

FEDERAL GOVERNMENT EMPLOYEES HOUSING FOUNDATION

10, MAUVE AREA, G-10/4, ISLAMABAD

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Subject: MINUTES OF THE 128th MEETING OF THE EXECUTIVE COMMITTEE / BOARD OF DIRECTORS OF FEDERAL GOVERNMENT EMPLOYEES HOUSING FOUNDATION HELD ON 11.10.2013 AT 09:30 A.M.

The 128th meeting of the Executive Committee / Board of Directors of FGE Housing Foundation was held on 11.10.2013 at 09:30 hours in the Committee Room of the Federal Government Employees Housing Foundation, Islamabad. The meeting was chaired by Mr. Naveed Akram Cheema, Secretary / Chief Executive, FGE Housing Foundation, Islamabad. The list of participants is annexed.

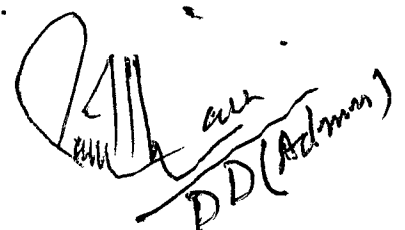
2. The proceedings of the meeting commenced with the recitation from the Holy Quran by the DG, FGEHF. The Chairman and the Director General, FGEHF welcomed the participants.

3. The agenda items were discussed in the meeting and decisions taken are reproduced below:-

Item No.1: CONFIRMATION OF THE MINUTES OF 127th MEETING OF THE EXECUTIVE COMMITTEE / BOARD OF DIRECTORS OF FGE HOUSING FOUNDATION HELD ON 30.08.2013

4. The meeting started with a discussion on adaption of the minutes of the 127th Executive Committee meeting. The Executive Committee unanimously confirmed the minutes of 127th Executive Committee/ Board of Directors meeting.

Item No.2: BROCHURE OF BHARA KAHU HOUSING SCHEME.


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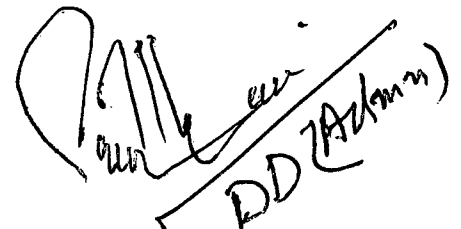
6 The Chief Executive of the Housing Foundation started with quota wise allocation of plots reflected on page 15 of the brochure. He invited discussion of the Executive Committee on clause B and C regarding 10% quota for the old retirees and 10% quota for the new retirees of the Federal government employees. Director General (Housing Foundation) explained that in the advertisement of the scheme there was reference of 10% quota for the retirees. Later on, another 10% quota was allocated to the retirees and it was decided that retirees be bifurcated in the two categories:

- a) Those before 1-7-2009
- b) Those after 1-7-2009.

7. The Chief Executive stated that quota of the retirees shall be based on age-wise seniority starting from the last allotment based on age-wise seniority which comes out to be March, 1950 and this shall be considered as cut of date for 20% quota. This will remove confusion with regard to the determination of quota based on old retirees and new retirees. It will save Housing Foundation from legal scuffles arising out of this confusion. The DG (Housing Foundation) stated that the words "old" in clause "b" be removed and clause "c" shall be eliminated altogether and this will bring it in conformity with the desired changes recommended by Executive Committee. Now to make this proposal effective, a reference shall be moved to Law Division to seek advice as to whether Executive Committee is competent to bring the desired changes OR a summary be moved to PM for the purpose. All members agree to the said proposal.

Decision: a) Opinion of the Law Division shall be sought as to whether the Executive Committee is competent enough OR summary to Prime Minister be moved for bringing changes in the allotment quota for retirees to the effect that " 20% quota for retirees be considered since the last cut off date for allotment on basis of seniority for Federal govt. employees".

b) Publication of brochure of Bhara Kahu will remain pending till the decision on this issue of quota for retirees.


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Item No.3: DEVELOPMENT OF BHARA KAHU HOUSING PROJECT.

