

14th CDA BOARD MEETING FOR THE YEAR-2020 HELD ON 18-09-2020
AGENDA ITEMS

S.No	Items	Presenter
1	Issues regarding regularization of Daily wages/ Contract/ DPL employees.	Member Admin.
2	Discussion on following Wafaqi Mohtasib cases. i. Restoration of Plot No. 131-B, Park Enclave Scheme, Phase-I, Extension, Islamabad. ii. Request for refund of Land Use Conversion Fee deposited for obtaining NOC for CNG Station. iii. Restoration of Plot No. 243-248 Industrial Triangle Kahuta Road, Islamabad.	Member Estate Member (P&D)
3	Consultancy Service for Alignment and Feasibility of Eastern Bypass, Islamabad.	Member (P&D)
4	Construction of 104 family suits for the parliamentarian including servant quarter block for 500 persons at sector G-5/2, Islamabad.	Member Engineering
5	Adjustment of work load of Estate Wing and Re-designation of posts of Director Estate Management-I (West) BS-19 as Deputy Director General (Land & Rehabilitation, Enforcement) BS-19.	Member Admin.
6	Revised Budget Estimates for Financial Year 2020-21 & Revised Estimates for Financial Year 2019-20.	Member Finance
Non-Agenda Items		
NA-I	Minutes of the meeting regarding issue of commercial area in sector g-14/1, g-14/2 and g-14/3 Islamabad in compliance with the honorable Wafaqi Mohtasib decision dated 28.05.2018.	Member (P&D)
NA-II	CDA promotion policy – 2020 for posts in BS-18 to BS-20.	Member (Admin)



Capital Development Authority
(Secretary CDA Board Office)

CONFIDENTIAL

No. CDA-1371/BM-SCB/2020/

Islamabad September 18, 2020

Subject: MINUTES OF 14TH CDA BOARD MEETING FOR THE YEAR 2020.

The 14th CDA Board meeting for the year 2020 was held on **September 18, 2020 (Friday) at 01:00 P.M.** in the Conference Room of Executive Block, CDA Headquarter, Islamabad under the Chairmanship of Chairman, CDA.

2. Following attended the meeting:

1. Mr. Amer Ali Ahmed, (In Chair)
Chairman, CDA-
(Additional Charge),
Chief Commissioner ICT
2. Rana Shakeel Asghar,
FA/Member ,CDA/
Member (Admin),CDA.
(Look after charge)
3. Dr. Shahid Mehmood,
Member (P&D), CDA
Member (Engg.), CDA
(Look after charge)
4. Mr. Naveed Ilahi,
Member (Estate),CDA.
(Look after charge)
5. Muhammad Ayaz Khan
Member (Engg.), CDA
(Day to day work relating to M. Engg. Office)
6. Syed Safdar Ali,
Secretary CDA Board.

3. Commissioner Rawalpindi as ex-officio member of the Board could not attend the meeting. Chief Commissioner, ICT in addition to the assignment of Chairman, CDA attended the meeting, while Member Finance / Member Admin, Member Estate, DDG (HRD), Member Planning & Design and Member Engineering were present in the meeting. Director HS, DFA-I and General Secretary (CBA), CDA Union were also attended the meeting.

4. Meeting commenced with the recitation of "Holy Quran" by Syed Safdar Ali, Secretary CDA Board. Thereafter agenda items were taken up for discussion and following decisions were made:-

14.1 ISSUES REGARDING REGULARIZATION OF DAILY WAGES/ CONTRACT/ DPL EMPLOYEES. / REGULARIZATION OF DAILY WAGES AND CONTRACT EMPLOYEES.

11221/1371/BM/20
18-09-'20/14th

DECISION

The summary was presented by DDG (HRD) and Member (Admin), CDA and briefed the Board that in Writ Petition No. 4604/2018 titled "Muhammad Ziaraf etc. Vs Capital Development Authority, etc", the Islamabad High Court, Islamabad directed vide Order Sheet, dated 26-8-2020 which is as under

"C.M. No.2312/2020.

"This is an application for placing additional documents on record. For the reasons stated therein, same is allowed subject to all just and legal exceptions. The status of the documents will be considered at the time of final arguments".

