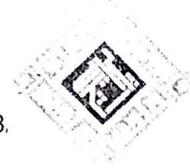




A company set up under section 42 of the Companies Ordinance, 1984

# PHA FOUNDATION

MINISTRY OF HOUSING & WORKS  
SHAHEED-E- MILLAT, SECRETARIAT, BLUE AREA, ISLAMABAD.



No. PHA-F/38<sup>th</sup> BoD Meeting/2020/178  
Dated: March 2, 2020

**Subject: MINUTES OF 38<sup>TH</sup> BOD MEETING OF PHA FOUNDATION HELD ON FEBRUARY 18, 2020 IN CONFERENCE ROOM OF PHA FOUNDATION, ISLAMABAD.**

I am directed to enclose copy of approved Minutes of 38<sup>th</sup> meeting of BoD of PHA Foundation which was held under the chairmanship of Federal Minister for Housing & Works / Chairman, PHA Foundation on February 18, 2020 at 02.00 PM in the Conference Room of PHA Foundation, Islamabad.

Encl: As above

  
(Muhammad Irfan Khan)  
Director (M&C)

**Distribution:**

1. Ch. Tariq Bashir Cheema,  
Federal Minister for Housing & Works/  
Chairman, PHA Foundation,  
Islamabad.
2. Dr. Imran Zeb Khan,  
Secretary Housing & Works,  
M/o Housing & Works,  
Islamabad.
3. Mr. Zahoor Ahmed,  
Additional Secretary,  
M/o Housing & Works,  
Islamabad.
4. Mr. Tariq Rashid,  
Chief Executive Officer,  
PHA Foundation,  
Islamabad.
5. Mr. Humayun Akhtar,  
Member Engineering,  
CDA, Islamabad.
6. Mr. Amir Mohyuddin,  
Joint Secretary (Admin)/Estate,  
M/o Housing & Works,  
Islamabad.
7. Mr. Rizwan Ahmed Sheikh,  
Financial Advisor (Works)/  
Joint Secretary, Finance Division,  
Islamabad.
8. Mr. Waseem Hayat Bajwa,  
Chief Executive Officer,  
FGEHA, Islamabad.
9. Mr. Anwar ul Haq Dogar,  
Joint Engineering Advisor,  
M/o Housing & Works,  
Islamabad.
10. Mr. Shahid Farzand,  
Director General,  
Pak. PWD, Islamabad.

**Copy for information to:**

- i. PS to Chief Executive Officer, PHA Foundation, Islamabad.
- ii. PA to Chief Engineer, PHA Foundation, Islamabad.
- iii. PA to All Directors, PHA Foundation, Islamabad.
- iv. Section file.

MINUTES OF 38<sup>TH</sup> BOD MEETING OF PHA FOUNDATION.

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38<sup>th</sup> Meeting of the Board of Directors of PHA Foundation was held under the chairmanship of honorable Federal Minister for Housing and Works / Chairman, PHA Foundation on February 18, 2020 at 02:00 PM in the Conference Room of PHA Foundation, Islamabad.

2. The meeting started with recitation from the Holy Quran.

**AGENDA ITEM NO. 01**

**CONFIRMATION OF MINUTES OF 37<sup>TH</sup> BOD MEETING OF PHA FOUNDATION.**

37<sup>th</sup> Meeting of the Board of Directors of PHA Foundation was held under the Chairmanship of Honorable Federal Minister for Housing & Works / Chairman, PHA Foundation on January 9, 2020 at 02:30 PM in the Conference Room of PHA Foundation, Islamabad.

**DECISION:**

Members of BoD confirmed minutes of 37<sup>th</sup> BoD Meeting.

**AGENDA ITEM NO. 02**

**AUCTION OF 88 SHOPS IN COMMERCIAL CUM RESIDENTIAL BLOCKS-A&B AT PHAF OFFICERS RESIDENCIA PROJECT, KURRI ROAD, ISLAMABAD.**

In 34<sup>th</sup> BoD meeting of PHAF held on 26-6-2019 following decision was given:

“After detailed discussion it was decided that Evaluation Reports of M/s WW Engineering Services (Pvt) Ltd were approved. Further it was decided that the shops shall be auctioned and the apartments shall be allotted to the members of PHAF as per laid down policies and procedures on the rates determined by the Evaluator.”

