

**PROCEEDINGS**  
**Ordinary Board Meeting**  
**Cantonment Board Peshawar**  
**31<sup>st</sup> January, 2019**

**PROCEEDINGS**  
**ORDINARY MEETING**  
**CANTONMENT BOARD PESHAWAR**  
**31<sup>st</sup> January, 2019**

**PRESENT:**

- (1) **Brigadier Muhammad Masroor Ur Rehman**  
Station Commander, Peshawar Cantonment ..... President
- (2) **Mr. Muhammad Waris** ..... Vice President
- (3) **Lt Col Rab Nawaz Khan,**  
AA&QMG (Gar) ..... Member
- (4) **Lt Col Rab Nawaz Khan,**  
AA&QMG (Gar) ..... Member
- (5) **Maj Sohail Gulzar,**  
DAQMG Sta HQ Psc ..... Member
- (6) **Maj Sighat Ullah Dar,**  
GE (A), Gar Engr ex MES Psc ..... Member
- (7) **Mr. Sher Afzal Khan**.....Member
- (8) **Mr. Yadullah Khan Bangash** .....Member
- (9) **Mr. Ghulam Hussain** .....Member
- (10) **Mr. Atif Ali Khan, ASC**.....Member
- (11) **Mr. Amjad Rehmat,** ..... Member

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**Rana Khawar Iftikhar,**  
Cantonment Executive Officer,  
Peshawar Cantonment ..... Secretary

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The meeting started with the recitation of verses from Holy Quran.

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Owing to the sensitivities peculiar to Peshawar Cantt, the Board meetings of Cantonment Board Peshawar be not made open to public as per Section 42 of the Cantonments Act, 1924.

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# ACCOUNTS BRANCH

## ITEM 1

### MONTHLY ACCOUNTS

#### Requirement

To note the monthly statement of accounts of Cantonment Fund along with statement of arrears of revenue for the month of December, 2018.

#### Legal Provision:

Rule 90 of the Cantonment Accounts Code, 1955 which states that: "The Executive Officer shall cause to be prepared a monthly statement of receipts and expenditure of the Cantonment Fund and place it along with statement of arrears of revenue before the Board for information"

### DECEMBER 2018

<u>MONTHLY STATEMENT OF RECEIPTS &amp; EXPENDITURE</u>		
<u>Description</u>	<u>Cantt Fund</u>	<u>Premium Fund</u>
Opening Balance	252,215,837.69	195,335,673.13
Receipt during the month	79,998,569.59	...
<b>Total</b>	<b>332,214,407.28</b>	<b>195,335,673.13</b>
Expenditure during the month	10,704,8976.00	4,844,985.00
Closing Balance	225,165,431.28	190,490,688.13

### RECEIPTS

<u>Sr. No.</u>	<u>Head</u>	<u>Amount in Million</u>		
		<u>October 2018</u>	<u>November 2018</u>	<u>December 2018</u>
1.	Octroi (GSt Share in lieu of OZT)	7.028	0.000	14.056
2.	House Tax	17.352	19.391	19.241
3.	Tax on Trades & Professions	0.193	0.310	0.200
4.	C.B Water Supply	2.418	1.718	1.505
5.	Conservancy or Scavenging tax	1.652	1.023	1.243
6.	Building application tax	0.000	0.085	0.001
7.	Cinema Tax (Entertainment Duty)	0.039	0.052	0.020
8.	TIP Tax	10.470	1.691	12.152
9.	Pounds	0.000	0.000	0.000
10.	Food Laws	0.152	0.024	0.008
11.	Group Latrines / Car Parking	0.130	0.500	0.000
12.	Rent from leases	0.055	0.535	0.190
13.	Rent from Hoarding/BTS	6.978	17.910	9.978
14.	Serai/Rest House/Dak bungalows	0.002	0.005	0.012
15.	Cantt: Fund Building leased for Commercial purposes	7.543	10.236	6.324
16.	Cantt: Fund Building leased for Residential purposes	0.191	0.175	0.505
17.	Transfer Fee (Cantt: Board Properties)	0.464	0.516	0.175
18.	Income from Survey & building plan/ scrutiny fee	0.000	0.460	0.031

19.	Fine Under Cantt: & other Acts	0.346	0.008	0.005
20.	High School & College for Girls K.H Road	0.558	0.298	0.370
21.	High School & College for Boys R.A Bazar	0.566	0.349	0.316
22.	Fee & Revenue from Medical Institutions	1.401	1.110	1.101
23.	Slaughter Houses	0.255	0.000	0.200
24.	Copying fees	0.042	0.016	0.049
25.	Registration fees	0.132	0.025	0.005
26.	Trade & Profession	0.547	0.605	0.549
27.	Bonded ware-house receipts (cinema License fee)	0.006	0.000	0.000
28.	Sale Proceeds of Water	0.043	0.029	0.022
29.	Water Connection	0.002	0.002	0.002
30.	Mutation fee	0.023	0.013	0.024
31.	Sale of forms	0.569	0.097	0.130
32.	Income from Investments	2.363	5.112	0.357
33.	Army	0.000	32.415	0.000
34.	Private Conservancy Fee	0.000	1.242	0.024
35.	Recoveries o/c of services rendered to Pvt individuals	0.000	0.029	0.044
36.	Development Charges	0.000	0.000	0.000
37.	Miscellaneous	5.771	7.687	5.156
38.	Sale of Old Material	0.000	0.000	0.000
39.	Composition fee	0.039	1.315	0.010
40.	Sale of trees	0.000	0.000	0.000
41.	Security Deposits	0.897	0.794	0.228
42.	Advance of pay, travelling allowance, etc	0.033	0.021	0.021
43.	Premium of Shops	0.370	11.710	0.900
44.	Premium from land other than the property of Govt.	0.000	2.000	4.845
45.	Sale of immovable Property	0.000	0.000	0.000
	<b>Total</b>	<b>68.628</b>	<b>119.505</b>	<b>79.999</b>

#### EXPENDITURE

Sr.	Description	Amount (In Million)		
		October 2018	November 2018	December 2018
01.	Pay and Allowance	53.712	46.356	49.753
02.	POL Charges	2.048	2.074	2.022
03.	Electric Bills	9.101	8.778	7.762
04.	Sui Gas Bills	0.049	0.073	0.105
05.	Telephone Bills/NTC Bills	0.210	0.113	0.116
06.	TA/DA	0.109	0.191	0.230
07.	Pay to Conservancy Contractor	3.616	3.616	3.616
08.	Original Works (CGH+Street Lights)	9.878	22.405	17.945
09.	Repair & Maintenance	5.498	0	0.986
10.	Supply of Medicines	0.749	0	0
11.	Advertisement Charges	1.508	0	0.638
12.	Law Charges	1.008	0	1.122
13.	Pay to Sarhad Security Services	0	0	0.050