C.M. No.2313/2020

After hearing the parties at length, it appears that respondent CDA has taken particular stance in para 3 of its comments that ICAs No.151, 152, 153, 154, 155,156 & 194 of 2018, along with connected writ petitions No.2449/2017 and 3525/2017 were disposed of by the Honorable Division Bench of this Court vide order dated 16.5.2018 after recording of conceding statement of Member Admin, CDA Nadeem Akbar Malik. The CDA in the wake of the said judgment also placed heavy reliance on the regularization policy dated 17.10.2017 notified by the Government of Pakistan, adopted by the CDA Board in their meeting. I have gone through the said notification adopted by the CDA Board which reveals that there are certain discrepancies as some points which were referred in the said policy are contrary to the CDA Ordinance, 1960 as well as CDA Employees Service Regulations 1992. Even para 2 of the CDA Board decision compels the authority to make an amendment in the CDA Employees Service Regulations 1992. When confronted learned counsel for CDA contends that the said amendment has not yet been given effect which is an administrative matter. However, defects highlighted by learned counsel for Petitioner today have to be considered by the CDA Board who is the competent authority to rectify those mistakes and resolve the issue of the employees of CDA.

ii. Be that as it may, Secretary Board after the approval of Chairman CDA shall place the matter before the Board in consultation with law department as well as learned counsel for CDA including Member Administration and HRD for resolution of controversy in order to rectify the mistakes in the matter.

iii. Learned counsel for CDA has conceded that as of today no fresh recruitment is in process and even nothing has been advertised by the CDA, however, True Copy if any such advertisement is published it will be submitted before this Court for perusal.

iv. The Secretary Board, CDA and Member Administration, CDA shall appear in person to apprise this Court regarding the status of the Board meeting to resolve the issue of Regularization Employees / Petitioners".

It was further elaborated that CDA entered into settlement with CBA after CDA Board decision dated 30.09.2011 and the daily wages / contract employees in BS-01 to BS-15 were regularized subject to availability of post and fulfillment of requisite qualification. The said notification was issued on 12.12.2012 where after thousand employees were regularized. The settlement is still in field. Accordingly Mr. Ammanullah Khan, General Secretary, CBA (Employees Union) was summoned to elaborate his point of view before CDA Board on the instant issue. He explained his point of view to the Board and further emphasized that If any person engaged after the cut of date (i.e.21.06.2018) will not any right or claim of regularization.

It was further highlighted that CDA Being autonomous body has its own regulation for appointment. Employees of CDA are not civil servant. Therefore clause –II of the policy 17-10-2017 is in contradiction to service Regulation, 1992 and it required to be reviewed by CDA board for appointment and regularization of 16 and above.

After due deliberation, CDA Board observed that the policy dated 17.02.2017 adopted by the CDA is contradicting with the CDA existing rules / regulations. The judgment passed in ICA No. 340/2017 does not speak for an automatic system process of regularization. The honorable Islamabad high Court while issuing comprehensive guidelines directed all statutory organizations / companies controlled by the Federal Government to decide the cases in accordance with their own service rules and a one time exercise for regularization of service of temporary employees.

Board principally agreed to the one time exercise for regularization of the service and further decided that service of all such employees, who are presently working on daily wages or DPL (Muster Roll) or contract basis, having two years continuous service (excluding project employees) would be considered for regularization in the following manner / procedure.

- a) The recommendation for regularization would be made through respective Departmental Recruitment Committee constituted under the CDA Employees Service Regulations, 1992.
- b) Fulfillment of requisite qualification, experience or initial appointments criteria as laid down in the CDA Employees Service Regulations, 1992 for the post against which employees are required to be regularized.
- c) Regularization would also be made against the availability of regular sanctioned post.
- d) Age relaxation shall be granted by deducting the period actually served as Daily paid / Daily Wages / contract basis by the employee.
- e) Any disturbance in regional quota while regularizing will be adjusted in future recruitment.
- f) Concerned Director shall verify the credential / academic / Educational documents, domiciles, appointment letter / first engagement letter, or any proof of employment all extension letters and Provision of certificate that employee have two years continuous service at his credited, duly verified through Paid Voucher of each employee by the concerned DDO/ Deputy Director that the said employees in CDA pay roll up to 21.06.2018.
- g) The recommendations of DRC will be submitted to relevant competent authority for approval.

Action By: Member (Admin)

14.2(i) RESTORATION OF PLOT NO. 131-B, PARK ENCLAVE SCHEME, PHASE-I, EXTENSION, ISLAMABAD.

11222/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by Member (Estate,) CDA. Board consider the summary and after due deliberation applicant has failed to fulfill the requisite obligations (i.e. payment of demanded amount within specified time), agreed with the proposal contained at Para 6 of the summary. Moreover it was decided that there is no provision in the rules and policy for restoration of such plot.

Action By: Member (Estate)

14.2(ii) REQUEST FOR REFUND OF LAND USE CONVERSION FEE DEPOSITED FOR OBTAINING NOC FOR CNG STATION.

11223/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by Member (P&D) CDA. After due deliberation, Board directed that the concerned formation may implement the Presidential Order dated 05.01.2017 in the subject matter.

Action By: Member (P&D)

14.2(iii) RESTORATION OF PLOT NO. 243-248 INDUSTRIAL TRIANGLE KAHUTA ROAD, ISLAMABAD.

11224/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by Member (Estate) and Member (P&D) CDA. After due deliberation, board recommended that since there are serious irregularities committed by various Wings of CDA, the matter may be referred to FIA for conducting a detailed inquiry in the subject matter.