2. Director Land & Estate informed that the process of auction was initiated but due to non-issuance of NOC by CDA for the PHAF Officers Residencia Islamabad Project, the auction got delayed and eventually was held on January 18 & 19, 2020 in Islamabad Hotel, Melody, Islamabad. There were a total of 88 shops for auction. Due to high Forced Sale Value (FSV) and Base Price only 27 shops got booked as per analysis given below:

Block	Floor	Total No. of Shops	No. of Booked Shops	Expected Revenue from bookings at offered price (Rs. M)	Expected Revenue if sold at FSV (Rs. M)	Expected Revenue if sold at Base Price (Rs. M)	Remaining No. of Shops to be auctioned
A	Ground	24	14	92.9	123.05	144.77	10
	Basement	24	1	5.6	7.99	9.40	23
B	Ground	20	12	75	101.02	118.85	8
	Basement	20	0	0	0	0	20
<b>Total</b>		<b>88</b>	<b>27</b>	<b>173.5</b>	<b>232.07</b>	<b>273.02</b>	<b>61</b>

### Proposals:

3. It was proposed that one of the following suggestions might be approved:
  - i. All highest bids might be accepted which would help in generation of revenue for the project and it would have good impact on the auction of the left over shops in the next round of auction. Or.
  - ii. If it was not feasible then the bids nearer to the FSV might be accepted and the rest can be rejected. Or.
  - iii. All bids might be rejected and token money might be released.

### DECISION:

After threadbare discussion it was decided that in view of the fact that auction could not attract the desired response from the bidders, therefore, option No. iii was approved i.e. "All bids might be rejected and token money be released". It was also observed that the prospects would improve with provision of electricity and other allied facilities, hence auction of the shops may be conducted within the next 2 months in a phased manner.

### AGENDA ITEM NO. 03

#### WAIVER OF DELAYED PAYMENT CHARGES IN "D TYPE" APARTMENT ALLOTTED TO MR. KHAQAN BABAR IN WAFAQI COLONY LAHORE PROJECT.

The Board was apprised that apartment No. 20, Block No. 03, Wafaqi Colony, Lahore was allotted to Mr. Khaqan Babar in September 02, 2010. He had paid 10 installments as per PHA Foundation record. Whereas two installment of Rs. 311,668/-, additional cost of Rs. 397,250/-, possession charges Rs. 18,000/- and delayed payment charges of Rs. 334,038/- till date were outstanding against him.

2. The allottee approached Wafaqi Mohtasib, Lahore and filed a complaint regarding outstanding dues and contended that PHA-F was under legal obligation to revise and reschedule the payment plan to save the poor allottees from the double jeopardy of DPC and the loss of rental income or the loss of reward of his investment. He also quoted the example of similar rescheduling duly made by PHA-F at Kurri Road, Islamabad.

3. The Wafaqi Mohtasib decided the case as under:
  - a. Reconsider the matter by the Agency to place it before its Board of Directors in the light of the submissions accordingly.
  - b. Compliance should be reported within 60-days of the receipt of these findings or reasons for not doing so intimated in terms of Article-11(2) of the President's order No. 1 of 1983.

4. It was further stated that PHA-Foundation being a nonprofit organization got no funds from Government of Pakistan; therefore completion of a project within stipulated time was totally dependent upon the installments received from the allottees. In order to ensure in time payments of installments, PHAF imposed a surcharge called delayed payment charges

(DPC). In the Wafaqi Colony project PHA-F imposed 1% DPC of the due amount. As mentioned above, the allottee purchased the apartment from open market and defaulted on payments and for that PHAF frequently requested allottee to deposit delayed payment charges Rs. 334,038/-.

**DECISION:**

After thorough discussion, the Board of Directors regretted the request of the allottee for waiver of outstanding Delayed Payment Charges (DPC) against his apartment.

**AGENDA ITEM NO. 04**

**CONTINUATION OF UTILITY ALLOWANCE AND PHA-F DUTY ALLOWANCE OF PHA-F EMPLOYEES.**

Chief Executive Officer, PHA-F, apprised that PHA-F is the sister organization of Federal Government Employees Housing Authority (FGEHA), National Construction Limited (NCL) and National Housing Authority (NHA) working under the administrative control of Ministry of Housing & Works. PHA-F is self-sustainable organization and does not receive any financial grant from the Federal Government. The sources of income of PHA-F consisted of receipts from sale of apartments / transfer fee / enlistment fee etc. The major chunk of expenditure was incurred on development of PHA flats for the Government Servants and General Public. PHA employees were getting salaries as per pay scales of Federal Government, however, employees of PHA-F did not receive the following facilities which all other Federal Government Employees were entitled to:

- a. Temporary salary advance
- b. House building advance
- c. Motorcar advance
- d. Pension Contribution

2. PHA-F Employees were getting two allowances i.e. Utility Allowance @ 25% of existing basic pay and PHA Duty Allowance equivalent to one month's drawing basic pay as compensation/relief in lieu of above mentioned facilities. However, the same was frozen at the level of its admissibility as on 30-06-2017 as per Finance Division O.M. dated 03 July, 2017.

