

MINUTES OF THE 45TH MEETING

MINUTES OF THE 45TH MEETING OF THE EXECUTIVE COMMITTEE OF
THE BOARD OF GOVERNORS HELD ON APRIL 24, 1996.

The 45th meeting of the Executive Committee of the Board of Governors of the Federal Government Employees Housing Foundation was held on 24.4.1996 at 10:30 AM in the Committee Room of the Works Division, Block "B", Pakistan Secretariat, Islamabad under the Chairmanship of its Chairman (Secretary, Housing & Works). The list of the participants is appended.

2. The meeting commenced with the recitation from the Holy Qur'an by Dr. Mohammad Rasool Khan, Joint Engineering Adviser, Housing & Works Division. The Chairman welcomed the participants, and asked the Director General, Housing Foundation to proceed with the agenda for the meeting.

Item 1
CONFIRMATION OF THE MINUTES OF THE 44TH MEETING OF THE EXECUTIVE COMMITTEE OF THE BOARD OF GOVERNORS.

3. The minutes of the 44th meeting of the Executive Committee of the Board of Governors of the Federal Government Employees Housing Foundation held on 12.11.1995 were confirmed.

Item 2
IMPLEMENTATION STATUS OF THE DECISIONS TAKEN IN THE 44TH MEETING OF THE EXECUTIVE COMMITTEE.

Islamabad (Phase-III)

4. The Director General, Housing Foundation apprised the Executive Committee of the efforts made to obtain soft term loan from the Finance Division and other financial institutions/banks i.e., National Bank of Pakistan (NBP), Habib Bank Limited (HBL), CitiBank, Al-Faisal Bank and Al-Habib Bank which, however, could not materialise. The Executive Committee was informed that the draft brochure for launching the scheme had been prepared and circulated among the members of the Executive Committee for their views/comments. The members were also informed that the Capital Development Authority (CDA) was approached to issue the requisite NOC for launching the scheme. The 'NOC' was received on 23.4.1996 but it contained certain conditions and the Housing Foundation was asked to accept the same before launching the Scheme. The issue was included in the agenda of the meeting for discussion in detail.

Item 4
REPORT OF THE SUB-COMMITTEE REGARDING IMPOSITION OF LIQUIDATED DAMAGES ON THE DEFAULTING CONTRACTORS OF PHASE-I OF THE HOUSING SCHEME.

5. The Executive Committee was informed that the Sub-Committee which was constituted under the Chairmanship of Director General, Pakistan PWD., for looking into the issue of imposition of liquidated damages and claims of the Contractors had almost finalised its recommendations and would be put up to the Executive Committee in its next meeting. The Executive Committee was also informed that the Sub-Committee needed time to finalise its recommendations as each Contractor was given individual hearing to present his viewpoint and claims. The Sub-Committee had to visit the site in connection with some of the claims of the Contractors. The Chairman, Executive Committee observed that the recommendations of the Sub-Committee should be put up before the Executive Committee in its next meeting which may be held sometime in May 1996.

Item 5
HOUSING SCHEME AT KARACHI - TENDERS OF INFRASTRUCTURE WORKS.

6. The Executive Committee was informed that the work for laying infrastructure had been awarded and the Contractors had already mobilised at site. On a query from the Chairman, it was informed that the Phase-II of the Housing Scheme at Karachi would be launched after the completion of about 25% of the infrastructure work so as to generate a good response. It was also informed that the cost of individual houses would be worked out after finalisation of the plans of different categories of houses. The suggestions received from the individual allottees were being incorporated in the plans of the houses.

Item 6
SERVICE RULES FOR THE EMPLOYEES OF THE HOUSING FOUNDATION.

7. The Executive Committee was informed that the Sub-Committee which was constituted earlier to re-examine the Service Rules had finalised its recommendations and were on the agenda for consideration and approval of the Executive Committee.

