



Capital Development Authority
(Secretary CDA Board Office)

No. CDA-1351/BM-SCB/2019/

Islamabad Sep. 2019

Subject: **MINUTES OF 9TH CDA BOARD MEETING FOR THE YEAR 2019.**

9th CDA Board meeting for the year 2019 was held on **September 13 & 19, 2019 (Friday)& (Thursday) respectively at 09:30 A.M**, in the Conference Room of Executive Block, CDA Headquarter, Islamabad under the Chairmanship of Chairman, CDA.

2. Following attended the meeting:

1. Amer Ali Ahmed, (In Chair)
Chairman, CDA-
(Additional Charge),
Chief Commissioner ICT
2. Mr. Fazal-i- Mabood
FA/Member ,CDA.
(look after charge)
3. Mr. Khushal Khan,
Member (Estate), CDA/
Member (Admin),CDA.
(look after charge)
4. Mr. Humayun Akhtar,
Member(Engineering), CDA.
(look after charge)
5. Dr.Shahid Mehmood,
Member (P&D), CDA
(look after charge)
6. Syed Safdar Ali,
Secretary CDA Board.

3. Commissioner Rawalpindi as ex-officio member of the Board could not attend the meeting, while Chief Commissioner, ICT in addition to the assignment of Chairman, CDA and Board Members CEO PHAFF, Chief Engineer PHAF, DG HRD, Director –II HRD, Director EM-II, Director RP, DFA-I and DD PHAF attended the meeting.

4. Meeting commenced with the recitation of “Holy Quran” by Mr. Fazal-i- Mabood, FA/Member. Thereafter agenda items were taken up for discussion and made following decisions:-

9.1 REGULARIZATION OF DAILY WAGES/CONTRACT TEMPORARY EMPLOYEES.

11083/1351/BM/'19
13&19-09-'19/9TH

DECISION

It was decided to approve this summary in the light of Honorable Islamabad High Court decision reproduced as under:-

"In view of above background, all these ICAs stand disposed of with the direction to the Chairman, CDA, CDA Board and other Competent Authorizes of CDA to consider the cases of appellants for regularization of their services in the light of policy dated 17.10.2017, which has been adopted by the CDA Board within a period of three (03) months through speaking order, however, it is made clear that no employee shall be terminated till final decision of the competent authorities. Respondent Authorities are further directed that to consider this as one time exercise for such purpose, which is not permissible in future".(ICA NO.155/2018 DATED 16.05.2018).

"The federal Government has not played its role to settle the issue of present appellants / petitioners in justified manner rather they are not interested to resolve the issue of thousands of employees who are facing difficulties and hardships in their social life despite the fact that constitution provides a guarantee on behalf of state to all citizens of Pakistan from decimation economic frustration and job security therefore, the regularization policy is not a solution of such menace, which was created by the Federal Government on their political arena. It has been noted with great concern by this court that last three regularization policies have neither given the required results, no settled the issues of daily wages contract employees or project employees in any manner, therefore, we hold that Federal Government shall not issue any new regularization policy in future from now onwards as there must be an end to any illegal action and we should take first step to stop such kind of temporary arrangement which are not protect by law". .(ICA NO.340/2017 DATED 21.06.2018).

All employees who are working on different positions in the statutory organization / companies (controlled by Federal Government) having their own Board of Directors or Board of Governors, has to decide the cases of their employees without seeking any further approval from the Government of Pakistan, however, such kind of exercise is permissible for one time and in future they shall not hire any person on temporary, daily wages or contract basis". (Para 123(vii) of ICA NO.340/2017 DATED 21.06.2018).

2. The Board also directed that the concerned Directorate shall be responsible for the authenticity of the credential of the employees considered by the DRC and that the applicable provisions of the recruitment policy as envisaged under the Service Regulation 1992 with regards to eligibility, age etc at the time of appointment as DPL, Daily Wages, contract and contract against PM Package are fully complied with. However, any action taken in this context will only assume finality as and when the matter is finally disposed of by the court of competent jurisdiction.