3. In this regard, **it was apprised that previously pay scales were revised three times i.e. in 2011, 2015 and 2016 and the matter regarding continuation of PHA Duty Allowance and Utility Allowance on the running basic pay was placed before the Board of Directors and was approved.** The instant matter was also placed before the Board in 29<sup>th</sup> BoD meeting held on May 18, 2018. The following was decision of the BoD:

بورڈ کے ڈائریکٹرز نے متفقہ طور پر مجوزہ پی۔ ایچ۔ ایف۔ ڈیوٹی الاؤنس اور یوٹیلیٹی الاؤنس کو پہلے سے منظور شدہ طریقہ کار کے مطابق اور ایف۔ جی۔ ای۔ ایچ۔ ایف۔ کی طرز پر تیسرا نمبر منجمد کرنے کی اصولی منظوری دے دی اور اس پر بعد میں احتیاط کے طور پر فنانس ڈویژن سے رائے چس لی جائے۔“

4. Accordingly, the matter was forwarded to Ministry of Housing & Works vide letter No. PHA-F/Fin/2017-18/926 dated March 26, 2018 to take up the case with Finance Division for

their input. The Ministry of Housing & Works forwarded the case to Finance Division vide letter No.F.2(30)/2018-Admin-I dated April 17, 2018. It was mentioned that de-freezing of PHA Duty Allowance and Utility Allowance were not against the Public Sector Companies Corporate Governance Rules, 2013 as already discussed in 21<sup>st</sup> BoD meeting, in light of the report of Sub-Committee of PAC relating to "**Conflict between financial powers of BoD in different public sector companies with the powers of Ministry of Finance**". The first recommendation of said report was:

**"The Public Sector Companies operate under the Companies Ordinance, 1984 and the BoDs have the power and authority to take decisions without the requirement of taking approval from the Government but stay within the guidelines provided in the " Public Sector Companies Corporate Governance Rules, 2013".**

5. In this regard, it was apprised that PHA Foundation is a Public (Limited by Guarantee) Company registered with Securities and Exchange Commission of Pakistan under Section 42 of the Companies Ordinance, 1984. PHA Foundation did not receive any budgetary allocation from Federal Government and all its decisions were taken by the Board of Directors. Hence, unfreezing of PHA Duty and Utility Allowance would carry no financial burden on the public exchequer. Rather, the funds involved would be met from the current approved budget of PHA Foundation. The monthly financial impact of unfreezing of these allowances was **Rs. 2,534,053/-**. It was mentioned that Board of Directors of PHA-F was competent forum in the instant matter.

6. Chief Executive Officer further informed that employees of sister organization i.e. **Federal Government Employees Housing Authority** were already getting pay & Allowance as per revised pay scales 2017 at unfrozen level.

7. In view of the position explained above and decision of BoD mentioned at para-3 above, the matter was placed before the Board for soliciting approval for continuation of the Utility Allowance and PHA Duty Allowance at the existing drawing basic pay with immediate effect i.e. from the month of February, 2020 and not freezing it at the level of its admissibility as on 30-06-2017 on the analogy of sister organization i.e. **Federal Government Employees Housing Authority**, as this was the only financial relief/ facility given to PHA-F employees.

#### **DISCUSSION:**

8. The matter was thoroughly discussed and it was noted that PHA Foundation was a self-revenue generating company and did not receive any budgetary allocation from the Federal Government. As per Article & Memorandum of Association of PHAF, the matter was purely under the purview of Board of Directors and Board unanimously agreed that fixing of remuneration, pay and allowances and all other such matters was the mandate of BoD. Moreover, employees of sister organization i.e. **Federal Government Employees Housing Authority**, were getting the pay & allowances as per revised pay scales 2017 at unfrozen level.

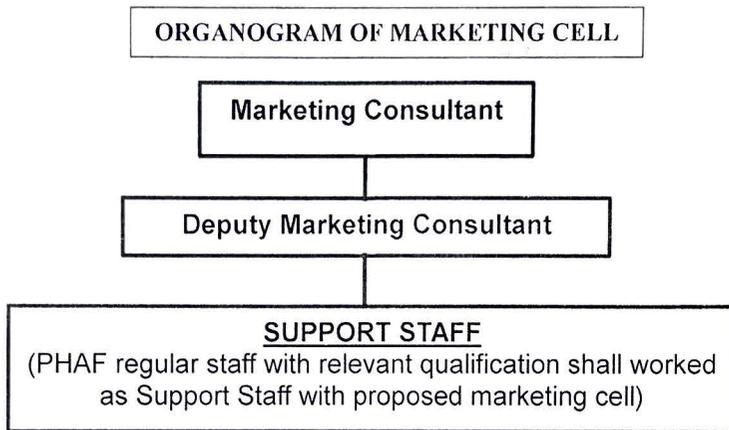
#### **DECISION:**

**The Board of Directors approved the continuation of Utility Allowance and PHA Duty Allowance at the running / existing drawing basic pay (@ un-frozen level) from the month of February, 2020. However, no payment on account of arrears would be made.**

**ESTABLISHMENT OF MARKETING CELL IN PHA FOUNDATION.**

Director Administration informed that presently, construction of three mega projects of PHA-F at I-12, I-16/3, and Kurri Residencia Islamabad were in progress wherein booking of I-12 project was almost 50% despite lapse of almost three years. Moreover, PHA-F had launched PHA-F Residencia, Kuchlak Road, Quetta and two projects in Gwadar (Balochistan) & Peshawar KPK were in pipeline.