Item 8
EXEMPTION FROM LATE PAYMENT SURCHARGE AND WATCH & WARD CHARGES IN CASE OF WIDOWS/FAMILIES OF DECEASED ALLOTTEES OF PHASE-I OF THE HOUSING SCHEME, ISLAMABAD.

8. The Executive Committee was informed that the decision had since been implemented.

Additional Item

HOUSING SCHEME AT KARACHI - APPROVAL OF PLANS OF INDIVIDUAL HOUSES.

9. The Executive Committee was informed that the plans of different categories of houses were circulated among the allottees for obtaining their suggestions, which had since been received and were being incorporated by the Consultant in the final plans, wherever feasible.

Item No.3

LAUNCHING OF HOUSING SCHEME FOR JUDGES, CIVIL SERVANTS AND JOURNALISTS IN SECTOR G-13, ISLAMABAD (PHASE-III).

10. The Chairman briefed the Executive Committee about the background and the efforts made so far in launching of the Housing Scheme. The Finance Division was approached for the grant of loan on soft term basis upto Rs 750 million to be utilised for the acquisition of land. The Finance Division, however, regretted to extend the loan facility. The other financial institutions/banks i.e., NBP, HBL, CitiBank, Al-Faisal Bank and Al-Habib Bank were also approached for the grant of loan upto Rs 200-250 million for a period of one year, so that necessary amount could be placed with the District Collector, Islamabad enabling him to issue the necessary notification. Al-Faisal Bank and Al-Habib Bank did not respond, whereas CitiBank regretted to extend the facility. NBP and HBL indicated to extend the loan charging interest @15% per annum against Government guarantee and requisite credit allocation by the State Bank. HBL also indicated to offer the loan in the absence of Government guarantee at an interest rate of 22% per annum. The said proposition was not found feasible as it would raise the cost of plots considerably and thus affect the response to the Housing Scheme adversely. Therefore, the only option available was to place Rs 50 million with the District Collector, Islamabad to enable him to issue notification for the acquisition of land.

11. The Director General, Housing Foundation informed the Executive Committee that the formalities for the acquisition of land by the District Collector, Islamabad had almost been completed. The District Collector had already intimated the Khasra numbers along with land areas which were to be excluded from the notification to be issued for the acquisition of land as they were falling in grave yards, mosques and land belonging to Pakistan Railways and CDA. The net area which is expected to be notified for the acquisition purpose will be about 680 acres against a gross area of about 750 acres encompassing the whole sector.

12. The Assistant Commissioner, Islamabad (District Collector) who attended the meeting on special invitation, informed the Executive Committee that about 90% of the documentation required for issuance of notification for acquisition of land had been completed. The land which was required to be exempted from acquisition process, had also been identified. The District Collector also agreed to issue the notification for the total area and start with the process of acquisition of land in phases immediately after the placement of funds amounting to Rs 50 million. On a query from the Chairman, Executive Committee about the possibility of landing into litigation with the land owners on the issuance of notification of acquisition, the District Collector informed the Executive Committee that the Civil Courts are not vested with the powers to grant the stay on the notification issued under the Land Acquisition Act, 1894. The land owners could only approach the courts for enhancement of compensation if they were not satisfied with the award given by the Collector. The District Collector also indicated that the notification would first be issued under section 4 and negotiations then held with the land owners regarding cost of land and compensation payable to them for the built up property.

The Executive Committee authorised the Director General, Housing Foundation to place Rs 50.00 million at the disposal of District Collector, Islamabad to enable him to issue the notification for the acquisition of land under the Land Acquisition Act, 1894.

