held on 21-09-2023 and opined that FGEHA invited applications along with application/ registration fee from General Public and overseas Pakistanis for allotment of plots in Sectors F-12 and G-12 in the absence of approved/final Layout Plan, substantive possession of land, proper cost estimations and the prior approval from Board; and further discoursed that FGEHA had no legal authority to hold application fee/ registration fee as there was no possibility of allotments in Sectors F-12 and G-12. Consequently, the Board constituted a committee to work out procedure and modalities for return of application fee to the applicants. The committee after exhaustive deliberations concluded that the mechanism for refund to overseas was complex as it involved regulatory approval and very high cost which exceeded the application fee in majority of the cases. The recommendations of the committee are as under;

> ***"The Committee unanimously recommended that whole Scheme may be re-evaluated technically, financially and legally. Consequently, approval may be sought from the Executive board to re-launch the said scheme and approval of the Federal Cabinet may be sought if the Board deems it appropriate, for a fresh advertisement to be placed in newspapers indicating new cost, conditions and quota and existing applicants may be given an option for refund as per modalities attached at Annex-III' (of the said minutes)"***

29. Director General briefed the Board that during a briefing regarding progress/ update on resettlement plan of allottees of Sector F-14/ 15 came under discussion in the meeting of Steering Committee held on 08-11-2023, constituted by the PM of Pakistan to oversee and ensure timely completion of FGEHA & PHA-F projects. It was apprised in the meeting that a total of 1131 plots had been affected in F-14/15 as a result of incorporation of land sharing formula as per settlement agreement with the land owners of Sector F-14/15. It

was further informed to the Steering Committee that 200 allottees of Category-I would be accommodated in Sector F-14/ 15 due to availability of plots and remaining 574 allottees of Category-I as well as 357 affected allottees of Category-III would be accommodated in Sector F-12 in the light of the decisions of 16th EB meeting dated 25-08-2021.

30. Director General apprised the Board that process of launching sector F-12 would be made after clearance from judicial forums as per earlier decision of Board in its 20th meeting. He further apprised the Board that army had claim of 270 kanals of land in sector G-13 and a committee has been constituted to settle/ negotiate with the army authorities for allotment of 270 kanals of land in sector F-12, Islamabad as per decision of Federal Cabinet after fulfilling the codal/ legal formalities which would commence as soon as modalities are finalized between the FGEHA & Army authorities.

RECOMMENDATIONS:

31. Following recommendations were proposed to the Board as a way forward,

i) Subject to the favorable outcome from Supreme Court of Pakistan; approval for launch of Sector F-12 in first phase and G-12 in subsequent phase may be allowed.

ii) Recommendations of committee constituted by Executive Board in its 29th meeting held on 21-09-2023 regarding working out procedure and modalities for refund of application fee to the applicants, may kindly be approved. The same will be finalized after launch of Sector F-12.The previous applicants may be allowed to be considered in the new launch. Change in price is envisaged after finalization of LOP by NESPAK.

iii) Approval may be granted to immediately settle the issue with the army regarding their claim of 270 kanals of land in sector G-13, Islamabad by providing alternate land in Sector F-12 as per the Federal Cabinet decision dated 07-07-2020.

iv) Release of payments to Land Owners of Sector F-12 after fulfilling all the codal/ legal formalities. Priority will be accorded to acquisition of 270 kanal of land to be given to Army authorities.

DISCUSSION:

32. DG FGEHA informed the board about the recommendations of the committee constituted in 29th EB to work out procedure and modalities for return of application fee to the applicants. Additional Secretary Finance (Expenditure) also apprised the participants that the

option of returning registration amount to Overseas Pakistanis is not feasible since in most of the cases, the cost ($58) exceeds the principle/ original application/ registration fee. However, Overseas Pakistanis may designate their local bank accounts of their representative in case of refund. Further, Additional Secretary, Housing & Works advised to initiate the process of mutation of land of Sectors F-12 and G-12 in the name of FGEHA from CDA, immediately.