2. As effective marketing played an important role in the success of any task, PHA-F intended to establish marketing cell for proper marketing of its ongoing and upcoming projects, making marketing plans of the project and managing public relations in the best interest of organization. It was emphasized that through proper marketing strategies the proposed marketing cell of PHAF would not only improve the sales of the apartments but also build its image including creating good will for the organization. In view of the above, PHA-F proposed establishment of Marketing Cell as per following structure and terms & conditions:-



**TERMS & CONDITIONS**

<b>MARKETING CELL</b>	<p><b><u>QUALIFICATION &amp; EXPERIENCE</u></b></p> <p><b><u>Marketing Consultant</u></b></p> <p>MBA (Marketing) or equivalent. At least 10 years' experience in relevant field.</p> <p><b><u>Deputy Marketing Consultant / Marketing Officer</u></b></p> <p>MBA (Marketing) or equivalent. At least 5 years' experience in relevant field.</p> <p><b><u>TORS</u></b></p> <p>To be appointed against consultancy / miscellaneous head of PHA Residencia Kuchlak Road Project for a period of six months (06) further extendable. Marketing Consultant to be appointed against Misc. consultancy head of relevant</p>
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project on lump sum pays of Rs. 100,000/- per month with first three (03) months as probation.

Deputy Marketing Consultant / Marketing Officer to be appointed against Misc. consultancy head of relevant project on lump sum pays of Rs. 60,000/- per month with first three (03) months as probation.

#### **JOB DESCRIPTION OF MARKETING CELL**

Identify areas for improvements in apartment offerings, sale tactics, marketing strategy and promotional activities.

Input on important decisions involving apartment's sales and ensure that all marketing activities are cost effective.

Monitor marketing and sales performance and adjust strategies accordingly.

Adheres to and highlight / implement organizational policies and procedures.

Develop marketing campaigns and media relations strategies.

Collaborate with internal teams (e.g. marketing) and maintain open communication with management.

Update promotional material and publications.

Prepare and distribute press releases organize PR events (e.g. open days, press conferences), regarding marketing of PHA-F ongoing and upcoming projects.

Address inquiries of projects from the media and other parties.

Track media coverage of the projects and follow industry trends.

Prepare and submit marketing plans and manage marketing related issues.

Maintain goodwill and understanding between PHA-F and its allottees / members.

Monitor publicity and conduct research to find out the concerns and expectations of the organization and report and explain the findings to its management.

Marketing of the projects on Social Media for better perception and goodwill.

3. Following relevant rules position as per Section 18 clause (a)(b) of PHA-F Employees (Service) Regulations 2017 was also highlighted:-

#### **18. Contractual Appointment:-**

- a. *Where under special circumstances, it is not possible to appoint a person, in the prescribed manner, the Foundation may employ any person on contract, for carrying out a specialized assignment or a specific job within a specified time and at a suitable remuneration as approved by the Appointing Authority concerned.*
- b. *Where under special circumstances due to exigency of tasks required to be performed by the professionals to assist the Company in performing its functions and where the appointment of a person, under the prescribed manner is considered to delay the availability of a required professional, the Company may employ through contract a consultant or advisor, for carrying out a specific assignment or a job requiring specialized expertise within a specified time. Such appointment may be made at suitable remuneration as approved by the Board on case to case basis, after due assessment of the prevailing market rates for the acquisition of similar services.*

#### **DISCUSSION:**

4. The BoD discussed in detail the role and importance of marketing for PHAF. While highlighting the need of proper marketing cell in PHAF, it was mentioned that marketing expert / consultants played a crucial role in helping a business to promote and sell its products to its customers and can cover the entire spectrum of how a company communicate. It was observed that despite such crucial role of the marketing, unfortunately PHAF and even FGEHA did not have marketing cell to involve strategy and activities while

adopting latest marketing tools including provision of direction and feedback on major projects to facilitate & enable the management to make decisions in view of the market trends.

5. The BoD instructed that it was high time to establish marketing cell in PHAF and even in FGEHA and recruit suitable marketing professionals to help the organization in creating goodwill while highlighting the positive activities, being taken, coupled with sale of the products.

#### DECISION:

After going through the facts elaborated, it was decided that management of PHA-F may establish a Marketing Cell in PHA Foundation and appoint Marketing Consultant along with Deputy Marketing Consultant as per laid down recruitment rules and procedures along with terms and conditions mentioned above against consultancy / miscellaneous head of PHA Residencia Kuchlak Road Project. The Board further directed that emoluments be enhanced as per market rate by the management of PHAF.