8. The Chairman of the Executive Committee invited discussion on the agenda item with a focus on the payment schedule to the M/s Green Trees against the measurable targets as reflected in the Supreme Court decision. Member, Engr. Hassan Salim Haqqani, MD, NCL, stated that M/s Green Tree has already served legal notice on the Housing Foundation for failure to comply with the orders of the Supreme Court and release the money as per agreement. The opinion of Director (Law, Housing Foundation) was also sought who stated that 65% payment has been made to M/s Green Tree against the cost of land while the balance payment due on account of the raw land has been clubbed by the Supreme Court with measurable targets only to strengthen the position of the Housing Foundation. On this, the Chief Executive (Housing Foundation) stated that once the measurable targets have been attached with the payment schedule, it will be difficult it to release money without defining the measurable target. It is required that more than two billion development cost should also to be clubbed with the payment schedule of raw land and construction agreement be drafted to proceed with the project as envisaged in the agreement. As per agreement the cost of the developed plot of 1 kanal is cost of land + development charges (950,000 + 1,350,000). So the cost of remaining land has already been clubbed. The Director General (Housing Foundation) seconded the view point of Secretary (H&W) by stating that Supreme Court of Pakistan has reinforced the original spirit of the agreement on three counts - one payment against raw land has been made conditional to development as per para 6 and 8 of the agreement, second, the insertion of measurable targets against payment schedule by the Supreme Court has reinforced the position of Housing Foundation and 3rd the development of the land will be carried out by the same party as per agreement. The only short fall was that the Housing Foundation was not having any consultant for the project who could have drafted the construction agreement in time. Had it been done on time, there would have no problem of getting on to the measurable targets and subsequent release of funds. Representative of the M/o Interior proposed that sub-committee shall be formed to sort out the issue and this was agreed by all members. It was also agreed that M/s Green Tree be invited to resolve it amicably.

Decision: A sub-committee was constituted whose members will be selected by the Chief Executive through separate orders for coming up with workable solution on payment to M/s Green Trees.


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Item No.4: PROPOSED EVALUATION AND STEERING COMMITTEE FOR NEW EXPRESSION OF INTEREST (EOI) FOR JOINT VENTURE

9. Agenda was discussed in detail. The Secretary (H&W) asked whether this land can be utilized for the Prime Minister Housing Scheme for low income people. He further stated that it may also be seen whether we still be needing EOIs for purchase of land if Housing Foundation gets F-14 Sector. The DG (Housing Foundation) replied that this land cannot be utilized for low income people as Housing Foundation is catering for federal Govt. employees. Regarding requirement of land, DG stated that Housing Foundation will require land even if it gets G-14 sector as all federal government employees will not be accommodated.


Decision: Agenda was agreed without any time line.

Item No.5: AUDITED ACCOUNTS OF FEDERAL GOVERNMENT EMPLOYEES HOUSING FOUNDATION FOR THE PERIOD 2010-11.

10. Mr. M. Liaquat Munir Rao, Financial Advisor (Works) stated that as agreed in the previous meeting of the Executive Committee, the Director (Finance, Housing Foundation) was supposed to hold a meeting with him to clear the audit paras which did not happen. M. Liaquat Munir Rao, FA (Works) stated that he has drafted some 21 observations which he handed over to Director (Finance, Housing Foundation) and these need to be cleared by the Director (Finance). With regard to the appointment of CA firm, Chief Executive directed to advertize the same and selection be made through open bidding.

Decision: The observations made by Mr. Munir Rao, FA ("Works) should be addressed by Finance Wing of Housing Foundation and selection of CA firm shall be made through open bidding

Item No.6: BUDGET FOR THE FINANCIAL YEAR 2013-14.


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11. Dropped for the time being.

Item No.7: GRANT OF EID HONORARIUM ON THE EVE OF EID-UL-AZHA.

12. Agenda item was discussed and Chief Executive stated that this year the Eid-ul-Azha honorarium be allowed only for employees from BS-1 to BS-15.

Decision: Honorarium allowed for BS-1 to BS-15 of Housing Foundation employees for this year.

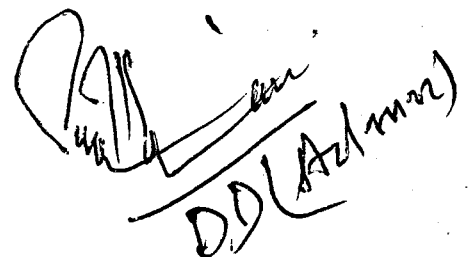
Item No.8: MINUTES OF HARDSHIP SUB-COMMITTEE.