33. Director General FGEHA informed the Board that the tentative cost of plot offered to General Public and Overseas Pakistanis for allotment in the advertisement dated 28-08-2023 lack proper working of cost parameters & estimates therefore cost of plot would be calculated after finalization of layout plan, assessment of built-up structures and development charges. He further informed that NESPAK had been appointed as a consultant for sectors F-12 & G-12, and layout plan would be finalised in 6-8 weeks. Revised prices would be presented before the Board for approval and then the revised advertisement would be published. All the previous applicants except those who would opt for refund of their registration fee as per modalities approved by the Board, would be considered for ballot in subsequent re-launch of the Project.

34. Director General FGEHA apprised the Board about the list of activities/ tasks with timelines for execution of development plan of Sector F-12 & G-12 through Gantt Chart. The Board appreciated this effort with the direction to extend this exercise to all other projects of FGEHA.

DECISION:

35. The Board unanimously accorded approval to the recommendations contained in para-31/ante above with the direction to ensure mutation of land in the name of FGEHA immediately. The Board further requested Chairman CDA to ensure that requisite support & facilitation is extended to FGEHA for fulfilling this legal obligation.

AGENDA ITEM NO. 05

Subject: DISCUSSION ON PARK ROAD PROJECT TO DEVISE A PLAUSIBLE WAY FORWARD

36. The Board was informed that as per award of Park Road Scheme of FGEHA, 8194 kanal were acquired by LAC on 17-08-2018. The area of land and rate per kanal are as under:

Village	Acquired area Kanal -Marla	Rate as per Award (per Kanal)
Tamma	2024-03	Rs. 40,00,000/-
Mohrian	6170-12	Rs. 1,725,000/-

37. Attempts to take possession of the land remained unsuccessful due to violent resistance. Negotiations with land owners were held, after which a proposal for enhancement and land sharing was submitted for approval in the 5th Executive Board. The Board agreed, subject to approval from Apex Court. The matter could not proceed further due to the pending judgment of F-14 / F-15, to which Park Road case had been clubbed with.

38. After judgment of Supreme Court, in favor of FGEHA and meetings with the SCBA, proposal to enhance the rate of compensation of land in Park Road was presented before the Board again in the 8th Executive Board Meeting, however, the Board deferred the agenda.

39. SCBA Land Supervisory Committee headed by Justice Baqir, was formed and meetings between FGEHA and the Committee were held to discuss the way forward. The said Land Supervisory Committee decided the rate of Rs. 3,400,000/- per kanal (i.e. Rs.1,725,000/- of Award plus Rs. 1,675,000/- against Easement for Possession) of the land in Mauza Mohrian for SCBAP's share.

40. As endorsed by the Land Supervisory Committee, approval regarding adoption of Land Sharing in both Mauza Tamma and Mohrian was taken in 13th EB meeting which is reproduced as under;

> ***"The Board decided that the roadmap proposed, was approved in principle if SCBA and FGEHA proceed on the principal of parity in the development and distribution of plots, in each phase".***

41. In the 19th Meeting of the Executive Board dated 22-12-2021, it was proposed that in the light of court proceedings, on-ground realities and due deliberations with relevant stakeholders, the Board may consider the rate of Rs. 3,400,000/- kanal inclusive of 15% acquisition charges for Mouza Mohrian. Following discussion was held:

> ***"The Board was of the opinion that the suggested enhancement would not be sufficient to fulfil the criteria laid down by the Honourable High Court in Noman Vs CDA. The Board not only wanted to fulfil its obligations towards its members but also wanted that fair and just compensation be given to the affectees from whom the land was being acquired. Considering the market value and DC rates of the area it was unanimously decided that the price offered to the landowners/ affectees should be enhanced to Rs. 4million for Mouza Mohrian and Rs 9 million for Mouza Tamma. The rationalization for these rates was based on the prevalent market value and DC rates 2021".***

DC VALUATION TABLE APRIL 29, 2021"

MOUZA MOHRIAN

Cat-1 - 900,000/Marla = 1 crore 80 lac/Kanal
Cat-2 – 200,000/Marla = 40 Lac/Kanal
Cat-3 – 100,000/Marla = 20 Lac/Kanal
Cat-4 – 80,000/Marla = 16 Lac/Kanal

Given that the area acquired by FGEHA falls largely in Cat-2 the rate of Rs. 4,000,000 was deemed suitable.