Action By: Member (Admin)

9.2 APPROVAL BY THE CDA BOARD TO CALL REQUEST FOR PROPOSALS FOR "HIRING OF CONSULTANCY SERVICE FOR REHABILITATION / REPLACEMENT/ UP GRADATION OF HVAC PLANT INSTALLED AT "K" BLOCK PAK SECRETARIAT BUILDING ISLAMABAD".

Member Engineering being Member concerned requested for the withdrawal of instant summary.

9.3 NON IMPLEMENTATION OF WAFAQI MOHTASIB'S FINDINGS IN COMPLAINT NO. HQR/6670/2012 IN RESPECT OF MR. MUHAMMAD IOBAL, EX- BELDAR. (WAFAQI MOHTASIB).

11084/1351/BM/'19
13&19-09-'19/9TH

DECISION

The Wafaqi Mohtasib in its decision dated 29.04.2015 recommended that complaint's case be placed before the CDA Board and decision be taken strictly on merit and in the line with correct interpretation of Supreme Court orders. The Board discussed and decided that no special dispensation was being sought from the Board. However, Human Resource Directorate will dispose of the case as per rules, regulation and procedure in vogue. The Board further directed that Wafaqi Mohtasib decision stand implemented in true letter and spirit.

Action By: Member (Estate)

9.4 OUTSTANDING DUES REGARDING PLOT NO. 4 & 5, SECTOR H-11/4, ISLAMABAD ALLOTTED TO M/S GLOBAL SYSTEM OF INTEGRATED STUDIES (GSIS). (WAFAQI MOHTASIB).

11085/1351/BM/'19
13&19-09-'19/9TH

DECISION

The summary was presented by the Director Estate Management –II, CDA. After due deliberation, the Board approved the proposal made at Para 11 subject to fulfillment of legal formalities and compliance with regulations regarding the matter.

Action By: Member (Estate)

9.5 REIMBURSEMENT OF MEDICAL CHARGES IN RESPECT OF MR. GHULAM MUSTAFA, EX- ASSISTANT DIRECTOR, HRD DIRECTORATE. (WAFAQI MOHTASIB).

The above item could not be discussed.

9.6 EARMARKING OF NURSERIES PLOTS IN THE RIGHT OF WAYS (ROWS) H-SERIES, ISLAMABAD.

11086/1351/BM/'19
13&19-09-'19/9TH

DECISION

The summary was presented by Member Planning & Design, CDA. The Board discussed the case and disagreed with the proposals of the summary.

Action By: Member (P&D)

9.7 CONSIDERATION OF APPEAL OF M/S APCO REGARDING
11087/1351/BM/'19 CANCELLATION OF PLOT NO.1,(EX-MARGALLA TOWER) MARKAZ F-10,
13&19-09-'19/9TH ISLAMABAD.

DECISION

The summary was put up for discussion and for decision by the Board. The matter originated from a High Court decision whereby the Board has been directed to dispose of the matter judiciously. The overall consensus that allotment letter irrespective of debate on merits, was issued on 17.12.2012. Subsequently the possession was also handed over on 06.01.2015, on payment of 40% of the premium whereby constructions were commenced after obtaining approval of project drawings on 06.07.2015. As per the terms of allotment, however, subsequent payments were defaulted. Resultantly, in 2016 this plot was cancelled. However, in 2015 a letter dated 01.09.2015 has been produced by the Estate Management Directorate – II whereby the party was asked to complete formalities for grant permission to mortgage the property.