13. Minutes of the Hardship committee were discussed. The Secretary (H&W) took serious notice of the excess allotments made under the Hardship quota and PM directives. He ordered sealing of the record and proper enquiry under the JS (Works) be conducted. Separate orders of Secretary be sought with regard to the suspension of the responsible officers.

Decision: Suspension orders of the responsible officers involved in illegal allotments be sought from Secretary (H&W) and enquiry under Joint Secretary (H&W) be finalized. All record be sealed and transactions stopped till the finalization of the enquiry.

Item No.9: ALLOTMENT OF PLOTS TO THE MEMBERS OF THE EXECUTIVE COMMITTEE

14. The DG (Housing Foundation) briefed the Executive Committee on the subject agenda. He said that Board of Directors in 103rd meeting held on 19-11-2008 approved 1%

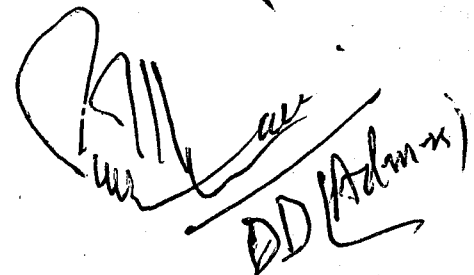

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quota of plots for the employees of Housing Foundation including deputationists, officer of sister organizations and members of Executive Committee in all schemes. However, allotments to the Executive Committee Members was subject to the condition that they should be members of Executive Committee as on 19-11-2008 and they should have not already been allotted plot / house / flat by the FGE Housing Foundation or CDA. In order to decide tenure limit of the Members of Executive Committee for allotment of plot, the issue was again placed before Executive Committee in its 123rd meeting held on 13-9-2012. However, the agenda items was postponed by the EC. So far 32 allotments have been issued to the members. A total of 32 plots were allotted to the members of the EC. There was no criteria for allotment of plots as was for the employees of Housing Foundation of M/o Housing & Works i.e. 10 years of continuous Federal government service and one and half years service in Housing Foundation. Majority of members of the Executive Committee were of the view that it would create legal complications if these allotment are cancelled particularly in presence of the judgment of the Honorable Supreme Court on the issue as reported in PLD 2002 SC 1079. Articles of Association (especially Article 4) was also discussed threadbare and it was decided that opinion of the Law Division be sought on the issue.

Decision: A D.O letter be forwarded to Law Division as to whether plots allotted to Executive Committee be cancelled or not (as per Memorandum and Articles of Association and Judgments of Supreme Court of Pakistan).

b) All transaction on account of allotment of plots to members of Executive Committee be stopped forthwith and Member (Estate) of CDA may be intimated regarding the stoppage of transaction.

Item No.10: CASE OF MR. TARIQ MAHMOOD PIRZADA, DG, FGEHF



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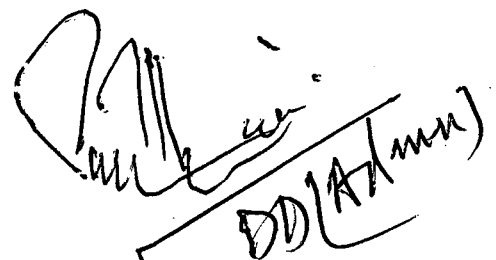
15. Mr. Tariq Mahmood Pirzada, applied for allotment of plot in Housing Scheme Phase-IV of the Housing Foundation launched in 2004 under ICT quota. At that time he was posted as Deputy Commissioner, ICT. His name was accordingly recommended by the ICT administration for allotment of Category-II plot in Phase-IV. Consequently, Plot No. 07, Street No.114, Sector G-14/3 (Measuring 356 sq yds) Islamabad, was allotted to him through balloting. Thereafter, Mr. Tariq Mahmood Pirzade submitted an application on 27-5-2013 wherein, it was stated that he assumed the charge of the post of Managing Director, PHA and working in BS-21, therefore he may be allotted a Cat-I plot as per his entitlement being a member of Executive Committee/ Board of Directors. His case was examined and a letter was sent to Chairman, CDA for allocation of Cat-I plot in Sector G-13, Islamabad. In the meanwhile, Mr. Pirzada assumed the additional charge of the post of DG (Housing Foundation). By that time a plot of Cat-I had become available in HF. Therefore, his case was processed by AD (E-II) who proposed that Plot No.1-A, St. No.128, G-13/4, Islamabad which is laying vacant may be allotted to Mr. Tariq Mahmood Pirzada with the condition that he will surrendered earlier plot allotted under ICT quota as per recommendations of ICT.