14.	Pay to Askari Guards Security Services	0.830	0.830	<b>0.830</b>
15.	Excise & Taxation Officer	1.000	1.000	<b>1.000</b>
16.	Income Tax/Sales Tax	2.350	3.509	<b>3.600</b>
17.	Refund of Security	0.104	2.139	<b>2.086</b>
18.	Assistance package	0	0.200	<b>3.700</b>
19.	Pension Fund Contribution	1.000	5.000	<b>5.000</b>
20.	Misc Expenditure i.e (Purchase of Electric store, water supply store, Garden Store & Sanitation Store payment) etc.	20.573	18.417	<b>6.487</b>
<b>TOTAL:-</b>		<b>113.343</b>	<b>114.701</b>	<b>107.048</b>

<b>STATEMENT OF ARREARS OF REVENUE</b>					
<b>S. No.</b>	<b>Head</b>	<b>Arrears as on 1<sup>st</sup> July, 2018</b>	<b>Recovery in Dec 2018</b>	<b>Recovery from 1<sup>st</sup> July 2018 to 31<sup>st</sup> Dec 2018</b>	<b>Balance</b>
(1)	(2)	(3)	(4)	(5)	(3 minus 5)
1	House Tax	511,733,067	12,630,677	71,028,711	440,704,356
2	P. Water Charges	19,757,554	731,693	4,205,678	15,551,876
3	Commercial Rent	67,253,282	543,485	9,047,877	58,205,405
4	Residential Rent	1,298,401	35,298	219,895	1,078,506
5	Rent from Leases	2,447,580	47,206	219,660	2,227,920
<b>Total:</b>		<b>602,489,884</b>	<b>13,988,359</b>	<b>84,721,821</b>	<b>517,768,063</b>

All relevant files are put up on the table for Boards' consideration.

### **RESOLUTION**

Noted. The Board further resolved that the double taxation on transfer of property being collected by the Provincial Govt: / Registrar and Cantt Board is problematic for both the offices as well as General Public. The issue of transfer fee may be taken with the Provincial Govt / Registrar.

### **ITEM 2**

#### **SOP FOR GRANT OF LOAN TO CANTT BOARD EMPLOYEES OUT OF BENEVOLENT FUND**

Reference: ML&C Deptt: letter No. 89/01/AD(EST)/ML&C/81, dated 30-11-2018 received through RHQ, Peshawar letter No. 33/G/79/Allowance/DPR, dated 30-11-2018.

#### **Requirement**

To consider SOP for grant of loan to Cantt Board employees out of Benevolent Fund is required to be approved by the Board.

#### **Detail**

The ML&C Deptt: vide letter under reference directed for deduction of (Benevolent Fund) contribution as per revised rates, the purpose for which benefits are being given and the following benefits on priority under this scheme: -

- i) Marriage Grant
- ii) Educational Stipend
- iii) Burial Charges

Previously Rs. 5/- was being monthly deducted from CB Employees on account of Benevolent Fund Contribution, therefore CB Office was unable to provide above said facilities to CB Employees. In the light of ML&C Deptt: directions now the Benevolent Fund contribution is being deducted from CB Employees on revised rates of Federal Government.

**Proposed criteria for loan**

The following CB Peshawar employees will be eligible for grant of loan: -

- 1) Minimum three (3) years permanent Service
- 2) No disciplinary action pending against employee / applicant
- 3) No outstanding out of Benevolent Fund

The following terms & condition will be applicable: -

- 1) Only genuine case will be considered
- 2) The loan will be refundable
- 3) The loan will be refunded with interest as per Govt: current rates.
- 4) The loan will be refunded through monthly salary without gap.

The criteria for grant of loan out of Benevolent Fund will be as under: -

S.No.	BS	Maximum limit of Loan to be granted upto	Monthly installment to be deducted from pay
1.	01 to 05	Rs. 30,000/-	Rs. 2000/-
2.	06 to 10	Rs. 50,000/-	Rs. 3000/-
3.	11 to 16	Rs. 75,000/-	Rs. 5000/-
4.	17 & above	Rs. 90,000/-	Rs. 7500/-

**Points to be considered**

Whether SOP for grant of loan out of Benevolent Fund to CB employees is required to be approved or otherwise.

The case file along with connected documents is placed on the table for Board's consideration.

**RESOLUTION**

The Board appreciated the welfare benefits i.e. Marriage Grant and Educational Stipend for CB Employees. The Board approved the SOP mentioned on agenda for grant of loan out of Benevolent Fund to CB employees. The maximum limit of loan to be granted approved by the Board as followed: -

S.No.	BS	Maximum limit of Loan to be granted upto	Monthly installment to be deducted from pay
1.	01 to 05	Rs. 50,000/-	Rs. 2000/- to Rs. 2500/-

2.	06 to 10	Rs. 70,000/-	Rs. 3000/- to Rs. 4000/-
3.	11 to 16	Rs. 80,000/-	Rs. 5000/- to Rs. 6000/-
4.	17 & above	Rs. 1,00,000/-	Rs. 7500/- to Rs. 10000/-

The Board further resolved if any employee not avail any profit / interest on other accounts he / she will be exempted from interest on loan.

### **ITEM 3**

#### **RE-IMBURSEMENT OF MEDICAL BILLS**

##### **Requirement**

To consider applications received from the following officials and report of Accountant, Cantt Board Peshawar regarding on account of medical re-imburement against on emergency basis duly recommended by the MS CGH, Psc.

<b>Sr.</b>	<b>Official</b>	<b>Amount</b>	
1	Sajid Ullah, Naib Qasid, CBP	Rs. 53,280/-	Wife Treatment
2	Mr. Mohsin Khan, PRO	Rs. 47,315/-	Wife Treatment

##### **Legal Provision**

In the light of the ML&C Deptt: letter No. 92/30/ADG(Est)/ML&C/81, dated 21-04-2011 the Board recommended the case and ML&C Deptt: will approve the re-imburement of medical bills.

##### **Budget Provision**

The Budget provision exists under Head F-1 (b) of the sanctioned Budget Estimates 2018-19.

##### **Points to be considered**

Whether a re-imburement of medical bills to the above said official be approved or otherwise?

The case file along with connected documents is placed on the table for Board's consideration.