MOUZA TAMMA

Cat-1 - 800,000/Marla = 1 crore 60 lac/Kanal
Cat-2 – 300,000/Marla = 60 Lac/Kanal
Cat-3 – 150,000/Marla = 30 Lac/Kanal
Cat-4 – 100,000/Marla = 20 Lac/Kanal
Cat-5 – 50,000/Marla = 10 Lac/Kanal

Given that the area acquired by FGEHA falls largely in the first 3 categories, the average rate came out to be Rs. 8,300,000/-

"The enhanced rates of Rs. 4,000,000/- for Mauza Mohrian and Rs. 8,300,000/- for Mouza Tamma were approved by the Board, for submission to the Honourable Islamabad High Court."

42. Subsequently, the Board in its 21st meeting, held on 20-05-2022, endorsed the said rate of Rs. 4,000,000/- per kanal for whole Mauza Mohrian.

43. Director General FGEHA informed the Board that after the above decision, SCBAP insisted on adoption of same rates as decided by the Land Supervisory Committee for land in Mauza Mohrian i.e. Rs.3,400,000/- per kanal. However, the matter was placed in the **22nd meeting of Executive Board**, held on 03-08-2022 wherein the Secretary Law, Justice & Human Rights was specially invited, who recommended to follow Land Supervisory Committee's decision regarding fixation of Rs. 3,400,000/- per kanal for whole Mauza Mohrian. Agreeing to the advice of Secretary (Law), the Board reversed its earlier decision of Rs. 4,000,000/- and decided the rate of Rs. 3,400,000/- per kanal for the whole Mauza Mohrian whereas for Mauza Tamma, Rs. 4,000,000/- per kanal instead of Rs. **8,300,000/-.**

44. Director General FGEHA apprised the Board about the latest status of physical progress at site stood at 4.87%. The work on Main Boulevard expanding on an area of 165 kanal is in progress, work of subgrade top of 1.3 km out of 3.6 km had been completed whereas the sub base & base on 1km had also been done. Moreover, physical survey of 1,034 kanal out of 2,680 kanal (under possession) was carried out along with clearing and grubbing of the same. Financial progress till date, stood at 4.25% as per recommendation of the consultant i.e. NESPAK. So far, a total of 2.12% of the payment had been released to the contractor by FGEHA. Mobilization advance of the sum of Rs. 716 million (15% of the contract amount) against the Bank Guarantee had also been paid. Moreover, facility of one window operation had also been provided at the project site to facilitate the land owners by swift processing of claim/ payment within a day, and expediting the process of verification and possession of land within 2 days. Further, one window facility was operational on holidays as well.

45. Director General FGEHA informed the Board that an active liaison with SCBA and land supervisory committee would be required for taking possession of land in Mouza

Mohrian. He further apprised that land sharing formula in Mouza Tamma and to adopt the instrument of 'Easement of Possession' in Mouza Tamma on the same analogy as was adopted for Mouza Mohrian would be required for acquisition of land.

RECOMMENDATIONS:

46. Following recommendations were submitted for the consideration / approval of the Board:

i) Land sharing formula i.e. 4 kanal of raw land in exchange of 1 kanal of developed residential plot whereas, and/ or 4 kanal of raw land in exchange of 5 marla of developed commercial plot would be considered for acquisition of land in Mouza Tamma, subject to payment of development cost as per CDA policy and earlier decisions of the Executive Board of FGEHA regarding Sector F-12 & G-12.

ii) In addition, the options of enhancing the compensation or the instrument of 'Easement of Possession' for Mouza Tamma, on the same analogy of Mouza Mohrian may be explored and brought for the decision of the Executive Board.

DISCUSSION:

47. The Board was briefed in detail about possession of land in Mauza Tamma and Mohrian; and progress of development work in Park Road Housing Scheme. It was apprised to the Board that the biggest stumbling block in getting the substantial possession in Mauza Tamma is the rigid dichotomy in the current rate of Mauza Tamma which arose due to the divergent decisions of earlier Executive Boards. In this regard, Board's attention was invited to the decisions of 19th, 21st and 22nd meetings which left the issue unresolved till date. The 19th EB decided as; ***"The enhanced rates of Rs. 4,000,000/- for Mauza Mohrian and Rs. 8,300,000/- for Mouza Tamma were approved by the Board, for submission to the Honourable Islamabad High Court".*** The Board in its 21st meeting endorsed the said rate of Rs. 40,00,000/-per kanal for whole of Mauza Mohrian. Later on, SCBA insisted on adoption of same rate as decided by the Land Supervisory Committee for land in Mauza Mohrian i.e. Rs. 34,00,000/- per kanal. Matter was placed in 22nd EB wherein the Board reversed its earlier decision of Rs. 40,00,000/- and decided the rate of Rs.34,00,000/- per kanal for the whole Mauza Mohrian and Rs.40,00,000/- for Mauza Tamma instead of Rs. 83,00,000/-