AGENDA ITEM NO. 06

#### AMENDMENTS IN PHA FOUNDATION EMPLOYEES (SERVICE) REGULATIONS, 2017.

Director Administration, PHA-F apprised that Prime Minister's Office vide its u.o No.DS(PMDU)/TAG-G-II-Institutional/19 dated 23-01-2020 communicated the directions and decisions of the Federal Cabinet to all Ministries / Divisions / Departments regarding framing / updating the Recruitment Rules, Re-designation / rationalization or deletion of positions lying vacant for more than a year, finalizing and notifying pending seniorities and disposal of long awaited promotion cases for strict compliance within 60 working days.

2. In this regard it was apprised that post of sub-engineer was up-graded from BS 11 to BS 14 in Pak. PWD and other departments. Moreover, various provisions in Schedules of existing service regulations of PHA Foundation were contradictory to the Federal Government Rules, like seniority, promotion, eligibility criteria for promotion etc. Furthermore, various amendments made therein from time to time were also required to be incorporated in service regulations so that only one document could be referred to in all matters. In compliance to the directions of Federal Cabinet, the matter of revision of PHA-F Employees (Service) Regulations, 2017 was placed before HR Committee of PHAF BoD in line with Federal Government structure and SECP guidelines.

3. The HR Committee of PHAF BoD deliberated upon the revised service regulations and recommend to place "**PHA Foundation Employees (Service) Regulations, 2020** before BoD for formal approval.

#### DECISIONS:

- a. The Board of Directors after threadbare point-wise discussion approved the recommendations of HR Committee of PHAF Board alongwith PHA Foundation Employees (Service) Regulations, 2020 with slight amendments.
- b. The Board further directed to replace convener of HR Committee of PHAF BoD i.e. Deputy Secretary (Admin) M/o H&W with Joint Secretary (Admin), M/o H&W.



ENHANCEMENT OF PROFESSIONAL FEE OF PANEL LAWYERS FOR DIFFERENT COURTS OF LAW ON CASE TO CASE BASIS.

Director Administration informed that litigation had tremendously increased during the last couple of years. Cases were entrusted to different lawyers on case to case basis and lawyers had been requesting to increase the case fee. Previously, 28<sup>th</sup> BoD of PHA Foundation approved to increase fee of Lawyers on PHA Foundation's panel on 17-02-2018.

2. Due to requests from lawyers on our panel and in comparison to lawyer's fee working independently, it was proposed to increase fee of lawyers on PHAF panel. However, due to budget allocation for legal wing, a minimum increase was proposed. Detail of existing and proposed new courts fee of lawyers on case to case basis were as under:-

S.N.	Name of Courts	Existing Court Fee including Misc. Charges	Proposed new Court Fee including Misc. charges
1	Civil Court, District Court cases	Rs. 32,000/-	Rs. 50,000/-
2	High Court cases, FST, NIRC, EPT etc.	Rs. 55,000/-	Rs. 100,000/-
3	Supreme Court Fee & Fee for Advocate on Record for S.C	Rs. 110,000/-	Rs.135,000 + 15,000= 150,000/-

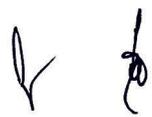
DECISION:

After threadbare point-wise discussion, the Board approved the revised court fee of lawyers on case to case basis with slight modifications as per following details:

S.N.	Name of Courts	Existing Court Fee including Misc. Charges	Proposed new Court Fee including Misc. charges
1	Civil Court, District Court cases, NIRC, FST, EPT etc.	Rs. 32,000/-	Rs. 50,000/-
2	High Court cases,	Rs. 55,000/-	Rs. 100,000/-
3	Supreme Court Fee & Fee for Advocate on Record for S.C	Rs. 110,000/-	Rs.135,000 + 15,000= 150,000/-

JOINT COLLABORATION BETWEEN PHA FOUNDATION AND GOVERNMENT OF GILGIT BALTISTAN REGARDING PROVISION OF SHELTER TO SHELTERLESS.

In order to achieve its mandate, PHA Foundation had been constantly pursuing its objectives to launch/plan housing schemes across the country. PHA Foundation in order to accomplish its goals approached various Provincial Governments including Govt. of Gilgit Baltistan.



2. Accordingly, Government of Gilgit Baltistan through Senior Member Board of Revenue (SMBR), / Commissioner (GB) expressed willingness to join hands in elimination of shelterlessness through affordable housing schemes in Gilgit Baltistan.

3. To materialize the same, both GB Govt. and PHA-F jointly drafted a Framework Agreement. Salient features of the joint collaboration were elucidated hereunder:-

- ❖ It is in line with objective of PHA-F that is to provide affordable shelter to the shelter less".
- ❖ It is a flexible document and can be amended through mutual consensus.
- ❖ All contents of the Agreement are per mutually agreed upon terms and conditions.
- ❖ Lessons learnt from previous Joint Ventures have been addressed.
- ❖ It would also enhance the professional capacity of PHA-F and GB Govt.

**DECISION:**

The BoD approved the Draft Framework Agreement.