#### **RESOLUTION**

Considered and approved the Medical re-imburement mentioned on agenda side. Sanction of the Competent Financial Authority be obtained.

### **ITEM 4**

#### **POLICY GUIDELINES CB EDUCATION SYSTEM - SALARY PACKAGE OF FACULTY CB COLLEGES**

Reference: ML&C Deptt: letter No. 125/ML&C/Edn/P&A/2018, dated 02-10-2018.

##### **Requirement**

To consider qualification pay @ Rs. 10,000/- per month w.e.f 01-9-2018 for CB College faculty who possessed M. Phil Degree in addition to their existing salaries irrespective of the subject and additional pay @ Rs. 5000/- per month w.e.f 01-9-2018 to those faculty members

who have to perform as Heads of Examination, Administration, Academics and Security / Transport / Canteen in addition to above to their regular teaching assessments.

**Detail**

The Competent Authority directed / approved qualification pay @ Rs. 10,000/- per month w.e.f 1<sup>st</sup> Sep: 2018 for CB college faculty who possessed M.Phil Degree in addition to their existing salary irrespective of the subject. In this regard following teachers has possessed M.Phil Degree: -

- 1) Ms. Ayesha Afridi, Lecturer
- 2) Ms. Brekhna Gul, Lecturer
- 3) Ms. Ibtesam Ajmal, Lecturer

The financial impact on qualification pay @ Rs. 10,000/- per month on above said 3 x Lecturers is Rs. 30,000/- per month.

The Competent Authority vide para-1 (c) of the ML&C Deptt: letter under reference further directed/ approved additional pay @ Rs. 5000/- per month w.e.f 1<sup>st</sup> Sep: 2018 to those faculty members who have to perform as Heads of Examination, Administration, Academics and Security / Transport / Canteen in addition to above to their regular teaching assignments.

In this regard following teachers perform additional duties and their names have already been forwarded / informed to ML&C Deptt: vide this office letter No. 16/1/16/Est/88259, 24-9-2018: -

S. No.	CB School	Head of Admission	Head of Examination	Head of Academics	Head of Security / Transport
1.	Girls School, Khadim Hussain Road	Ms. Bakhtawar Zahid	Ms. Sana Farooq Ahmad	Ms. Lubna Aziz	Ms. Seema
2.	Boys School, Tariq Road	Ms. Tehmina Mir	Ms. Sapna Gul	Ms. Najma Bibi & Ms Aysha Khan	Ms. Faiza Mumtaz

The total financial impact on qualification pay @ Rs. 10,000/- and Rs. 5000/- on additional duties comes Rs. 75,000/- per month for the above said teaching staff.

**Budget Provision**

The Budget provision exists under Head G-7 (a) of the sanctioned Budget Estimates 2018-19.

**Points to be considered**

Whether to approve qualification and additional pay for above mentioned named teaching staff or otherwise.

The case file along with connected documents is placed on the table for Board's consideration.



**RESOLUTION**

Considered and approved, subject to satisfactory performance of Teacher / lecturers. The Board further resolved that the Performance, Attitude, Teaching Skills and assigned class result of concerned teachers during the academic session 2018-19 be evaluated by the screening committee constituted by the ML&C Educational Cell for their recommendation.

**ITEM 5****FINANCE AND ACCOUNTS MANAGEMENT OF CBEIS**

Reference: ML&C Deptt: letter No. 106/ML&C/EDN/FF/2018, dated 26-10-2018.

**Requirement**

To consider ML&C Deptt: letter under reference for opening of separate Fee and Fund Account for CB Educational Institutions which will be maintained by the respective Principals of CBEI in any branch of scheduled bank near the campus.

**Detail**

The Competent Authority directed / approved vide letter under reference issued SOP / guideline on financial matters of CBEIs for effective financial management under overall supervision of respect CEOs. The contents of SOP / guideline regarding separate account are as followed: -

5. **Fee and Funds Account** A separate Fee and Fund Account for CB Educational Institutions which will be maintained by the respective Principals of CBEI in any branch of scheduled bank near the campus with the following conditions: -
  - a. It shall be a joint account of Principal and Accountant which shall be operated by Principal.
  - b. Fee and Funds shall be deposited in this account.
  - c. The amount so credited in this account shall not be diverted to any other account expect that amount which is to be deposited in CBF & REF. no other expenditure shall be made from this fund including expenditure on salaries of faculty / staff, utility bills etc till 30<sup>th</sup> June 2023.
  - d. The principal and the Accountant will be responsible for its proper maintenance, upto date record keeping and quarterly audit.
  
6. **Income Sharing** All the CB Educational Institutions will share their income as under with immediate effect: -
  - a. **Central Education Fund (CEF)** Director (CA) will be responsible for its proper maintenance and utilization. The details are: -
    - (1) The CEF will be maintained at HQ ML&C.
    - (2) All the CEOs shall submit 5 % of monthly income of their respective CBEIs on quarterly basis to HQ ML&C.
    - (3) The CEF may be utilized by HQ ML&C for following purposes: -
      - (a) Financial aid for Education Development Projects in any Cantt.

- (b) Monthly remuneration to Contract employees of Central Education Cell including Consultants, Teacher Trainers and other experts hired by HQ ML&C.
  - (c) Routine expenditure by Education Cell on stationary, utility bills etc.
- b. **Regional Education Fund (REF)** Regional Director concerned will be responsible for its proper maintenance and utilization. The detail are: -
- (1) Account for the will be maintained at respective Regional HQ level.
  - (2) All CEOs shall submit 5 % of monthly income of their respective CB Education Institutes on quarterly basis to Regional HQs.
  - (3) REF will only be utilized by the DML&C on following: -
    - (a) Financial aid to Educational Projects within the region.
    - (b) Monthly remuneration to the Contract employees for purpose of education including Regional Coordinator, Teacher Trainers and other experts hired.
    - (c) Routine expenditure by Education Cell on stationary, utility bills.

**Budget Provision**

A sum of Rs. 8.000 million receipts from CBEI has been estimated under Head III (e) (2&3) in sanctioned Budget Estimates 2018-19.

**Points to be considered**

Whether to open a separate Fee and Fund Account for CB Education Institutions or otherwise.

The case is put up for consideration of the Board.

**RESOLUTION**

Considered and the Board deliberated the case at length and resolved the following: -

- 1) Approved to open separate fee and fund account for CB Education Institutions.
- 2) The Fee and Fund Account should be strictly remained till 2023 as directed by the ML&C Deptt:.
- 3) After 2023, Cantt Board Peshawar will manage these accounts on its own basis and after 2023 it will be re-evaluated.
- 4) Receipt and expenditure and financial statement of Fee and Fund accounts of schools be put up to the Board on monthly basis.

