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CAPITAL DEVELOPMENT AUTHORITY
(SECRETARIAT)

No.CDA-802/BM-Coord/93/

Islamabad, April 28, 1993.

Subject: MINUTES OF THE SPECIAL MEETING OF THE CDA BOARD
HELD ON 24TH APRIL, 1993, AT 10.30 A.M.

A special meeting of the CDA Board was held on 24th April, 1993 (Saturday) at 10.30 A.M. in the room of the Chairman, CDA, to discuss the implications of the Judgement given by the District & Sessions Judge/Presiding Officer, Labour Court, Islamabad. The meeting was presided over by the Chairman, CDA.

2. The following attended the meeting:

- (1) Mr. Farid ud Din Ahmed, - In chair
Chairman, CDA.
- (2) Mr. S. Bilal Ahmad,
Member (Administration), CDA.
- (3) Mr. Ahmad Waqar,
Financial Adviser/Member, CDA.
- (4) Mr. Muhammad Rafiq Ahmed,
Member (Engineering), CDA.
- (5) Mr. Sabir P. Chohan,
Member (Planning), CDA.
- (6) Mr. Abdul Wahid Shahid,
Secretary to the Board, CDA.

3. The following were also present in the meeting:

- (1) Director General (Design), CDA.
- (2) Director General (Services), CDA.
- (3) P.S.O. to Chairman, CDA.
- (4) Additional Director Public Relations, CDA.

4. The following also attended the meeting on special invitation:

- (1) Mr. S. Rais Ahmed Jafri,
Consultant (Labour Matters), CDA.
- (2) Mr. S.A.M. Wahidi,
Consultant (Law), CDA.
- (3) Director Maintenance, CDA.
- (4) Director Municipal Administration, CDA.

5. After welcoming the participants, Chairman, CDA requested Mr. S. Rais Ahmed Jafri to apprise the Board on the legal aspects of the Judgement of District & Sessions Judge/Presiding Officer, Labour Court, Islamabad. Mr. S. Rais Ahmed Jafri briefed the Board on the legal implications involved in the Judgement. He pointed out that in the Judgement it has been held:-

- (a) That CDA is not an Establishment which is carried by or under the authority of the Federal Government;
- (b) That the service rules/regulations framed by the CDA cannot be termed as statutory rules/regulations;
- (c) That the Standing Order Ordinance 1968 was applicable on all the Divisions, Directorates & Establishments of CDA.

6. After in-depth deliberation and discussion and keeping in view the legal aspects of the Judgement, the Board decided as under:

DECISION

- (a) In consultation with Consultant(Labour Matters), CDA and Consultant(Law), CDA, the CDA Board

unanimously approved to file an appeal against the Judgement on "priority basis" because of the legal implications arising as a result of (a), (b) & (c) of para 5 above.

(b) It was considered that prayer for staying the Judgement was necessary to strengthen the appeal. It was, therefore, decided that while filing the appeal stay would be prayed. However, CDA may not press for a stay order in the case.

(c) It was further decided that re-instatement of the dismissed/terminated employees of the CDA would be taken up immediately, after the filing of the appeal and its admission by the Competent Appellate Forum.

Action: Mr. Rais Ahmed Jafri,
Consultant (Labour
Matters), CDA.

Mr. S.A.N. Wahidi,
Consultant (Law), CDA

Deputy Director
(Labour Relations/Law) CDA

7. The meeting concluded with a word of thanks to the chair.