16. The Chief Executive stated that plot allotted to Mr. Pirzada was against the rules and is liable to be cancelled.

Decision: Plot No. 1-A, St. No.128, G-13/4, allotted to Mr. Tariq Mahmood Pirzada may be cancelled with immediate effect.

Item No.11: CASE OF MR. SHAFIQ A. SHAHZAD

17. The DG (Housing Foundation) briefed the Executive Committee on the subject agenda. He stated that Mr. Shafiq A Shahzad an officer of Commerce and Trade Group was posted as Director (Estate) in the FGE Housing Foundation on deputation basis for a period of three years on standard terms and conditions. He assumed the charge of the post of Director in the HF on 2-12-2011. On 14-2-2013 Mr. Shafiq A Shahzad being Director (Estate) HF submitted


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an application for allotment of plot to the then DG, Housing Foundation. At that time he had completed 1 year and 02 months service in the HF. He himself indentified availability of Plot No.28-A, St No.92, Sector G-14/3 Islamabad in his application and requested for earmarking of plot. His case as initiated by the then AD (E-IV) Mr. Fariduddin Khan, who proposed that Plot No.28-A, St. 92, G-14/3 Islamabad may be earmarked to Mr. Shahzad and POL may be issued on completion of required / mandatory time period i.e 02-06-2013, DG approved the case on the same day i.e 18-02-2013. The Final Allotment letter was issued to him on 17-6-2013. On 19-6-2013 Mr. Shafiq A Shahzad sold out his plot and the plot was transferred in the name of Mr. Asif Mahmood on the same day.

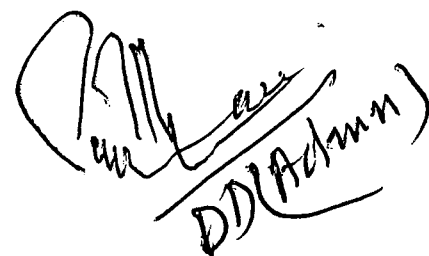
Decision: Plot is cancelled and enquiry be held to fix responsibility that under what law he got earmarked a plot before the completion of mandatory period.

Item No.12: REPORT REGARDING ALLOTMENT OF PLOT/ HOUSE NO.142-B, SECTOR I-8/2 ISLAMABAD

18. The DG (Housing Foundation) briefed the Executive Committee on the subject agenda. He stated that Mirza Zafar Baig Superintendent Custom had applied in Phase-I housing scheme and he was allotted House No.142-B, on 14-3-1992 on merit. It came to the notice of HF through a letter of confirmation on 14-4-2000 that after his demise no legal heirs survived to claim the ownership of the said house. It has been offered for auction but not yet materialized. The Chief Executive to bring it on file with all facts prior to any decision by EC and file be processed to know the facts of the case by Law / Estate Wing.

Decision: Agenda postponed.

Item No.13: CASE OF MR. AMIR ZADA KHAN, AN EMPLOYEE OF ICT

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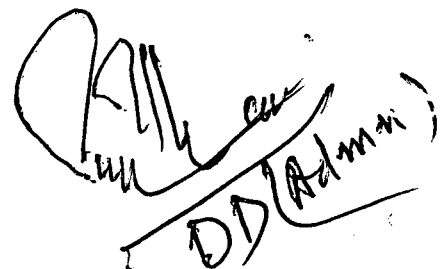
19. The DG (Housing Foundation) briefed the Executive Committee on the subject agenda. The history of the case is that Mr. Amir Zada had applied for allotment of Cat-II plot in Phase-IV scheme under Professional quota of ICT. As per criteria, the allotments are made in this quota on the recommendation of ICT. A list of applicants of ICT employees including name of Mr. Amir Zada was communicated to ICT dated 2-11-2004 for seeking their recommendations. The recommendation of ICT ON 21-4-2008 forwarded the recommendation for ICT employees for allotment was received on 24-4-2008, wherein name of Mr. Amir Zada was not included. The issue was raised at the forum of Senate Standing Committee and discussed in its last meeting. It was decided to postpone the agenda till the receipt of the minutes of Senate Standing Committee on Housing & Works.