**ITEM 6**

**POLICY GUIDELINES CB EDUCATION SYSTEM - ANNUAL INCREMENT TO FACULTY/ ADMINISTRATIVE STAFF (ON CONTRACT) OF ALL CB EDUCATIONAL INSTITUTIONS**

Reference: ML&C Deptt: letter No. 125/ML&C/Edn/P-A/2018, dated 03-10-2018.

**Requirement**

To consider annual increase @ 7 % and 10 % increase in existing salaries w.e.f 01-9-2018 of all the Principal, Faculty members and Administrative Staff of CB Education Institution.

**Detail**

The Competent Authority directed / approved annual increase @ 7 % on salaries of all the Principals, Faculty members and Administrative Staff of CB Educational Institutions w.e.f 1<sup>st</sup> July every year. The Competent Authority (i.e. DG ML&C), Rawalpindi further directed / approved to raise the salaries of teaching (five years contractual) staff @ 10 % of their existing salary w.e.f 01-09-2018.

It is pertinent to mention here that 33 x teaching staff (including Principals) have appointed on five years contract basis. The financial impact on increase of their existing salaries @ 10 % w.e.f 01-9-2018 is Rs. 1,14,500/- per month.

The total financial impact on qualification pay @ Rs. 10,000/- and Rs. 5000/- on additional duties comes Rs. 75,000/- per month for the above said teaching staff.

**Budget Provision**

The Budget provision exists under Head G-7 (a) of the sanctioned Budget Estimates 2018-19.

**Points to be considered**

Whether to approve qualification and additional pay or otherwise?

The case file along with connected documents is placed on the table for Board's consideration.

**RESOLUTION**

Considered and conditionally approved the increase of 7% and 10 % as mentioned on agenda side for contractual teaching faculty of CBEIs basing on performance, attitude and teaching skills. The Board further resolved that performance of all teachers should be evaluated based on performance and should be endorsed to ensure quality education imported to students ex CBEIs.

**ITEM 7****FIXATION OF COST OF RECOVERY OF ARREARS OF ANY TAX AND ANY OTHER MONEY RECOVERABLE UNDER CANTONMENT ACT****Requirement**

To consider an application dated 16-01-2019 from Cantonment Magistrate for fixation of cost of recovery of arrears of any Tax and any other money recoverable under Cantonments Act through Cantt Magistrate which is admissible under section 259 of the Cantonments Act 1924.

**Detail**

Her duty is to recover arrears of Tax and other money recoverable by the Board under Cantonments Act 1924 on application. She is also dealing with challan under Cantonment pure Food Act/Rules, etc.

Presently she is recovering 2% cost of recovery fixed by the Board vide CBR No.20 dated 08-03-2012, from the defaulters of the Cantt Board taxes under Section 259 of the Cantonments Act, 1924 (II of 1924), out of 2 % amount 1 % being paid to the Cantt Magistrate while remaining 1 % retained the Cantt Fund.

This meager amount is not sufficient keeping in view her responsibility and nature of duty. Moreover, fixation of cost will be recovered by Cantt Magistrate herself. This arrangement if approved will be in the interest of the Board because Cantt Magistrate will work with zeal and enthusiasm.

Cantt Board Gujranwala is recovering 4% cost of recovery through Cantt Magistrate herself.

**Legal Provision**

Section 259 of the Cantonments Act, 1924 is reproduced as under: -

**259. Method of recovery.** - (1) Notwithstanding anything elsewhere contained in this Act, arrears of any tax and any other money recoverable by a Board under this act may be recovered together with the cost of recovery either by suit or, on application to a Magistrate having jurisdiction in the cantonment or in any place where the person from whom such tax or money is recoverable may for the time being be residing, by the distress and sale of any movable property of, or standing timber, growing crops or grass belonging to such person which is within the limits of such Magistrate's jurisdiction and shall, if payable by the owner of any property as such, be a charge on the property until paid: Provided that the tools of artisans shall be exempt from such distress or sale.

(2) An application to a Magistrate under sub-section (1) shall be in writing and shall be signed by the President or Vice-President of the Board or by the Executive Officer, but shall not require to be personally presented.

**RESOLUTION**

Considered and Board resolved that initially cost of recovery be enhanced and fixed from 2% to @ 3 % on arrears for and half share will be paid to CBM.

**ITEM 8**

**ASSISTANCE PACKAGE FOR FAMILIES OF GOVERNMENT EMPLOYEES WHO DIE  
IN SERVICE**

**Requirement**

To consider grant of Education and Health facilities in accordance with the assistance package to the families of deceased employees of Cantt Board Peshawar. The Government of Pakistan has already been announced the assistance package for the families of Government Employees who die in serviced.

**Legal Provision**

Govt: of Pakistan revised assistance package circulated vide Establishment Division O.M No. 8/10/2013-E-2(pt), dated 04-12-2015 and the ML&C Deptt: through RHQ Psc letter No. 33/G/Rec/II/Policy/DPR, dated 13-01-2016 forwarded for information and further necessary action. The Education and Health facilities in accordance with assistance package approved by the Govt: is as under: -

**Education**

Free education to all the children of the deceased government employees upto graduation in any public/government educational institution including expenses of tuition fee, books related material and living allowance etc.

**Health**

Free Health facilities as per their entitlement during service.

**Point to be considered:-**

Whether to approve the Education and Health facilities in accordance with the assistance package or otherwise?

The case file alongwith connected documents are placed on the table for Board's consideration.

**RESOLUTION**

Considered and Board approved the Education and Health facilities to the families of deceased's employee in accordance with the assistance package announced by the Govt: / ML&C Deptt:.

**ITEM 9****RE-IMBURSEMENT OF MEDICAL BILLS - MEDICAL PACKAGE / ASSISTANCE PACKAGE FOR MR. AMEER MEHDI, HEAD DRAIN COOLI (V&E SUPERVISOR)**

Reference: CBR No. 05, dated 31-8-2018.

**Requirement**

To consider rectification of medical bills of in respect of Mr. Ameer Mehdi, Head Drain Cooli (working as V&E Supervisor) as the Board vide CBR under reference approved payment of Rs. 3,25,000/- on account of medical re-imburement, however, the actual medical bills and as per request of applicant an amount of Rs. 277,965/- is required to be re-imbursed to him.

After rectification of amount by the Board the case will proceed further for approval of competent authority.

The case file alongwith connected documents are placed on the table for Board's consideration.