48. DG FGEHA while briefing about the details of possession of land in Mohriyan, apprised the Board that SCBA had taken over the possession with the help of private land

owners whereas despite the fact that FGEHA had paid compensation, possession could not be taken yet, due to the resistance from the locals in Mohriyan.

49. DG FGEHA briefed the Board about the physical progress of the project. Senior Joint Secretary (H&W) advised to eliminate any sort of inordinate delays / unnecessary observations in processing the payment claims of the landowners. To this, the Director General, FGEHA apprised the forum that one window operation has already been started at the project site to facilitate landowners and to expedite the entire process/ procedure of payment by concluding it within a day or two at maximum. The Board appreciated the initiative taken by the DG FGEHA with the direction to facilitate the land owners by simplifying the processes involved in verification, payment and possession of land at project site.

DECISION:

50. The Board directed DG FGEHA to present a detailed analysis of options being recommended at para 46/ ante in the next Board meeting for consideration.

AGENDA ITEM NO. 06

Subject: AUDITED ACCOUNTS OF THE FEDERAL GOVERNMENT EMPLOYEES HOUSING AUTHORITY FOR THE FINANCIAL YEAR 2021-2022

51. The Board was briefed that in the light of decision of Executive Board in its 24th meeting, held on 02-11-2022, M/S RSM Avais Haider Liaquat Nauman, Chartered Accountant (Category A firm on SBP list) had been selected to conduct the audit of the Financial Statements of Federal Government Employees Housing Authority for the Financial Year 2021-2022.

52. The Chartered Accountant had completed the assignment. Finance and Accounts Committee approved the two agendas in the meeting held on 23rd August 2023 in the office of Senior Joint Secretary (Expenditure) M/O Housing & Works and recommended the Audited Accounts of FGEHA for the Year 2021-2022 along with appointment of Auditors for the Financial Year 2022-23 to be placed before the Executive Board, FGEHA for approval.

53. Following two agenda items were placed before the Executive Board for approval:

i. Audited Accounts of FGEHA for the Financial Year 2021-2022.

ii. Appointment of M/S RSM Avais Haider Liaquat Nauman, Chartered Accountants as Auditors of FGEHA for Audit of Accounts for the Financial Year 2022-2023 @ Rs. 1,650,000/- (inclusive out of Pocket Expenses).

RECOMMENDATIONS:

54. Audited Accounts of the Federal Government Employees Housing Authority for the Year 2021-2022 may be approved along with approval of M/S RSM Avais Haider Liaquat Nauman, Chartered Accountants as Auditors of FGEHA for Audit of Accounts for the Financial Year 2022-2023 @ Rs. 1,650,000/- (inclusive out of Pocket Expenses).

DISCUSSION:

55. The Executive Board was informed that Audited Accounts of FGEHA for the Financial Year 2021-22 and Appointment of Auditors, FGEHA for the Financial Year 2022-2023 along with Audit Fee amounting Rs.1,650,000/- (inclusive out of Pocket Expenses) were placed before the Finance and Accounts Committee in its meeting held on 23rd August 2023 which the committee had recommended for approval of Executive Board.

DECISION:

56. **The Executive Board endorsed the recommendations of Finance and Accounts Committee and approved as follows:**

i. **Audited Accounts of FGEHA for the Financial Year 2021-2022.**
ii. **Appointment of M/S RSM Avais Haider Liaquat Nauman, Chartered Accountants as Auditors of FGEHA for Audit of Accounts for the Financial Year 2022-2023 @ Rs. 1,650,000/- (inclusive out of Pocket Expenses).**

AGENDA ITEM NO. 07

Subject: CONSTITUTION OF BOARD OF FGEHA IN-LINE WITH STATE-OWNED ENTERPRISES ACT, 2023.