13. The Executive Committee was informed that the Prime Minister's directive envisaged the allotment of plots to MNAs, Judges, Civil Servants and Journalists in sector G-13, Islamabad, however, later on, MNAs were excluded from the Scheme as they were being accommodated separately by the CDA. The Chairman briefed the Executive Committee about his discussion with the Secretary, Law & Justice Division for accommodating the Judges of Supreme Court of Pakistan and Federal Shariat Court in the Scheme. The Secretary, Law & Justice had suggested that Judges of Supreme Court of Pakistan, Federal Shariat Court and High Courts may be included in the above scheme. At this stage, Mr. Ghani Sameen, Joint Secretary (representative of the Law & Justice Division, who attended the meeting as a special invitee) informed the Executive Committee that there was no Federal Judicial Cadre. The Supreme Court and Federal Shariat Court were independent institutions of the Federal Government. The Judges of High Courts are transferred to the Federal Shariat Court on tenure basis. Moreover, the senior Judges of the High Courts are inducted into the Supreme Court of Pakistan. He indicated that in all about 121 Judges would come under the administration of the Federation as per following detailed break-up:-

i)	Judges of Supreme Court of Pakistan	16
ii)	Judges of Federal Shariat Court	8
iii)	Judges of Lahore High Court	50 (38 in position)
iv)	Judges of Sindh High Court	28
v)	Judges of Peshawar High Court	13
vi)	Judges of Baluchistan High Court	6

The representative of Law and Justice Division further informed that the Law Division borrows the services of judicial officers from the Provinces to man different posts from Section Officers to Federal Secretary. If an Officer of the Provincial Judiciary retires from the Ministry then the pension is paid by the Federal Government. Certain posts in Federal Judicial Academy have also been filled through borrowing from the Provincial Judiciary. The Law & Justice Division was of the view that in addition to the Judges of Supreme Court of Pakistan and Federal Shariat Court, the Judges of High Courts and Presiding Officers/Judges of the Administrative Courts may also be made entitled to participate in the scheme.

The Executive Committee, after detailed discussions, agreed that only Judges of the Supreme Court, Federal Shariat Court and High Courts working against the constitution posts and administered by the Federation, be considered eligible to participate in the housing scheme.

14. During discussion pertaining to the allotment of plots to the Journalists, the Joint Secretary (Cabinet) observed that the Journalists are not entitled to get plots from the Housing Foundation as they are not the Federal Government employees. The Chairman observed that the Journalists are being accommodated under the directive of the Prime Minister, and a quota of plots may be earmarked for them in the scheme to be allotted through Ministry of Information and Broadcasting. The representative of Ministry of Information and Broadcasting who attended the meeting on special invitation, informed the Executive Committee that Media Foundation had already been allotted land for the construction of 200 flats in sector D-12 by the CDA for allotment to Journalists. Moreover, the Media Foundation had also demanded land in sector G-8, Islamabad for construction and allotment of flats to the Journalists.

It was suggested and agreed by the Executive Committee that a quota of 3% of plots may be reserved for the Journalists which would be placed at the disposal of Ministry of Information & Broadcasting who would draw up criteria for allotment of plots.

15. The Director General Housing Foundation informed the Executive Committee that the CDA was approached for the issuance of NOC for launching Phase-III of the Housing Scheme in sector G-13, Islamabad in November 1995. The CDA has, however, indicated to allow the launching of the scheme by the Housing Foundation subject to the acceptance of following conditions:-

- i) The land shall be acquired by the Federal Government Employees Housing Foundation directly on negotiation basis or under the Land Acquisition Act, 1894. CDA shall not in any way be involved in this process and shall not be responsible for any compensation, etc., or rehabilitation of expropriated land owners.
- ii) In addition to sector G-13, half the width of adjoining right of way of principal roads on its north, east and west shall also be acquired. The measurement shall be 6300' x 6000'.
- iii) The physical survey plan with a contour interval of 2 feet shall be prepared by Survey of Pakistan or by some renowned company in association with the CDA.
- iv) The layout plan of the sector on the scale 1:4000 and 1:1000 shall be prepared by the CDA.
- v) The engineering design of the physical infrastructure shall be prepared by the CDA.
- vi) The infrastructure development work in sector G-13 shall be executed by the CDA as deposit work.
- vii) The commercial plots shall be given to the Authority on actual cost basis.
- viii) 15% quota of the total residential plots in various categories shall be allocated to the CDA for allotment to its employees of various categories.