**RESOLUTION**

Considered and the Board approved rectify the amount of Rs. 277,965/- for Medical re-imburement in respect of Mr. Ameer Mehdi, Head Drain Cooli (working as V&E Supervisor) mentioned on agenda side, sanction of the Competent Financial Authority be obtained.

## GENERAL BRANCH

### ITEM 10

#### SANITARY REPORT

##### Requirement

To read and note the monthly sanitary report for the month of November & December 2018.

##### Legal Provision:

Section 129 of the Cantonments Act, 1924.

*(1) The Health Officer shall exercise a general sanitary supervision over the whole cantonment, and shall submit monthly to the [Board] a report as to the sanitary condition of the cantonment, together with such recommendation in connection therewith as he thinks fit.*

*(2) The Assistant Health Officer shall perform such duties in connection with the sanitation of the cantonment as are, subject to the control of the <sup>1</sup> [Board], allotted to him by the Health Officer.*

The case file is placed on the table for Board's consideration.

##### RESOLUTION:

The Board read and noted. The Board resolved that the instructions/observations as contained in the Sanitary Report furnished by the Health Officer be complied with and steps should be taken for improvement of sanitary position of Cantt area.

### ITEM 11

#### HIRING OF MEDICAL CONSULTANT AND BIO & ELECTRO-MEDICAL ENGINEER ON CONTRACTUAL BASIS TO HELP OUT IN PROCUREMENT OF MEDICAL EQUIPMENT'S FOR CANTT GENERAL HOSPITAL, PESHAWAR.

##### Requirement

To consider the report of Medical Supdt., CGH, Psc requesting for hiring of Medical Consultant and Bio & Electro-Medical Engineer on contractual basis to help out in procurement of medical equipment's for Cantt General Hospital, Peshawar.

##### Detail

The Cantonment General Hospital, Psc is going to upgrade from 200 beds to 500 beds. Building structure of the said structure is almost 70 % completed and the phase wise medical equipment's are required to be procured and installed. There is no expertise available in CGH, Psc to have knowledge of latest and best Bio & Electrical medical equipment's required for Hospital. The ML&C Deptt: has also been requested to arrange the specialist / consultants for the above said purpose and the ML&C Deptt: directed to arrange from CMH, Psc, but the CMH refused. Therefore notice for hiring of Bio & Electro-Medical Engineer on contractual basis for the said project is required to be published.

**Budget Provision**

The Budget provision exists under Head F-1 (b) of the sanctioned Budget Estimates 2018-19.

**Points to be considered**

Whether notice for hiring of Medical Consultant and Bio & Electro-Medical Engineer on contractual basis for the said project be published or otherwise.

The case is put up for consideration of the Board.

**RESOLUTION:**

The Board approved that notice be published for hiring of Medical Consultant and Bio & Electro-Medical Engineer on contractual basis for up-gradation of CGH project.

**ITEM 12****PROVISION & INSTALLATION OF SUPERSTRUCTURES ON CB NEWLY PROCURED CONSERVANCY VEHICLES.**

Reference: CBR No. 09, dated 14- & 17-4-2017.

**Requirement**

To consider the tenders received in response to tender notices published in Dailies Mashriq, Express, Peshawar and The News & Jung, Rawalpindi / Islamabad dated 05 & 06 Jan: 2019 and uploaded on CBP & PPRA website vide Notice No. TS376982E for provision & installation of superstructures on CB Newly procured Conservancy Vehicles.

**Detail**

The Cantonment Board vide its Resolution under reference resolved to procure machinery on permanent basis to avoid hiring of services on contract basis furthermore. In pursuance of the above said Board resolution CB Office procured 07 x Hino Trucks and 02 x Millat Tractors. In this regard tender notices were published and in response to which 04 x firms quoted their technical & financial bids. Now a committee is required to be constituted for evaluation of technical bids.

**Budget Provision**

The Budget provision exists under Head F-4 (b) of the sanctioned Budget Estimates 2018-19.

**Points to be considered**

Whether technical committee is to be constituted or otherwise.

The case is put up for consideration of the Board.

**RESOLUTION:**

The Board constituted a committee comprising the following for evaluation technical bids received from various firms for provision & installation of superstructures on CB newly procured conservancy vehicles: -

- |    |                                 |          |
|----|---------------------------------|----------|
| 1) | Mr. Sher Afzal, CB Member       | Chairman |
| 2) | MTO (to be nominated by Sta HQ) | Member   |
| 3) | Electrical Engineer (ACE)       | Member   |

- 4) Incharge CB Workshop Member

The above said will committee evaluate the bids and on the basis on technical evaluation the financial bids will be opened and put up report to the Board for its consideration.

## **REVENUE BRANCH**

### **ITEM 13**

#### **AUCTION OF 1x CB MINI SHOP (GROUND FLOOR) & 11 x CB OFFICES (2<sup>ND</sup> FLOOR), CB PLAZA, SITUATED AT SERAI NATAK, PESHAWAR CANTT**

**Reference:** Auction proceeding held on 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> Jan, 2019.

#### **Requirement**

To consider the auction proceeding held on 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> January, 2019 for 1 x CB shop & 11 x CB offices, CB Plaza, situated at Serai Natak, Peshawar Cantonment.

#### **Legal Provision**

All measures of publicity i.e. notices were published in newspapers i.e. "Daily Mashriq" "Daily Today's Muslim" each dated 13-12-2018 & "Daily Nawa-e-Waqt" dated 14-12-2018 and displayed on Cantt Board Peshawar website.

#### **The major terms & conditions of auction were as under: -**

1. Every person / individual will deposit Rs. 3,00,000/- in the shape of CDR in favour of CEO in respect of Cantt Board shop/offices situated at Serai Natak, Peshawar Cantonment alongwith CNIC copy.
2. If a Person appears on behalf of other person, then the original bidder will provide a copy of authority letter.
3. The successful bidder will be bound to deposit 50% premium amount of the highest bid alongwith entire Income Tax should be deposited on the next day of auction & the remaining 50% amount should be paid within 30 days from the date of auction with the approval of the Board.
4. Monthly rent will start from the date of possession.
5. All those people who are defaulter of Cantt: Board Peshawar will not be allowed to participate in auction
6. That the monthly rent shall be payable in advance on or **before 5<sup>th</sup>** of each month in the office of the Cantonment Board Peshawar, without any notice of demand.
7. That the tenant shall use and occupy the premises in a fair and reasonable manner and to keep the same along with the ground in front of the premises in a sanitary condition.