**TABLE AGENDA NO. 01**

**HIRING OF CONSULTANT FOR HUMAN RESOURCE AND FINANCIAL MANAGEMENT OF PHAF PROJECTS.**

PHA Foundation being one of the implementing arms of Ministry of Housing & Works, was consistently striving to eliminate shelterlessness and to reduce the housing shortfall in Pakistan. PHA Foundation provided low cost housing units to low and middle income groups of Pakistan on ownership basis. Since its inception in 1999, PHAF had built several housing units for general public and Federal Government Employees at prime locations of Federal and Provincial Capitals. Several projects of PHA Foundation at various places had been launched and some were in planning stage. Peshawar project was also under planning for construction of 20,000 houses and expected to be launched in next quarter of current Financial Year.

2. In this regard it was apprised that most of projects of PHAF faced time and cost overrun due to several reasons including human resource capacity constraints. In order to mitigate time/cost overrun and to improve the service delivery, PHA-F intended to hire a reputable consultant for Human Resource and Financial Management of its projects, in order to strengthen the HR, Finance and even Estate wings for proper utilization of human resource, alternate ways & means of revenue generation. In view of the same it was proposed to hire a Consultant for Human Resource and Financial Management of its projects as per following criteria:

<b>CONSULTANT HR/FINANCE</b>	<b><u>REQUIREMENTS FOR THE POSITION ARE:</u></b>
	<ul style="list-style-type: none"><li>i. Second class Master's Degree in Human Resource/Finance / equivalent from a University recognized by the HEC. or A Chartered Accountant or Cost and Management Accountant</li><li>ii. Preferably MS/M.Phil in Project Management.</li><li>iii. At least 10 years' experience of Human Resource/Finance Management of Projects including housing &amp; real estate related projects.</li></ul>



**TOR's :**

- Appointed against consultancy / miscellaneous head of the project for a period of 06 months further extendable with first three months as a probation period.
- Appointed on lump-sum pay @ Rs.100,000/- per month.

**Responsibilities:**

- i) Review the SOP's polices of PHAF and give recommendations for IT based solution for better service delivery.
- ii) Review the relevance of the human resources as per requirement of the projects.
- iii) Prepare Plan regarding supervision of project related staff deputed by consultants at various project sites.
- iv) Ensure that hiring and contract amendment and termination formalities for project staff are carried out in accordance with the laid down rules and SOP's.
- v) Give recommendations for cash management in order to anticipate expenses at the project level and optimize cash needs and security.
- vi) Devise and recommend alternate ways for revenue generation.
- vii) Assist PHA-F ("the Client") in administering financial aspects of projects for quality and timely completion.
- viii) Review the existing procedure of allottee service cell and give recommendation for atomization to improve the service delivery.
- ix) Maintaining records of all contractual issues related to human resource and financial aspects of projects.
- x) Any other duty assigned by CEO, PHAF.

03. Relevant rules position as per Section 18 clause (a)(b) of PHA-F Employees (Service) Regulations 2017 was as under:-

**18. Contractual Appointment:-**

- a. *Where under special circumstances, it is not possible to appoint a person, in the prescribed manner, the Foundation may employ any person on contract, for carrying out a specialized assignment or a specific job within a specified time and at a suitable remuneration as approved by the Appointing Authority concerned.*
- b. *Where under special circumstances due to exigency of tasks required to be performed by the professionals to assist the Company in performing its functions and where the appointment of a person, under the prescribed manner is considered to delay the availability of a required professional, the Company may employ through contract a consultant or advisor, for carrying out a specific assignment or a job requiring specialized expertise within a specified time. Such appointment may be made at suitable remuneration as approved by the Board on case to case basis, after due assessment of the prevailing market rates for the acquisition of similar services.*

**TABLE AGENDA ITEM NO. 02**

**HIRING OF CONSULTANT IN ENGINEERING WING FOR CONTRACT MANAGEMENT.**

PHA Foundation being one of the implementing arms of Ministry of Housing & Works was consistently striving to eliminate shelterlessness and to reduce the housing shortfall in Pakistan. PHA Foundation provided low cost housing units to low and middle income groups

of Pakistan on ownership basis. Since its inception in 1999, PHAF had built several housing units for general public and Federal Government Employees at prime locations of Federal and Provincial Capitals. Presently, three mega projects of PHA-F in I-12, I-16/3, and Kurri Residencia Islamabad were in completion stages. Moreover, Kuchlak Road project Quetta and Fishermen Residencia Gwadar Project (Balochistan) had recently been launched under the auspices of Naya Pakistan Housing Project under the Prime Minister's Vision for construction of 5 million houses. Peshawar project was also under planning for construction of 20,000 houses and expected to be launched in next quarter of current Financial Year.