16. The conditions put-forth by the CDA were discussed in detail with the representatives of the CDA who attended the meeting on behalf of the Chairman, CDA who was specially invited to attend the meeting.

- i) The Executive Committee was informed that the Housing Foundation had already approached the District Collector, Islamabad for acquisition of land under Land Acquisition Act, 1894 under the Prime Minister's directive, and CDA has no involvement in the land acquisition process.
- ii) The Executive Committee was also informed that the Housing Foundation agreed to the acquisition of land having half the width of adjoining right of way of principal roads falling on North, East and West of sector G-13, Islamabad as proposed by the CDA. The issue will be got settled through the District Collector before the issue of notification for the acquisition of land.
- iii) The Executive Committee was informed that the Housing Foundation had already planned to get the Physical Survey Plan with a contour interval of 2 feet prepared by the Survey of Pakistan, in consultation with the CDA.

iv, v & vi)

Detailed deliberations were held on conditions at serial No. iv, v & vi. The Director General, Housing Foundation was of the view that Consultant of national/international repute may be engaged for preparation of physical planning and engineering designs of the physical infrastructure of the area. The CDA may be asked to ensure provision of water supply, trunk sewers/drains at fixed locations along the periphery of G-13 sector. Similarly, provision of electricity and gas may have to be ensured from the concerned agencies i.e., WAPDA, SNGPL etc., through direct liaison by the Housing Foundation. The execution of work may be done by engagement of suitable contractors after prequalification under the supervision of the appointed consultant of repute. The track record for development of sectors by the CDA was not very satisfactory as CDA normally took 10-12 years for the development of a sector.

The Chairman proposed that first the CDA may indicate their rates for providing services to the Housing Foundation and also a time schedule for executing the above works. The issue may then be placed before the Board of Governors of the Housing Foundation for taking decision in the matter. The Director General, Housing Foundation was also directed to contact some reputable Consultants and obtain their rates for rendering services in order to have a comparison with the rates to be offered by the CDA.

- vii) The Executive Committee was informed that the conditions put-forth by the CDA for giving commercial plots to the CDA on actual cost basis was not acceptable as the financial feasibility worked out by the Housing Foundation for the Housing Scheme, envisaged disposal of commercial plots through open auction and sale proceeds so obtained was to be accounted towards cross subsidy for evaluating the cost of plots to be allotted to the bonafide applicants.
- viii) The Executive Committee also did not agree to allocate a quota of 15% of total residential plots in various categories to CDA for allotment to its employees as the CDA employees were eligible to participate in the above Housing Scheme against a quota reserved for the employees of autonomous/semi-autonomous bodies under the prescribed terms and conditions.

17. The Executive Committee deliberated upon the draft brochure for the Housing Scheme and its clauses were discussed in detail. The following amendments were proposed:-

Words "*and in conformity with the provisions of National Housing Policy*" are to be added in line-3 of clause-2, after the word "*Islamabad*" under sub-head "*Salient Features*".

Clause-3 under the sub-head "*Salient Features*" is to be re-worded as "*investment of allottees shall be 100% secure*".

Clause-4 under the sub-head "*Salient Features*" is to be re-worded as "*payments of costs have been planned and scheduled in easy instalments*".

Clause-6 under the sub-head "*Salient Features*" is to be re-worded as "*Planning and Design standards framed by the CDA from time to time shall be followed during execution of the scheme*".

The sub-heading "*Criteria for Eligibility and Distribution of plots*" is to be re-worded as "*Allocation/Distribution of Plots*".

Under clause-5(a), the word "*High Courts*" is to be added after the words "*Judges of Supreme Court*".

A quota of plots against clause-5(a) is to be written as "77%" in place of "75%".