57. Mr. Saad Fazil Abbasi, Sr. Joint Secretary, Ministry of Housing and Works being a member of the Board of FGEHA requested the Chair to instruct management of FGEHA to initiate process for bringing the composition of the Board of FGEHA in line with State-owned Enterprises Act, 2023 and to constitute a special Board Committee to oversee the progress of ongoing projects of FGEHA.

58. The comprehensive review of State-owned Enterprises Act, 2023 (**'SOE Act 2023'** indicated that the Act did not contain any provision explicitly stating that the composition of any Authority established under its statute should deviate from the composition outlined in the parent statute. Additionally, it was noteworthy that the SOE Act, 2023 lacks any specific provision detailing the composition of the Board for any statutory Authority. In essence, the Act neither prohibited adherence to the parent statute's composition nor provided a distinct composition framework for the Boards of statutory Authorities.

59. Additionally, it was crucial to note that Section 4 of the FGEHA Act, 2020 meticulously outlines the composition of the Board by specifying designated positions. This configuration was binding and could not be altered unless there is an amendment to Section-4 of the FGEHA Act. The current composition, as outlined in Section-4, remained in force unless a legislative revision had been undertaken.

60. Furthermore, Section-12 of the State-owned Enterprises Act, 2023 singularly addressed the composition of the Board. This section stipulated that the Board of a company should consist of independent directors, ex-officio directors, and the chief executive officer of the company. Notably, the definition of a "company" under Section 2(f) specifies that it refers to a company incorporated under the Companies Act, 2017 (XIX of 2017), which fell under the category of a state-owned enterprise. A meticulous examination of these provisions unequivocally revealed that they exclusively pertained to the composition of the Boards of companies established either under the Companies Act, 2017, or through Act of Parliament.

61. In essence the SOE Act, 2023 primarily aimed to deal with the companies owned and controlled by the Federal Government and companies established through Act of Parliament like Pakistan International Airlines Corporation (Conversion) Act, 2016 and Pakistan National Shipping Corporation Ordinance, 1979 etc.

62. A similar inquiry emerged regarding the composition of the Privatization Commission's board, leading to the matter being referred to the Law Division. Consistent with the previously mentioned perspective, the Law Division concurred the above stated stance, asserted that the State-owned Enterprises Act, 2023 did not apply to the Privatization Commission. Accordingly, the composition of the Privatization Commission's board had been brought in line with the provisions stipulated in the Privatization Commission Ordinance, 2000.

63. Secondly, he suggested for composition of special committee to oversee the progress of on-going projects of FGEHA. Section 10 of FGEHA Act 2020 empowers the Executive Board to constitute committees as may be deemed necessary for carrying the functions of the Authority and the committee shall perform the functions in the manner specified by the Board.

64. The view point of the Ministry of Housing and Works on the subject matter also endorsed the recommendations presented below.

RECOMMENDATIONS:

65. In view of the foregoing, the Executive Board may decide:

(i) The composition of EB of FGEHA was in line with its parent statue and needed no revision; and

(ii) In the event that the Board considered the establishment of a special committee, as proposed, the Board is vested with the authority to proceed accordingly.

DISCUSSION:

66. Sr. Joint Secretary (Expenditure) Finance division reiterated his earlier stance and informed the Board that the formation of FGEHA Board should be brought in accordance with the State-Owned Enterprises Act 2023. He further explained that the FGEHA being a body corporate fell under the preview of said act therefore steps should be taken to ensure that the SOE Act 2023 was complied with.

67. Director Law FGEHA explained to the board that section 12 of State-Owned Enterprises Act 2023 dealt with the formation of Boards of State Owned Companies and that the said Act was silent on the composition of boards of Body Corporate /Authorities like the FGEHA.

68. The Draftsman Law Division concurred the stance of Director Law and further explained that the composition of Boards of Authorities were explained under section 15 of State Owned Enterprises Act 2023. The said section made it compulsory for authorities to make amendments to their respective Acts and ensure that the Head of the Department should not sit as Chairman of the Board. In case of FGEHA, the Chairman of its Executive Board is the Minister in-charge of concerned Division, whereas the Director General FGEHA is acting as its Head. Therefore, the composition of FGEHA board was completely in consonance with State Owned Enterprises Act 2023.