2. Keeping in view the above quantum of work, PHA-F intended to hire a reputable consultant for Contract Management to evaluate and monitor contract performance to determine necessity for amendments or extensions of contracts, and compliance to contractual obligations of various housing projects of PHA-F as well as to serve as liaison officer to ensure fulfillment of obligations by contractors. The Consultant Contract Management would also give input in contract agreements, bidding etc. to safe guard the interest of organization in planned projects. Therefore, PHA-F proposed to hire a Consultant for Contract Management in PHA-F as per following criteria:-

<b>CONSULTANT CONTRACT MANAGEMENT</b>	<p><b><u>REQUIREMENTS FOR THE POSITION ARE:-</u></b></p> <p>Bachelor Degree in Civil Engineering from a recognized University. Preferably M.Sc Project / Contract Management. At least 10 years' experience in contract administration of housing works including FIDIC contract administration.</p> <p><b><u>TOR's :</u></b></p> <p>Appointed against consultancy / miscellaneous head of the project for a period of 06 months further extendable with first three months as a probation period. Appointed on lump-sum pay @ Rs.100,000/- per month.</p> <p><b><u>Responsibilities:</u></b></p> <ol style="list-style-type: none"> <li>i) Review the Design and the Bidding Documents to ensure they allow safe and smooth construction.</li> <li>ii) Assist PHA-F ("the Client") in administering the contracts and supervising the construction works to ensure their quality and timely completion.</li> <li>iii) Evaluate and review the contracts before signing to ensure the safeguard the interest of PHAF.</li> <li>iv) Lead the development, implementation and maintenance of the Contract Management Framework and associated procedures, templates and documents</li> <li>v) Ensure environmental protection and social safeguards are properly implemented in accordance with the designs in the housing projects.</li> <li>vi) Maintaining records of all contractual issues concerning the letting, progress and management of the contracts, and verifying the compliance of the client and the contractor with their respective duties and responsibilities.</li> <li>vii) Monitor and maintain on overview of the issues that may put the Client at risk of financial or time effect under the terms of the contracts.</li> <li>viii) Establish the record of all client's instructions, classified into clarifications and variations and for the latter, in relation with the quantity surveyor,</li> </ol>
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prepare the variations orders.

- ix) Examine, make recommendation with respect to determinations and reporting upon any claims submitted by the contractors.
- x) Prepare drafts and records that are required for presentation to the dispute board or arbitration.
- xi) Draft certifications for issue in accordance with the contract and upon taking over taking completion of works.

3. Relevant rules position as per Section 18 clause (a)(b) of PHA-F Employees (Service) Regulations 2017 was as under:-

**18. Contractual Appointment:-**

- a. *Where under special circumstances, it is not possible to appoint a person, in the prescribed manner, the Foundation may employ any person on contract, for carrying out a specialized assignment or a specific job within a specified time and at a suitable remuneration as approved by the Appointing Authority concerned.*
- b. *Where under special circumstances due to exigency of tasks required to be performed by the professionals to assist the Company in performing its functions and where the appointment of a person, under the prescribed manner is considered to delay the availability of a required professional, the Company may employ through contract a consultant or advisor, for carrying out a specific assignment or a job requiring specialized expertise within a specified time. Such appointment may be made at suitable remuneration as approved by the Board on case to case basis, after due assessment of the prevailing market rates for the acquisition of similar services.*

**DISCUSSION:**

4. The Table Agenda No. 01 and 02 regarding Hiring of Consultants for HR / Finance & Contract Management for Engineering Wing were discussed in BoD in detail. The Chairman BoD enquired about the specialists available in PHAF for monitoring and overseeing the SOP's/policies and execution of engineering works. The BoD was informed that in every project, PHAF hired both Design & Supervisory Consultants for detailed design, supervision and monitoring of all activities of project. The BoD was further informed that these consultants hired dedicated team of professionals of relevant domain for that purpose. The BoD was of the view that Engineering wing being the executing arm should be strengthened and dedicated team of professional engineers shall be in place before commencement of physical work at site.

5. The BoD was also apprised that contract management was an important specialized domain wherein specialist expert of Contract Management was required to be hired to evaluate /monitor contract performance to determine necessity for amendments or extensions of contracts and compliance to contractual obligations of various housing projects of PHA-F to safe guard the interest of PHAF. Moreover, PHAF intended to strengthen the HR, Finance and Estate wings for proper utilization of human resource, alternate ways & means of revenue generation and automation of manual procedures. Therefore, PHAF proposed to hire a Consultant for Contract Management and HR/Financial Management. The BoD unanimously agreed to the proposal.

**DECISION:**

The BoD approved hiring of Consultants for Contract Management and HR / Financial Management of its projects as per TORs mentioned under Table Agenda No. 01 & 02. The BoD further directed to hire the consultants as per laid down rules & procedures and the remuneration may be enhanced as per market rates.