The applicant through an order of Islamabad High Court had submitted an application for consideration of withdrawal of cancellation letter, on the basis of non performance by the CDA in facilitation of mortgage. The CDA Board after due deliberation has arrived at two conclusions either the cancellation is withdrawn or restoration is examined in accordance with the restoration policy in vogue. Estate Wing supports the summary for withdrawal of cancellation on the basis of facts that CDA had not committed the mortgage despite initiating process for the same. This will result in receipt of Rs.994.050 million of the outstanding dues along with delayed charges. However, Member Planning & Design, Member Finance and Member Engineering endorsed the view that the case should be disposed of under the restoration policy in the interest of authority. It was argued by these three members that:

- a) The Mortgage process even in view of the letter dated 1.9.2015 implied fulfilment of formalities which included full payment was to be made since the terms of allotment did not allow permission to mortgage without full payment.
- b) Cancellation of Withdrawal letter is not provided in the CDA ordinance. And that the Developer had not fulfilled the terms of allotment which included additional payments of amounts received through sale of debris.
- c) Approval of summary would amount to loss to CDA as otherwise restoration policy were to be employed at current market rates.
- d) The terms of allotment were not fulfilled by the developer and the creation of mortgage of 100% amount on payment of 40% of price was not permissible under law nor as per the terms of allotment.

The split decision imply difference in calculation of the amounts to be recoverable from the developer. It is pertinent to mention that the applicant was given a personal hearing as well as hearing to the legal representative on 22.04.2019. Consequently, in a split decision the majority of member concluded with the option of considering a fresh application for restoration of plot. Board directed the Estate wing to call the petitioner with reference to the matter pertaining in court and inform them accordingly so that the issue can be resolved legally and way forward be determined in accordance with rule.

Action By: Member (Estate)

9.8
11088/1351/BM/'19
13&19-09-'19/9TH

REQUEST FOR ISSUANCE OF NO OBJECTION CERTIFICATE (NOC), TO PRIME MINISTER HOUSING PROGRAMME (HOUSING SCHEMES FOR PHAF OFFICERS RESIDENCIA AT KURI ROAD ISLAMABAD.

DECISION

Director Regional Planning, CDA appraised the facts of the case to CDA Board. The following observations were shared with the CEO of PHAF, who was allowed to attend the subject agenda item to present their point of view:-

- Approved Layout plan had certain formalities which were required for issuance of NOC
- Public notice have to be issued for the General Public to invite objection about the approved lay out plan, land use analysis and amenities plots etc.
- Submitted Mortgaged deed is not as per specimen of Modalities & Procedures framed under ICT Zoning Regulations and the deed is also not executed in Registrar office. The Mortgaged deed needs to be vetted from Law Directorate because the land is allotted to PHAF by CDA as a piece of land and khasra numbers are not mentioned by CDA on allotment /Lay out plan
- Transfer Deed to the Authority the land reserved for open spaces/parks, graveyard, and land under right-of-way roads etc., is not required because the land has been leased by CDA. The lease of the area to be handed over to CDA will be withdrawn.
- A joint committee should be constituted comprising upon the Planning and Engineers officers for the survey or inspections of engineering works and verification of developmental works etc.

During discussion it was highlighted by the PHAF that reason and rational for the submission of revised lay out plan is that possession of some of the land has not been handed over so far, due to which design of layout plan would also be changed. It was also informed during meeting that the Cabinet had also decided to do this project. Revised lay out plan should be advertised to invite the objections from General public. There should be a fixed time line to proceed in the matter positively so that matter attains finality within one month. PHAF would submit revised layout plan maintaining the required percentage of land use for approval of CDA.

Action By: Member (P&D)

9.9
11089/1351/BM/'19
13&19-09-'19/9TH

EARMARKING OF GRAVEYARD SITES IN RURAL AREAS OF ISLAMABAD(REQUEST FOR PROVISION OF GRAVEYARD SITES IN ZONE -IV ISLAMABAD.

DECISION

The summary was presented by the Director Regional Planning, CDA. After due deliberation, the board approved the four sites (Humak, National Park area, Ali Pur Farash and Lakhwal) as explained & indicated in Paras 5 and 6 of the summary subject to the condition that these earmarked graveyard would not be affected by the CDA Sectoral Area as well as CDA land acquisition projects.