A quota of plots shown against clause-5(c) "*Journalists*" is to be changed from "5%" to "3%".

Words "*or those deserving/hardship cases among the above applicants (including employees serving in the Federal Government Employees Housing Foundation) who although eligible but do not fulfil the requirements stipulated in clause "a" under Criteria for Allotment*" are to be deleted after the words "*during service*" in clause-5(c).

Words "*Chief Justice of Supreme Court of Pakistan*" are to be substituted with the words "*Law and Justice Division*" in clause (a) under sub-head "*Procedure for Allotment*".

Words "*as in case of other Civil Servants, as defined under Civil Servants Act, 1973*" are to be added at the end of clause (a) under sub-head "*Procedure for Allotment*".

Word "*ever*" is to be substituted with the word "*never*" in line-3 of clause (c) under sub-head "*Criteria for Allotment*".

Words "*or any other authority*" are to be added after the words "*Defence Housing Authorities*" in line-4 of clause (c) under sub-head "*Criteria for Allotment*".

Words "*and other services*" are to be added after the word "*connections*" in line-5 of clause 14.

The following clause titled, "*Period of Construction of house*" is to be added in the brochure:-

The period of construction of houses by the allottees will be 3 years after handing over the plots to them.

18. The following decisions were also taken:-

- i) The District Collector, Islamabad may be approached for including the land equivalent to half the width of right of way of principal roads in North, East and West of sector G-13 in the notification to be issued for acquisition of land, as desired by the CDA.

- ii) The Director General Housing Foundation was authorised to place Rs 50.00 million at the disposal of District Collector, Islamabad to enable him to issue notification for the acquisition of land under the Land Acquisition Act, 1894.
- iii) Necessary clarification to the conditions put-forth by the CDA before issuance of NOC, may be obtained from the CDA. The charges for preparation of layout plan, engineering designs of the infrastructure and execution of infrastructure works may be obtained from the CDA and also from one or two Consultants of repute, for comparison and the matter may be placed before the Board of Governors, for necessary decision.6
- iv) The Judges of High Courts may also be made eligible to participate in the scheme along with the Judges of Supreme Court of Pakistan and Federal Shariat Court.
- v) 10% of the residential plots may be disposal of through open auction and the sale proceeds so obtained be utilized in giving cross subsidy to the cost of plots to be allotted to bonafide applicants, on the costs indicated in the brochure.
- vi) The remaining 90% residential plots may be distributed among the various categories of applicants, as given below:
- | | | |
|----|---|-----|
| a) | Judges of the Supreme Court, High Courts and Federal Shariat Court and Federal Government employees who have been declared as civil servants as defined under Civil Servants Act, 1973, including civilian employees paid from defence estimates. | 77% |
| b) | Employees of autonomous/semi-autonomous organisations and public sector organisations under the administrative control of the Federal Government (including employees serving in the Federal Government Employees Housing Foundation). | 10% |
| c) | Journalists. | 3% |
| d) | Retired Federal Government employees under Civil Servants Act, 1973. | 5% |

- e) Widows of the eligible Federal Government employees who died during service or those Federal Government employees who became disabled during service. 5%

Note: *Armed forces personnel are not eligible to participate in the scheme.*

Item 4

SERVICE RULES FOR THE FEDERAL GOVERNMENT EMPLOYEES HOUSING FOUNDATION.

19. The Director General, Housing Foundation informed that the Sub-Committee constituted earlier under the Chairmanship of Joint Secretary (Works) to examine the Service Rules for Federal Government Employees Housing Foundation had finalised its recommendations. The Joint Secretary (Works) also informed that the Service Rules for the Housing Foundation have been recommended in the light of service rules adopted by other organisation like National Zakat Foundation and Police Foundation etc. After detailed deliberations, the Executive Committee approved the Service Rules.
20. The meeting ended with vote of thanks to the Chair.