**TABLE AGENDA NO. 03**

**WAIVER OF SURCHARGES ON HUMANITARIAN GROUNDS AT KURRI ROAD PROJECT, ISLAMABAD.**

Dr. Najmunnisa Pirzada W/o late Mr. Ejaz Ali Pirzada requested for waiver of surcharge and additional cost on Humanitarian grounds against House No. 223, Lane No. 17, Category-II PHA-F Officers Residencia Project Islamabad. She had requested that Rs. 2,445,322/- as delayed payment charges and additional cost of Rs. 1,007,939/- were a burden that she could not afford in her current financial situation and family hardships.

2. It was apprised that PHA-F was a public limited company which got no funds from Government of Pakistan, therefore, it was totally dependent upon the installments received from the allottees to run a project and complete it within the stipulated time. In order to ensure timely payments of installments by allottees, PHAF imposed a surcharge called Delayed Payment Charges (DPC) @ 2% per month of the installment amount as per clause 11 of the Brochure. The detail of DPC against the subject house as per original payment plan was as under:-

Sr. No	Category	House No	Lane No	DPC
1	II	223	17	Rs. 5,957,326/-

3. The BoD was further apprised that a similar case of Mrs. Rozeena Hussain, allottee of House No. 99, Lane No. 11, Cat-I, POR Kurri Road, Islamabad was discussed and decided in 36<sup>th</sup> meeting of the BoD as under:

*"The Board after thorough discussion and deliberation resolved that if any Government employee died during service and if any additional cost was levied / imposed after his / her death, it was not applicable on legal heirs. The Board approved the waiver of additional cost of Rs. 1,642,723/- in the instant case".*

4. The Board was informed that the above referred decision of the BoD was a policy decision, therefore, the benefit of the said decision could be extended to the applicant.

**DECISION:**

Since, the matter under consideration was similar to the case of Mrs. Rozeena Hussain that was decided by the BoD in its 36<sup>th</sup> Meeting, therefore, the same treatment of waiver of additional cost against the House No. 223, Lane No. 17, Category-II, PHA-F Officers Residencia Project Islamabad was approved to be extended.

REVISION OF ELIGIBILITY CRITERIA FOR FG EMPLOYEES BPS (01-22) IN I-12/1 PROJECT ISLAMABAD.

PHA-Foundation launched the housing project consisting of "D" and "E" type apartments for registered Federal Government Employees and General Public in I-12/1 Islamabad. Balloting of the apartments was held on 21/12/2015.

2. It was apprised that PHA-F, is a public company registered under section 42 of companies ordinance 1984, Companies Act 2017. All its projects were dependent upon the booking of apartments offered. Similarly, the I-12/1 project was offered to Federal Government Employees BPS 01-16 on 2<sup>nd</sup> February 2016. Since the response of the Federal Government Employees was not satisfactory, therefore, the project was opened for General Public on 7<sup>th</sup> December 2017, through a decision made by BoD in its 27<sup>th</sup> meeting.

3. Accordingly, a marketing campaign for booking of the leftover apartments was carried out by publicizing the project in print and social media and issuance of offer letters to the members of PHA-Foundation. After extensive campaign, the booking process got impetus with the following details:-

Type/Category	Quota	Apartments	Booked	Left Over
D Type	GP	1600	1302	298
D Type	FG	800	289	511
E Type	FG	800	209	591
<b>Grand Total</b>	<b>FG/GP</b>	<b>3200</b>	<b>1800</b>	<b>1400</b>

4. It was informed that due to several technical reasons construction work on Package-9 (Blocks, V, W & Z) could not be started. The allottees of these were adjusted in other blocks as per availability.

5. After satisfactory report by Engineer in Chief, Ministry of Defense, work at the project had been resumed. In order to improve the cash flow of the project and ensuring its timely completion, the following proposal was submitted for consideration:

**"Booking of the apartments may be opened for all Federal Government Employees (BPS 01-22) in FG quota. Such booking shall not exceed from the initially reserved quota."**

DISCUSSION:

6. The Board was apprised that booking in the I-12 Project was slow. So far 1800 apartments had been booked and 1400 apartments were yet to be booked. The project was initially designed for FG Employees (BPS 1-16) and General Public. Booking in the General Public was good. However, booking against the FG Employees quota was very slow. Therefore, it was felt that the quota of the FG Employees might be extended to all Federal Government Employees (BPS 1-22), so that the booking process could be expedited. The Deputy Chairman directed that the interest of the FG Employees in BS 1-16 should be safeguarded while opening it to all Federal Government Employees.

7. Moreover, JS (Estate/ Admin), M/o Housing & Works requested the BoD that the employees of M/o Housing & Works might be exempted from Delayed Payment Charges

(DPC) and housing units might be allotted as per construction cost as per pattern of PHAF employees.

**DECISIONS:**

After detailed discussion, the following decisions were made:-

- i. The booking of apartments in I-12 Project be opened to all Federal Government Employees (BPS 1-22). However, the management may safeguard the interest of low paid Federal Government Employees (BPS 1-16)
- ii. The eligible employees of M/o Housing & Works shall be allotted housing units on construction cost basis and delayed payment charges (DPC) shall not be levied upon them.

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

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