Action By: Member (P&D)

9.10
11090/1351/BM/'19
13&19-09-'19/9TH

GRANT OF NEXT HIGHER SCALE TO THE EMPLOYEES HOLDING POSTS WHICH ARE ISOLATED / STAGNANT I.E. HAVING NO PROMOTION PROSPECTS.

DECISION

After due deliberation, the Board approved in principle the grant of next higher scale as proposed in the summary to the employees holding regular posts which are isolated / stagnant i.e. having no promotion prospects, on the following conditions:-

- Recommendations of the concerned members are compulsory
 - Only those incumbents of the posts will be considered, who fall under the definition of stagnancy and having no line of promotion.
 - Initial appointment rules, regulations, nomenclature / tier / cadre of the posts and seniority of the posts shall remain intact and shall not be changed under any circumstance whatsoever.
 - Cases of only those incumbents will be considered for the next higher scale, who were initially appointed against these isolated / stagnant posts having no line of promotion prospects.
 - Incumbents holding the regular sanctioned posts shall be eligible for the next higher scales.
 - Higher time scale shall be granted subject to fitness of the regular incumbent and on the recommendation of respective DPC.
2. However, regulations will be framed and put up for approval before implementation & ensuring the right of other cadres be protected.

Action By: Member (Admin)

9.11 APPROVAL FOR ALLOTMENT OF EXTRA LAND TO FULL BRIGHT COMMISSION OFFICE ISLAMABAD.

11091/1351/BM/'19
13&19-09-'19/9TH

DECISION

Summary was presented by Director Estate Management-II, CDA. The Board discussed and approved the proposal made at para 5 of the summary against payment of extra land amount worked out by Costing Section of Finance Wing.

Action By: Member (Estate)

9.12 AMENDMENT IN CRITERIA OF PROMOTION OF POSTS OF PUBLIC RELATION DIRECTORATE, CDA.

11092/1351/BM/'19
13&19-09-'19/9TH

DECISION

After due deliberation, the Board approved the proposal made at para 3 of the summary. Provided that there is no conflict with line of promotion of any other cadre and that right of any other cadre or line of promotion of any other individual not be affected.

Action By: Member (Admin)

9.13 SETTLEMENT OF ISSUES OF CONSULTANT 'M/S DESIGNMEN' FOR DEVELOPMENT OF SECTOR I-15.

11093/1351/BM/'19
13&19-09-'19/9TH

DECISION

The summary / working paper was presented by the Member Engineering. Board discussed and approved the proposals made in summary / working papers, subject to completion of all codal formalities. Extension in time shall be based on the date of start of project execution as per new / revised design.

Action By: Member (Engg.)

9.14 **APPROVAL OF BROCHURE FOR AUCTION OF RESIDENTIAL AND COMMERCIAL PLOTS (1ST TO 3RD OCTOBER, 2019).**
11094/1351/BM/'19
13&19-09-'19/9TH

DECISION

Draft Auction Brochures containing terms and conditions of auction, planning parameters and location plans for the forthcoming auction of Residential and Commercial plots was presented by the Director Estate Management –II, CDA. The board discussed and approved the draft brochure with the following:-

- Days / dates for auction of Residential and Commercial plots be fixed in the week started after 20th October, 2019 i.e for Residential October 22, 2019 and for Commercial October 23 & 24, 2019.
- Auction brochures must be available in OWO Directorate after 25th September, 2019.
- Media campaign must be commenced after 25th September, 2019.
- Whatever change would be made incorporated in the Brochures.