Decision: Agenda postponed till receipt of the minutes of the Senate Standing Committee.

Item No.14: UPGRADATION OF POSTS OF ACCOUNTS OFFICER FROM BS-17 TO BS-18 AND ACCOUNTANT FROM BAS-16 TO BS-17

20. The DG (Housing Foundation) briefed the Executive Committee on the subject agenda and stated that Mr. Muhammad Afzal Javed, Account Officer (BS-17) and Mr. Muhammad Imran, Accountant (BS-16), were up-graded by worthy DG in pursuance of Finance Division's (Regulation Wing) Office Memorandum. After some time these Office Orders of up-gradation were withdrawn as approval of Executive Committee was required. Now the both Officer / official have requested again to re-examine the case of their up gradation along with benefits.

**Decision: It involves financial implications and
Agenda postponed.**


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Item No.15: FORMULATION OF CRITERIA FOR DIRECT APPOINTMENT / PROMOTION OF LAW OFFICER TO THE POST OF DEPUTY DIRECTOR (LAW)

21. Secretary ordered that rules for all positions be made. The requirement of the Law Wing be assessed and be clearly shown that what is the workload of the Law Wing. The working paper shall clearly mention the requirements and placement of officers in accordance with the rules.

Decision: "Agenda postponed with the direction that the requirements of Law Wing be assessed as per requirement separately"

Item No.16: CANCELLATION OF CAT-I PLOTS IN SECTOR G-13 ON THE DIRECTION OF HONOURABLE SUPREME COURT OF PAKISTAN.

22. The DG Housing Foundation briefed members of the Executive Committee about cancellation of Cat-I plots in Sector G-13. The situation went from bad to worse for the Housing Foundation when the PM of Pakistan announced the PM Assistance Package in 2006 and assigned CDA and the HF a testing responsibility of allotment of Cat-I plot to the Officers of Federal Government who were serving in BS-22. Resultantly the CDA was requested create some plots especially measuring 500 sq/yards for allotments under PM Assistance Package as well as to the waiting applicants in Phase-III. As a result the CDA created a handful of Cat-I plots in Sector G-13 Islamabad. Later on a Writ Petition was filed by Residents Welfare Society of G-13, through its president in the Lahore High Court, Rawalpindi Bench. The said society challenged the creation of plots in G-13 claiming that the FGEHF and CDA deviated from the original plan and converted public utility areas into residential plots. Both the High Court and Supreme Court declared the creation of plots on amenity areas as illegal and restrained the Housing Foundation from creation any plots in the amenity areas. Review was filed but it was also dismissed. The liability of these allottees can be cleared by selling the commercial area on which twelve residential plots have been created. The member did not agree to it due to involvement of financial implication and proposed for postponement of the agenda.


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Decision: Agenda postponed as it involved financial implication and a case be moved to apprise the Secretary (H&W) about the facts of case”

Item No.17. APPEAL OF MR. MUHAMMAD SIDDIQUE.

23. The DG Housing Foundation briefed members of the Executive Committed about the case of Mr. Muhammad Siddique. He stated that Mr. Siddique was allotted plot No.95, Street No.159 in Phase-I Housing Scheme. Later on, the said plot was cancelled on 24-12-1998 on the ground that another plot No. 226 Sector G-11/1 was also allotted to him. Mr. Muhammad Siddique had filed a Civil Suit against the decision of the HF which was dismissed on 9-9-2009. He filed an appeal in the court of District & Session Judge Islamabad which was also dismissed on 13-4-2010. After dismissal of the said appeal the plot No.95 Sector G-11/1 became vacant and further allotted to Mst. Zatoon Begum widow of Kanwar M. Iqal who was senior most applicant on merit. Later on the said allottee applied for final allotment letter and obtained NOC to get his plot transferred from CDA. Reportedly the said plot was subsequently transferred of couple of time in the CDA.

24. Secretary (H&W) took strong notice of the criteria for cancellation of plot on the basis of having a plot / house in Islamabad. According to Director (Law), the cancellation of plots used to be done even if the allottee was owning a self purchased plot OR one allotted by Govt. But later, it was confined to plots given by govt. The Secretary (H&W) stated that this creates doubts on the status of instant plot. The Housing Foundation shall follow the legal course and act as per decision of the court.

Decision: Housing Foundation should act as per legal decision of the court and legal course be taken to resolve the issue.

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


DD (Admin)