8. That the tenant shall carry out periodical maintenance/repairs such as white wash/ distemper, painting etc of the premises at his own expense/cost.
9. That the tenant shall not assign, underlet, transfer of part -with possession of the said premises or any part there of any of his right or interest therein under present not even to a partner in business without prior permission of the Lessor/Board.
10. That the tenant shall peaceably hand over the premises in reasonable state of repair on the expiration of lease if not renewed as per conditions as laid down in the preamble above.
11. That the tenant shall not put the property to any other use except for the using as originally allotted.
12. That the Lessor has the right of re-entry into the premises at any time to take possession of the same for the specific / purpose by giving 30 days notice and the tenancy rights shall be deemed to have been determined at the end of the period of the notice. The tenant shall not be entitled to any compensation whatever.
13. That the tenant shall on the expiry of the term, as above or sooner determination of tenancy period peacefully, hand over the premises in good state vide conditions above. If the tenant fail to do so and continuously hold over the premises he shall be liable (beside the forfeiture of security, Clause (1) to pay ten times increased rent reserved hereinbefore, with effect from the date of such holding over till vacates the premises or is ejected there from.
14. That the tenant shall not install, construct, remove or cause to be constructed or removed any pipe or electricity connections, choppers or any other structure in the premises hereby demised without the specific sanction of the Lessor without the consent in writing of the Cantonment Executive Officer. Any addition / alteration made to the premises by the tenant with or without the consent in writing of the Executive Officer shall be deemed the property of the Cantonment Board Peshawar.
15. That if the tenant shall die before the expiry or determination of the tenancy period, the legal heir or heirs of the persons so dying shall, if so permitted by the Lessor under the Rules become entitled to hold the said premises for the remaining period of the tenancy on the condition of this lease and if there shall be no person who shall so become entitled to this lease shall be deemed to have been determined as from the date of the death of the original tenant.
16. That from time to time and at all time, during the said term the tenant shall pay and discharge all rates, taxes, charges and assessment of every description which are now or may at any time hereafter during the said term be imposed, charged or assessed with regards to the said premises.
17. That if and whenever any part of the rent hereby reserved shall be in arrear or unpaid for the seven days next day's next after any of the days on which the same shall become due whether Cantonment Executive Officer, Peshawar any breach on the part of the tenant, his heirs and assigns of any of the covenants or conditions herein contained, then and in such cases the Cantonment Executive Officer,

Peshawar shall be at liberty at any time thereafter to seal and close the said premises without determining the lease till the amount of the rent due has been paid and cleared by the tenant or to enter into possession of the said premises where upon this demise shall absolutely determine and the tenant shall not be entitled to any compensation.

18. That for a breach of any of the condition herein contained the Lessor shall have the right to cancel the tenancy period and the tenant shall be liable to pay for loss, damage and losses suffered by the Lessor and the security furnished as per condition (01) above shall be forfeited to the Cantonment Fund.
19. That the shop in question has been rented out for the initial period of 05 years and the transfer of tenancy rights during the period will be at the discretion of tenants where no transfer fee will be charged.
20. Besides the monthly rent, the tenant shall pay/contribute proportionately to the expenses including electricity charges for operating lifts, lightening, cleanliness etc as decided by the Board/CEO.
21. Any appeal against the orders of the LESSOR shall be referred to the Director ML&C Peshawar Region being the Appellate Authority
22. **Force Majeure:**  
Neither party, hereto, shall be held responsible for any delay or failure to perform any or all of the obligations imposed upon such party by the case of "Force Majeure" shall means cause of causes beyond the control of the either party that may intervene after the formation of the agreement and includes the acts of God, natural calamities (flood, storm, earthquake, fire, epidemic etc), industrial disturbance, lock-outs, strikes, terrorism, acts of public enemy, wars, riots and any other similar event which by the exercise of due diligence neither party is able to overcome.
23. All the bidders will be bound to follow the terms & condition of auction notice.
24. In case of non-compliance of the above mentioned terms & conditions, the already deposited amount (Call Deposit / Cheques) will be forfeited in Cantt: Fund.
25. The CEO/Cantt Board is authorized to reject or accept any bid on Technical / Administrative grounds.

Rule 98 of Cantonment Account Code, 1955 is reproduced as under:

*"98 Conduct of Auction.- Every auction of lease of land and buildings, and of sale of movable and immovable property, trees and stores, etc., belonging to the Board, shall be held in presence of the Executive Officer or such other Officer as he may depute in this behalf".*

Auction was held in the presence of Vice President and Addl: CEO.

CB Plaza, Serai Natak (Auction held on 1 <sup>st</sup> , 2 <sup>nd</sup> & 3 <sup>rd</sup> January, 2019)							
S. No	Units	Name of the Highest Bidders	Floor	Area in Sft	Monthly Rent	Reserve Premium	Highest Bid (Rs)

1	Mini Shop No. 01	Sohrab Gul S/o Rehmat Gul, CNIC # 17301-5485426-3	GF	64	1280	9,20,000	11,00,000/-
2		Siraj S/o Jehanzeb, CNIC # 17301-3199363-7					8,70,000/-

The case file along with connected documents is placed on the table for Board's consideration.

**RESOLUTION:**

The Board considered approved the following highest bid received in respect of Cantt Fund unit, subject to fulfillment of all terms & condition as mentioned on agenda side: -

CB Plaza, Serai Natak							
S. No	Units	Name of the Highest Bidders	Floor	Area in Sft	Monthly Rent	Reserve Premium	Highest Bid (Rs)
1	Mini Shop No. 01	Sohrab Gul S/o Rehmat Gul, CNIC # 17301-5485426-3	GF	64	1280	9,20,000	11,00,000/-

**ITEM 14**

**ADJUSTMENT OF BID MONEY IN CAR PARKING STANDS IN THE JURISDICTION OF CANTONMENT BOARD, PESHAWAR**

Reference: Auction proceeding held on 8<sup>th</sup> & 9<sup>th</sup> August, 2018 & application dated 27-08-2018 submitted by Mr. Imtiaz Khan.

**Requirements**

To consider the request of contractor of Car Parking stands in the jurisdiction of Cantonment Board, Peshawar regarding adjustment of bid money to the extent of 19x car parking stands instead of 20x, as NOC for 1x car parking stand at Islamia Road has not been granted by the SSP, Traffic, Peshawar.