Action By: Member (Estate)

NA-I **GRANT OF EXTENSION IN CONTRACTUAL PERIOD IN RESPECT OF MR. AMJAD SALEEM, HEAD OF TREASURY.**
11095/1351/BM/'19
13&19-09-'19/9TH

DECISION

Member Finance, CDA presented the summary and further confirmed that Mr. Amjad Saleem, has continuously been performing duty of Head of Treasury being a specialized and professional person expertise are not available other than him to carry out such works by another officer at present. The Board discussed and observed the need for adoption of due process for this appointment. The adhoc arrangement cannot be acceded to in an indefinite manner. In view of the given peculiar situation that work has been taken by the finance wing from the incumbent to avoid complications extension in contractual period (6 months) w.e.f. 18-04-2019 to 17.10.2019) in respect of Mr. Amjad Saleem, Head of Treasury has been approved subject to fulfillment of requisites. The Board further directed HRD that hiring process for the post of Head of Treasury be started, as per procedure and Rules immediately. The term of incumbent would seize on appointment of a fresh candidate whichever is earlier.

Action by: Member Admin.

NA-II **REVISION OF DAILY WAGES RATES.**

11096/1351/BM/'19
13&19-09-'19/9TH

DECISION

Deputy Financial Advisor- II, CDA presented the summary. After due deliberation, the Board approved the proposal made at Para 04 of the summary.

Action by: FA/Member

The meeting concluded with a word of thanks to and from the Chair.



9THCDABOARD MEETING FOR THE YEAR-2019 HELD ON 13-09-2019& 19-09-2019

AGENDA ITEMS

S.No	Items	Presenter
1.	Regularization of Daily Wages/Contract Temporary Employees.	Member Admin. Director HRD
2.	Approval by the CDA Board to call Request for Proposals for <u>“Hiring of Consultancy Service for Rehabilitation / Replacement/ Up Gradation of HVAC Plant installed at “K” Block Pak Secretariat Building Islamabad.”</u>	Member Engg. Director E&M Maint.
3.	Non Implementation of Wafaqi Mohtasib’s Findings in Complaint No. HQR/6670/2012 in respect of Mr. Muhammad Iqbal, Ex- Beldar. (Wafaqi Mohtasib)	Member Estate Dir EM-1 West
4.	Outstanding dues regarding Plot No. 4 & 5, Sector H-11/4, Islamabad allotted to M/s Global System of Integrated Studies (GSIS). (Wafaqi Mohtasib)	Member Estate Director EM-II
5.	Reimbursement of Medical Charges in respect of Mr. Ghulam Mustafa, Ex- Assistant Director, HRD Directorate. (Wafaqi Mohtasib)	Member Admin. ED Capital Hsptl.
6.	Earmarking of Nurseries Plots in the Right of Ways (ROWs) H-Series, Islamabad.	Member (P&D) Director UP
7.	Consideration of appeal of M/S APCO regarding cancellation of Plot No.1,(Ex-Margalla Tower) Markaz F-10, Islamabad.	Member Estate
8.	Request for issuance of No Objection Certificate (NOC), To Prime Minister Housing Programme (Housing Schemes for PHAF Officers Residencia at Kuri Road Islamabad.	Member (P&D) Director (RP)
9.	Earmarking of Graveyard sites in Rural Areas of Islamabad.	Member (P&D) Director RP
10.	Grant of Next Higher Scale to the Employees holding posts which are Isolated / Stagnant i.e. Having No Promotion Prospects.	Member Admin. Director HRD-II
11.	Approval for allotment of extra land to Full Bright Commission office Islamabad.	Member (Estate) DEM-II
12.	Amendment in Criteria of Promotion of Posts of Public Relation Directorate, CDA.	Member (Admin) Director HRD Director (PR)
13.	Settlement of Issues of Consultant ‘M/s Designmen’ for Development of Sector I-15.	Member Engg. PD I-15
14.	Approval of Brochure for Auction of Residential and Commercial plots (1 st to 3 rd October, 2019)	Member Estate
NON AGENDA ITEMS		
NA-I	Grant of Extension in Contractual Period in respect of Mr. Amjad Saleem, Head of Treasury.	Member Admin. Director-II HRD
NA-II	Revision of Daily Wages Rates.	FA/Member DFA-II