**Action By: Member (P&D)
Member (Estate)
Member (Admin)**

14.3 CONSULTANCY SERVICE FOR ALIGNMENT AND FEASIBILITY OF EASTERN BYPASS, ISLAMABAD.

11225/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by Member (P&D) CDA. After due deliberation, Board decided to award the work of consultancy service for alignment and feasibility of Eastern Bypass, Islamabad to Engineering in Chief (EnC) Branch, as proposed in the summary at the quoted bid amount of Rs. 10.000 million.

Action By: Member (P&D)

14.4 CONSTRUCTION OF 104 FAMILY SUITS FOR THE PARLIAMENTARIAN INCLUDING SERVANT QUARTER BLOCK FOR 500 PERSONS AT SECTOR G-5/2, ISLAMABAD.

11226/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by Member (Engineering), CDA. After due deliberation, CDA Board approved the proposal contained at Para 7 of the summary subject to completion of requisite requirement / procedures in the matter and disposal of any pending applications that arrived as well as release of funds by the Federal Government.

Action By: Member (Engineering)

14.5 ADJUSTMENT OF WORK LOAD OF ESTATE WING AND RE-DESIGNATION OF POSTS OF DIRECTOR ESTATE MANAGEMENT-I (WEST) BS-19 AS DEPUTY DIRECTOR GENERAL (LAND & REHABILITATION, ENFORCEMENT) BS-19.

11227/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by Member (Administration)/ Member Finance, CDA. After due deliberation, CDA Board approved the re-designation of one post of Director Enforcement BS-19 as Deputy Director General (Enforcement) BS-19 subject to the condition that post is available in the strength of Enforcement Directorate, otherwise the proposal contained in the summary is approved.

Action By: Member (Admin)

14.6 **REVISED BUDGET ESTIMATES FOR FINANCIAL YEAR 2020-21 & REVISED ESTIMATES FOR FINANCIAL YEAR 2019-20.**
11228/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by DFA-I and who briefed the Board that CDA Board approved the proposed budget estimates for fiscal year 2020-21 in 7th Board meeting held on 17/06/2020. The same was forwarded to Ministry of Interior vide letter No.CDA/FW(B)-42(27)A/2020-21/149 dated 19/06/2020 for its approval. Deputy Secretary (CDA), Ministry of Interior vide letter dated 07/07/2020 conveyed the directions of MOI that CDA's Board may revise summary for MCI FY 2020-21 for two quarters instead of one quarter. CDA Board revised budget estimates for FY 2020-21 with 02 quarters provision for MCI out of CDA Budget on loan basis and forwarded to MOI vide Finance Wing letter No.CDA/FW(B)-42(27)A/2020-21/160 dated 13/07/2020.

Now, MOI referred letter again with the directions that the required budget estimates, mentioned for FY 2020-21, for MCI may be revised to two quarters (1st Half of FY 2020-21) instead of one quarter as the 2nd quarter for FY 2020-21 is going to start from 19 October 2020.

After due deliberations as well as observations, Board approved the proposal contained at Para 4 of the summary, and amounting to Rs.16. billion had already been allocated to MCI on loan basis which observed that funds may be returned back to CDA. Federal Government will compensate the CDA through MOI, because the performance of CDA could not be compromised.

Action By: Member Finance

NA-I **MINUTES OF THE MEETING REGARDING ISSUE OF COMMERCIAL AREA IN SECTOR G-14/1, G-14/2 AND G-14/3 ISLAMABAD IN COMPLIANCE WITH THE HONORABLE WAFAQI MOHTASIB DECISION DATED 28.05.2018.**
11229/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by Member (P&D,) CDA. After due deliberation, CDA Board decided that CDA may not contest the decisions in this regard made by the Cabinet from time to time. However, CDA Board further directed the concerned wing for implementation in accordance with the CDA Ordinance and Master plan.

**Action By: Member (P&D)
 Member (Estate)**

NA-II **CDA PROMOTION POLICY – 2020 FOR POSTS IN BS-18 TO BS-20.**

11230/1371/BM/'20
18-09-'20/14th

DECISION

The summary was presented by Member (Administration) CDA. After due deliberation, CDA Board approved the adoption of Civil Servant Promotion (BS-18 to BS-21) Rules, 2019 with slight modification and renamed as “**CDA Promotion Policy – 2020 for the posts in BS-18 to BS-20**” (Annexed- D) in line with the rules vide S.R.O No.1493 (1)/2019 dated 03.12.2019 as conveyed by the MOI letter dated 11.12.2019 through Establishment Division, Government of Pakistan Office Memorandum No.1/1/2018 –CP-II dated 09.12.2019. CDA Promotion Policy – 2020 for the posts in BS-18 to BS-20 will be inserted in the relevant place of CDA Employees Service Regulation, 1992.

Action By: Member (Admin)

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