**Brief of the case**

- 20 x car parking stands in Cantt limits were auctioned on 8<sup>th</sup> & 9<sup>th</sup> of August 2018 against highest bid of Rs. 16,05,00,000/- by M/S Hasnain Enterprises, duly approved by the Board vide CBR No.09 dated 31-08-2018.
- As per terms & condition of Car Parking stands, the successful bidder was required to provide security clearance by the local police / Army Authorities & also to obtain NOC from Traffic Police & etc at their own.
- As per SSP Traffic, Peshawar letter dated 24-08-2018 all parking stands were found suitable in the light of terms & conditions mentioned in CB letter ibid except parking stands near Jan's Arcade which may create severe traffic jamming, therefore, NOC was not granted.

- CBP vide letter dated 10-09-2018 asked SSP Traffic Peshawar to re-consider the request but the concerned office vide letter under reference regretted the request and informed that: -

*“The above mentioned said stand sight was physically checked again and it has been observed that there has been heavy traffic flow, congestion and chowking at Jan’s Chowk, on Monday, Tuesday and Wednesday and the vehicles are parked on both side of the road near Jan’s baker which increase the Traffic problem more. It is, therefore, suggested that the Jan’s Arcade space may be utilized for Jan’s baker already approved stand in the best interest of public and state in order to bring the facilitation to the road users. Hence the permission for issuing NOC to the parking stand at Jan’s Arcade cannot be recommended.”*

- As per current Car Parking auction an amount of Rs. 32,40,000/- was offered for the said site out of 20x car parking stands i.e. Jans Arcade Islamia Road against the reserved premium i.e. Rs. 23,10,000/-, however the contractor is requesting for adjustment of amount of parking fee for Islamia Road (Near Jan’s Arcade).

**Points to be considered**

Whether to adjust the amount of parking fee for Islamia Road (Near Jan’s Arcade) or otherwise?

The case file along with connected documents is placed on the table for Board’s consideration.

**RESOLUTION:**

The Board considered and approved to adjust the amount of parking fee for Islamia Road (Near Jan’s Arcade) as mentioned on agenda side.

**ITEM 15**

**CANCELLATION & RE-AUCTION OF CANTT FUND UNITS**

Reference: CBR No. 14 dated 01-06-2016 & No. 05, dated 24-05-2018.

**Requirement**

To consider report of Incharge Rent regarding cancellation and re-auction of the tenancy rights of the following Cantt Fund Shops previously awarded to different tenants in the open public auctions on payment of Premium (non-refundable) as per detail mentioned against each. The tenants were required to deposit the premium amounts in full including Income Tax, but they have failed to deposit the same within stipulated period in spite of Final Notice in daily newspapers & repeated notices to them time to time. Thus, a huge amount on account of premium & Income Tax is outstanding against the tenants; therefore, tenancy rights of these shops are required to be cancelled at their own risk & cost and re-auctioned the same through open public auction:-

DETAIL OF BALANCE PREMIUM SERAI NATAK						
S.No	Bidder Name	Shop/Flat	Total Premium	Balance Premium	Income Tax	Auction Year
1	Yawar Ali	GF-03	2550000	1275000	255000	2015
2	Yawar Ali	GF-09	2480000	1240000	248000	2015
3	Muhammad Younas	GF-10	2490000	1245000	249000	2015
<b>AL-NAFA MARKAZ (BLOCK-A)</b>						
4	Imran Javed	UG-06	5700000	3650000	570000	2015
<b>CB PLAZA WARSAK ROAD</b>						
5	Amjid Ali	FF-01	1680000	240000	0	2017
<b>CANTT MALL</b>						
6	M. Shah Faisal	TF-10	3310000	855000	0	2016
7	Muhammad Younas	FF-24	3515000	1507500	0	2016
8	Muhammad Younas	FF-25	3310000	1848500	0	2016
9	Muhammad Younas	FF-26	3520000	2390000	0	2016
10	Muhammad Younas	FF-30	3615000	1557500	0	2016
11	Mansoor Ahmad	4thF-02	4030000	1222500	0	2016
12	Ghulam Muhammad	5thF-01	1620000	1220000	162000	2016
13	Zeeshan Ahmad	5thF-12	2210000	1105000	0	2016
14	Waqas Afridi	TF-08	5710000	2982500	0	2017
15	Mohtad Ullah	4thF-08	4000000	2000000	0	2016
<b>CB PLAZA ARBAB ROAD</b>						
16	Asma Masoom	FF-04	2020000	1062000	0	2017
<b>CB PLAZA FAKHR -E-ALAM ROAD</b>						
17	Arshad Hussain	Flat-01 S.F	2550000	1600000	220000	2017
18	Kamran Khan	Flat-02 S.F	1715000	1650000	195000	2017
19	Abdul Qadir	Flat-03 S.F	1690000	1210000	211000	2017

### **Brief of the case**

Earlier the case regarding cancellation & re-auction of the said units along with other units was placed before the Board and the Board vide CBR No.14 dated 01-06-2016 resolved to grant time extension for two months i.e. upto 31-7-2016 to all the tenants in payment of all kind of dues payable to Cantonment Board Peshawar.

In the light of above referred CBR, this office served repeated notices upon the tenants to deposit outstanding amount of Premium & Income Tax but in vain. The matter was also published in Daily newspaper regarding payment of outstanding amount in respect of shops/flats mentioned above, however no such payment received in this regard.

The matter was placed again before the Board and the Board vide Resolution No. 05, dated 24-05-2018 resolved to served **Final Notices** upon the defaulters to deposit the balance amounts on account of premium, income tax, rents etc on or before 30<sup>th</sup> June: 2018, failing which the tenancy rights shall be stands cancelled without any further notices, besides forfeiture of the already deposited amounts and these units be put to re-auction after cancellation.

The same was also published in Daily newspaper "Aaj", "Mashriq" & "The Nation" each dated 13-12-2018 and the defaulters were directed to deposit the above referred outstanding

amount within 15 days after publication in newspapers, but they put deaf ear to the instruction contained in CB notices as well as to daily newspapers.

**Point to be considered**

Whether the tenancy rights of above referred shops be cancelled and put the same for re-auction or otherwise.

The case is placed before the Board for consideration.

**RESOLUTION:**

The Board considered and deliberated the case at length that various notice were served and notices also published in newspapers for remittance of balance amount, but due to non-provision of electricity connection to the Cantt Fund premises the highest bidders have not deposited the bid / balance amount. The Board directed that immediate measure should be adopted for provision of electric connection to Cantt Fund premises. The Board further resolved that three months time be given to the highest bidders of Cantt Mall (S.No. 6 to 15) and one month time be given to the highest bidders of other Cantt Fund properties (S.No. 1 to 5 & 16 to 19) as mentioned on agenda side. The Final Notice in this behalf be served immediately with no exception beyond given timeline and in case of non compliance re-auction notice be published and already deposited amount be forfeited towards Cantt Fund Account at their risk and cost.

