

NHA Executive Board's Confirmed Minutes

NATIONAL HIGHWAY AUTHORITY

**415th Executive Board Meeting
Islamabad, November 21, 2022**

AGENDA ITEMS

<u>Agenda Item</u>	<u>Subject</u>
1.	Confirmation of Minutes of 411 th , 412 th , 413 th & 414 th Meetings of Executive Board Held on October 05, 19, 21 & November 01, 2022 Respectively TORs of Stage-I & Stage-II Committees for Amicable Settlement
2.	Approval for Amendment in Standard Operating Procedure (SOP) for PPP Projects
Add'l	Implementation of Supreme Court of Pakistan Judgment Dated December 17, 2021 in Civil Review Petition CRP No.292 to 302/2021, 351 to 432/2021 & 442 to 456/2021 in CA No.491/2012

NATIONAL HIGHWAY AUTHORITY**CONFIRMED MINUTES**

Subject: **The 415th Meeting of the NHA Executive Board Held on November 21, 2022 at Islamabad**

Introduction

The 415th meeting of the National Highway Authority Executive Board was held at 0900 hours on November 21, 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 two (02) items. He added that following additional agenda item will be tabled with the permission of Board on the request of Member (Admn), NHA:

Implementation of Supreme Court of Pakistan Judgment Dated December 17, 2021 in Civil Review Petition CRP No.292 to 302/2021, 351 to 432/2021 & 442 to 456/2021 in CA No.491/2012.

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Agenda Item 1

Confirmation of Minutes of 411th, 412th, 413th & 414th Meetings of Executive Board Held on October 05, 19, 21 & November 01, 2022 Respectively

The Secretary, NHA apprised the Board that the confirmed minutes of 411th, 412th, 413th & 414th meetings were circulated on November 11, 2022 as agreed by all Board Members. He further informed that as suggested by Member (Planning), a slight amendment was made in the minutes of Agenda Item No. 2 of 412th meeting regarding "Revision in Composition of Stage-I & Stage-II Committee(s) for Amicable Settlement", as follows:

<u>For</u>	<u>Read</u>
5.10. The TORs of committees are enclosed at Annex-C .	5.10. The TORs of Stage-I & Stage-II Committees will be prepared by Chief (NTRC) and Member (Planning), NHA. The draft TORs will be presented before the Board for approval.

Suggested by Member (Planning)

TORs of Stage-I & Stage-II Committees for Amicable Settlement

The Member (Planning) apprised the Board that the TORs of Stage-I & Stage-II Committees as directed by NHA Executive Board in its 412th meeting held on October 19, 2022 are prepared and finalized in consultation with Chief (NTRC). The Board directed to issue the TORs.

Action By : Secretary, NHA/Member (Planning)

Agenda Item 2

Approval for Clarity in Standard Operating Procedure (SOP) for PPP Projects

Decision

The NHA Executive Board approved the following clarity in the SOP for PPP projects:

- a. A new Section-10 is added in the SOP.

10. Signing of PPP Agreement & relevant Subservient Agreements.

10.1 The following officers of NHA are authorized to sign and initial the PPP Agreement and the

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relevant Subservient Agreements on behalf of NHA
with the private party & financial institutions:

Document	Designation	Authorized
PPP Agreement	Member (PPP)	To execute/sign Agreement
	GM (PPP)	To initial each page of Agreement
Independent Engineer Agreement	GM (PPP)	To execute/sign Agreement
	Director (PPP)	To initial each page of Agreement
Joint (Independent) Auditor Agreement	GM (PPP)	To execute/sign Agreement
	Director (PPP)	To initial each page of Agreement
Concession Direct Agreement	Member (Finance)	To execute/sign Agreement
	Director (PPP)	To initial each page of Agreement
Equity Funding Utilization/Shareholder's Agreement	Member (Finance)	To execute/sign Agreement
	Director (PPP)	To initial each page of Agreement
ESCROW Agreement	Member (Finance)	To execute/sign Agreement
	Director (PPP)	To initial each page of Agreement

Note: All the aforementioned agreements are main agreements, which are to be signed before financial close. The subsequent agreements for the projects will be signed by project implementation authorities.

- b. The existing Section-10 in the SOP is renumbered as 11 and 11.1 accordingly.

Action By : Member (PPP)/Member (Planning)

Additional Agenda Item

Implementation of Supreme Court of Pakistan Judgment Dated December 17, 2021 in Civil Review Petition CRP No.292 to 302/2021, 351 to 432/2021 & 442 to 456/2021 in CA No.491/2012

Decision

The NHA Executive Board approved the following:

- a. Sacked-restored employees in BS-1 to 15 (where aptitude, scholastic or skill test is not required as per rules) are restored in service on regular basis, as they were on August 17, 2021, on the same posts and terms & conditions of service applicable to them on the date of their termination in pursuance to Para 41(i) of the Supreme Court judgment dated December 17, 2021.

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- b. Seniority of employees referred in Para (a) above be restored as on August 17, 2021.
- c. The Office Order of Committee already constituted under Chairmanship of Member (AP) vide order dated May 16, 2022 to determine terms & conditions of sacked-restored employees be withdrawn in view of constitution of Special Committee on sacked employees by Speaker National Assembly.

Action By : Member (Admn)

Conclusion

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