

AGENDA LIST

399th NHA Executive Board Meeting

<u>Agenda Item</u>	<u>Subject</u>
1.	Confirmation of Minutes of 398 th Meeting of Executive Board held on June 12, 2022
2.	Report of Committee Constituted by Executive Board in its 348 th Meeting Held on February 04, 2021. <i>With reference to Agenda Item Titled "Guidance/Decision on Judgment Dated December 22, 2020 passed by High Court of Balochistan, Quetta in CP No. 1225/2018 Titled Noor-ul-Hassan Vs Federation of Pakistan/NHA." and Order of the Islamabad High Court, Islamabad dated June 13, 2022 in the case titled Nawab Ali Vs. National Highway Authority (NHA) and others</i>
3.	Approval for Payment of Decretal Amount Rs.79,301,580/- as a Special Case in Execution Petition titled as Muhammad Fazeel etc vs LAC NHA M-1 etc Pending before the Court of AD&SJ-XI, Peshawar
4.	Issuance of Shariah Complaint Retail Instrument in Wakala Mode
5.	National Highway Development Sector Investment Program (NHDSIP) Approval of 2 nd Revised PC-I
Add'l Agenda Item	Hiring of Frontier Corps (FC) on Full-time Basis on Ziarat Cross-Kach-Harnai-Sanjavi Road Project and Other Projects Vulnerable to Terrorist Threats in Baluchistan Province

NHA Executive Board's Confirmed Minutes**NATIONAL HIGHWAY AUTHORITY****CONFIRMED MINUTES**

Subject: **The 399th Meeting of the NHA Executive Board Held on June 19, 2022 at Islamabad.**

Introduction

The 399th meeting of the National Highway Authority's Executive Board was held at 1400 hours on June 19, 2022 at the Auditorium of NHA Headquarters, Islamabad. Capt. (Retd.) Muhammad Khurram Agha, Chairman, NHA presided over the meeting.

The meeting commenced with recitation of verses from the Holy Quran with Urdu translation and Darood Sharif.

Opening Remarks

The Chairman extended warm welcome to the participants of the meeting.

The Chairman allowed Secretary, NHA to start formal Board proceedings on the agenda.

Formal Board Proceedings**Agenda Items**

The Secretary, NHA apprised the Board that agenda consists of five (05) items.

Agenda Item 1

Confirmation of Minutes of 398th Meeting of Executive Board held on June 12, 2022

Decision

The NHA Executive Board confirmed the minutes of the 398th Executive Board meeting held on June 12, 2022.

Action By : Secretary, NHA

Agenda Item 2
Report of Committee Constituted by Executive Board in its 348th Meeting Held on February 04, 2021.

With reference to Agenda Item titled "Guidance/Decision on Judgment Dated December 22, 2020 passed by High Court of Balochistan, Quetta in CP No. 1225/2018 Titled Noor-ul-Hassan Vs Federation of Pakistan/NHA" and Order of the Islamabad High Court, Islamabad Dated June 13, 2022 in the Case Titled Nawab Ali Vs National Highway Authority (NHA) and Others

Decision

The NHA Executive Board approved the following recommendations of the Board's committee for consideration and approval of the National Highway Council (NHC):

- a. In compliance of the Sindh High Court judgment, a separate pool of employees whose contract services were regularized by NHA on recommendations of the Cabinet sub-committee on regularization may be maintained. This separate strength shall be named as NHA special service cadre.
- b. Supernumerary/Temporary posts for each employee may be created to adjust 78x officers on NHA special service cadre and also for officers/officials in BS-17 and below whose services were regularized by the Cabinet sub-committee. These posts shall be temporary to adjust employees of NHA special service cadre, therefore, no such post be transferred to regular establishment of NHA.
- c. Inter-se-seniority in each cadre and pay scale of regularized employees may be maintained separately in their respective NHA's special service cadre. Their seniority will have no effect on the seniority of NHA regular establishment of respective cadre.
- d. In case a post becomes vacant in NHA special service cadre, either by retirement or in case of death, the senior most of official/officer in the feeding cadre maybe promoted to the higher posts. For example on promotion of an officer to higher post in BS-18, resultantly the BS-17 post become vacant and in case no officer in the cadre is available for promotion to BS-

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17, then the post shall stand abolished. On the retirement of the last employee, NHA special service cadre shall stand abolished.