69. The Additional Secretary (H&W) pointed out that inclusion of Chief Engineer FGEHA as member of Executive Board presents an anomaly since Director General, FGEHA as Secretary of the Board is not supposed to present his recommendations to one of his officers otherwise lower in his own administrative hierarchy.

70. The Chairman CDA apprised that no such intimation regarding re-constitution of Board in line with SOE Act-2023 had been received. Further, Additional Secretary, Housing

& Works advised to route such suggestions regarding crucial matters of re-structuring of Board through proper channel i.e. concerned ministries to make it effective. Managing Director, PHA and Sr. Draftsman, Ministry of Law & Justice also endorsed the advice of Additional Secretary, M/o Housing & Works. Further, Sr. Draftsman, Ministry of Law & Justice apprised that the proposal floated by Sr. Joint Secretary (Expenditure) did not cover FGEHA in the light of Law & governing rules.

71. After threadbare discussion, the Board agreed with the opinion of Director (Law) and Sr. Draftsman, Law, Justice & Human Rights Division and held that the formation of FGEHA Board as envisaged by its parent statute i.e. FGEHA Act 2020 needed no revision. The Honourable member of Law Justice & Human Rights Division also pointed out that Minister of Housing & Works cannot act as the Chairman of body corporate therefore Chairmanship of the Board may be reverted back to the Secretary Housing & Works. After detailed deliberation it was decided that the matter may be referred to Law, Justice & Human Rights Division for opinion in the light of applicable laws. The Chair also opined to incorporate at least 02 retired bureaucrats as Board members to get maximum benefit from their experience and knowledge.

DECISION:

72. **The Board by majority decided that there was no need of revision of Board of FGEHA in-line with State-Owned Enterprises Act-2023 as 'SOE Act-2023' does not apply on FGE Housing Authority. Board also decided that inclusion of Chief Engineer as member of Executive Board needs to be rationalized /re-considered and at the same time there is a need to enrich and expand the current quorum of the Board by incorporating at least 02 retired bureaucrats as co-opted/Permanent members. The Board directed to refer the instant case to Law, Justice & Human Rights Division for seeking formal advice with the request to shed light on the afore stated aspects along with a need of reverting chairmanship of the Board to Secretary, Housing & Works instead of Minister, as pointed out by Draftsman Law & Justice Division, to align the Board with the standard structure of Boards of other authorities / entities.**

The meeting ended with the vote of thanks.

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LIST OF PARTICIPANTS OF
30th EXECUTIVE BOARD MEETING OF FGEHA
HELD ON 30-11-2023

S No.	Name & Designation
1.	**DR. SHAHZAD KHAN BANGASH** Secretary, M/o Housing & Works, Islamabad
2.	**MR. WAQAS ALI MAHMOOD,** Additional Secretary M/o Housing & Works, Islamabad.
3.	**MR. MUHAMMAD ISRAR** Draftsman, Law & Justice Division
4.	**CH. MUHAMMAD ANWAR HUSSAIN** Senior Chief (Technical/PP&H), Planning Commission, Islamabad
5.	**MR. SAAD FAAZIL ABBASI,** Sr. Joint Secretary (Expenditures), Finance Division, Islamabad
6.	**MR. CAPT. (R) ANWAR-UL-HAQ,** Chief Commissioner, ICT. Islamabad
7.	**MR. MUHAMMAD SHAHID HUSSAIN,** Managing Director, PHA Foundation, Islamabad
8.	**ANWAR UL HAQ DOGAR** Director General, Pak PWD, Islamabad
9.	**CAPT.(R) ANWAR-UL-HAQ,** Chairman CDA, Islamabad
10.	**CAPT. (R) MUHAMMAD ZAFAR IQBAL,** Director General, FGE Housing Authority Islamabad
11.	**COL. (R) IMTIAZ-UL-HAQ KHATTAK,** Chief Engineer, FGEHA Islamabad
12.	**MR. ASHFAQ AHMAD GHUMMAN** (Co-opted Member) Sr. Joint Secretary, Islamabad
13.	**MR. MUHAMMAD ADNAN DAYAR** (Co-opted Member) Joint Secretary (Estate) M/o Housing & Works, Islamabad