- e. For the purpose of career progression and motivation of the senior officers of a special cadre, supernumerary posts in BS-20 and BS-21, if required by NHA, may be created later on, after fulfilling the legal and procedural formalities.
- f. NHA Executive Board is not empowered to add or amend the NHA Service Rules, 1995 without National Highway Council's approval. Therefore, waving of the written test and advertising less experience than required, without obtaining approval of National Highway Council is the lapse on part of the management and administration of National Highway Authority and it cannot be shifted to the employees, it is recommended that such cases may be placed before National Highway Council for regularizing the waving off the written test and experience.
- g. The posts in the regular service cadres of NHA officers and officials shall not be reduced on account of the proposed NHA Special Service Cadre. The officers and officials belonging to the regular services cadre shall also be provided opportunity of further promotion through restructuring of the NHA service strength after fulfilling the legal and procedural formalities.
- h. The implementation of the above mentioned scheme shall be regularly monitored by the NHA Board committee under supervision of the NHA Executive Board and to ensure that the scheme is implemented within a period of six months.
- i. These recommendations are subject to clearance of court restraining orders/cases (if any).
- j. The above mentioned recommendations, if approved by NHC will be followed for all other contract/daily wages employees in BS-1 to 17 regularized by the Cabinet sub-committee.

The Board also approved draft Affidavit for submission in the Honourable Islamabad High Court.

Action By : Member (Admn)

Agenda Item 3

Approval for Payment of Decretal Amount Rs.79,301,580/- as a Special Case in Execution Petition Titled as Muhammad Fazeel etc Vs LAC NHA M-1 etc Pending before the Court of AD&SJ-XI, Peshawar

Decision

The NHA Executive Board allowed to deposit decretal amount of Rs.79,301,580/- in the honourable court in compliance of the judgment in Execution Petition titled as "Muhammad Fazeel etc Vs LAC NHA M-1 etc" pending before the Court of AD&SJ-XI, Peshawar from the revenue of M-1 (RMA Account) as a special case on the direction of honourable court.

The Board directed to present complete details of all such land cases, which are sub-judice in the courts of law or attained finality in next Board meeting.

The Board further directed all concerned NHA Members/GMs to immediately prepare revised PC-Is where land component requires enhancement for payment of actual compensation.

Action By : Member (North Zone)/All Members NHA/
All GMs NHA/Director (Legal)

Agenda Item 4

Issuance of Shariah Complaint Retail Instrument in Wakala Mode

Decision

The NHA Executive Board approved issuance of NOC to Finance Division for raising funds by issuing Shariah Compliant Retail Instrument in Wakala Mode using the unencumbered land of Lahore Sialkot Motorway (LSM).

The Board constituted the following committee to check the status of NHA's assets where Sukuk bonds have been matured along with the current issues of NHA with Federal Board of Revenue:

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| a. | Add'l Secretary (Budget) | Chairman |
| b. | Member (Finance) | Member |
| c. | GM (Finance) | Secretary |

Action By : Member (Finance)

Agenda Item 5
National Highway Development Sector Investment Program (NHDSIP) Approval of 2nd Revised PC-I
Decision

The NHA Executive Board recommended the revised Global PC-I (2nd Revision) for the National Highway Development Sector Investment Program (NHDSIP) at a revised cost of Rs.60,200 million to CDWP for approval.

The Board directed NHA to submit the details of the projects requiring revised PC-Is' approvals.

Action By : Member (Engg. Coord)

Additional Agenda Item
Hiring of Frontier Corps (FC) on Full-time Basis on Ziarat Cross-Kach-Harnai-Sanjavi Road Project and Other Projects Vulnerable to Terrorist Threats in Baluchistan Province
Decision

The NHA Executive Board approved the following:

- a. Deployment of Frontier Corps (FC) Troops for provision of Security for Construction of Ziarat Mor - Kach - Harnai - Sanjavi Road through Contingencies Head amounting to Rs.153.5 million.
- b. FC Platoons be hired for all other ongoing NHA projects in Baluchistan that are vulnerable to terrorist threats and cost will be met from the respective Contingency head.

The Board directed the Project Authorities to submit revised PC-I for approval after incorporating the total cost of FC Security prior to exhaust of contingency head in the respective projects.

Action By : Member (West Zone)

Conclusion

The Chairman wrapped up the meeting by thanking the Board Members for their active participation and useful input.