**ITEM 16**

**AMENDMENT OF ARV UNDER SECTION 71(C) OF CANTT ACT, 1924**

Reference: Assessment Committee meeting dated 22-12-2018.

**Requirement**

To consider recommendation of Assessment Committee referred above regarding finalization of assessment for the triennial period 2016-19 in respect of property No. 01 Saddar Road Peshawar Cantt.

**Detail**

The property was assessed as per CBR No.11 dated 10-03-2017 @ Rs.2,20,17,072/- P.A. The owner of the property raised objection on the proposed ARV with the plea that his property is rented out @ Rs.2,00,000/- per month. The objection was placed before the Assessment Committee and Assessment Committee referred the case to the Board for consideration/finalization of Annual Rental Value, subject to provision of affidavit.

Since the applicant has provided copies of rent agreement and affidavit as demanded by the Assessment Committee, therefore the case is placed before the Board for consideration to propose assessment.

**Points to be considered**

Whether to consider recommendation of Assessment Committee referred above regarding finalization of assessment for the triennial period 2016-19 in respect of property No. 01 Saddar Road Peshawar Cantt or otherwise?

The case file along with connected documents is placed on the table for Board's consideration.

**RESOLUTION:**

The Board considered and resolved that authentication of rental agreement and other required documents be verified and case be forwarded to Assessment Committee for fixing of ARV for the triennial period of 2016-19 in respect of property No. 01, Saddar Road, Peshawar.

**ITEM 17****REDUCTION OF MONTHLY RENT IN RESPECT OF CB SHOPS SITUATED IN SAHIBZAD GUL ROAD, PSC**

Reference:- Applications dated 03-11-2018 from M/S Taj Akbar & others i.e. the tenants of CB shops situated at Sahibzad Gul Road, Peshawar Cantt.

**Requirement**

To consider the request of applicants/tenants of CB shops situated at Sahibzad Gul Road, Peshawar Cantonment regarding reduction of monthly rent in respect of occupied shops on compassionate grounds.

**Brief of the case: -**

It is submitted that tenants of CB shops situated at Sahibzad Gul Road, Peshawar Cantonment vide their application under reference are requesting there in to reduce the monthly rent of the said shops, which were allotted to them by offering highest bid in a open public auction held on 18-01-2007.

The tenants/occupants of shops in-question are of the view that after incidents of terrorism took place in 2010 in the country, the one side of the market, a road leading to Peshawar Airport, PAF office, station workshop, Peshawar Church & other important departments of different sectors were blocked by constructing a boundary wall in between by the Govt: for security reasons, hence huge number of customers cannot visit the market for trade etc since the construction of the said boundary wall.

Moreover, owing to ongoing construction of BRT project in front of the market, their business is being badly affected and the occupants of these CB shops also stated that several shops in the markets are still auction able i.e. lying vacant at the site, however these shops are un-productive since 2007 as the interested bidders are reluctant to pay the monthly rent more than 2,000/- , whereas on the other hand the CB has levied monthly rent of Rs. 6,600/- on the occupied shops in the same market.

**Point to be considered**

Whether the request of the tenants of CB Shops situated at Sahibzad Gul Road, regarding reduction of monthly rent be considered or otherwise.

The case is placed before the Board for consideration.

**RESOLUTION:**

The Board considered and regretted the application for reduction of rent. Board also resolved to consider the "Buy Back" option of the above mentioned property.

**ITEM 18****NON-RECOVERY OF ARREARS OF HOUSE TAX****Requirement**

- To consider report of Revenue Supdt: regarding non-recovery of House Tax and conservancy tax from property known as State Bank of Pakistan which accumulative total comes Rs. 114,982,789/- including late fee w.e.f 01-07-2004 to 30-06-2019 in respect of main building situated at 07 Sadder Road Peshawar Cantt.
- To re-consider CBR No. 24(2) dated 29-6-2018 regarding approval of building plan in respect of learning recourse center and allied facilities on Plot No.11 Svy No.633 Rafiqui Lane Peshawar Cantt owned by M/s State Bank of Pakistan.

**Detail**

- ✓ An amount of Rs. 113.116 million w.e.f 01-07-2004 to 30-06-2019 is recoverable in respect of main building situated at 07 Sadder Road Peshawar Cantt.
- ✓ For recovery of the said amount many efforts have been made in the past and specifically in the recent past in terms of issuance of notices, initiation of recovery suit under section 259 of the Cantt Act 1924 and several meeting with the management of State Bank of Pakistan but all went unproductive, and the amount mentioned above is still laying outstanding.
- ✓ The State Bank of Pakistan, Peshawar Cantt, applied for approval of building plan on another property bearing plot No. 11 situated at Rafiqui Lane and the same was approved by the Board vide CBR No.24 dated 29-06-2018.
- ✓ However, the approved building plan was not released/communicated owing to non-recovery of arrears payable by State Bank of Pakistan.

The case file along with connected documents is placed on the table for Board's consideration.

**RESOLUTION:**

The Board considered and resolved that the approved building plan shall be released subject to payment of arrears from State Bank of Pakistan.

**ITEM 19****WRIT PETITION UNDER ARTICLE 187 (1) BEFORE HONORABLE SUPREME COURT OF PAKISTAN REGARDING REMOVAL OF BILL BOARD IN CANTONMENT AREA**

**Reference:** RHQ, Lahore letter No.51447/Hoarding Appeal/RD/LR/3 dated 09-01-2019 received through RHQ, Peshawar Cantt letter No. 33/G/69/Billboard/DPR dated 09-01-2019.



**Requirement**

To note / confirm action taken by the CEO with the prior approval of President Cantt Board Peshawar under section 25 of the Cantonments Act, 1924 regarding approval for re-imbusement of Rs. 7,00,000/- paid by Incharge Hoardings as the ML&C Department Authorities directed to remit the share amount in cash direct to the counsel's account immediately vide RHQ, Lahore letter No. 51447/Hoarding Appeal/RD/LR/III/4, dated 09-01-2019.

**Detail**

As per RHQ, Lahore letter under reference the ML&C Department has decided to file new writ petition before the Honorable Supreme Court of Pakistan regarding removal of bill boards in Cantonment Area and directed to remit the share in respect of legal fee and miscellaneous expenditure of the legal counsel immediately. The share of this office comes to Rs.7,00,000/- as per letter under reference. Keeping in view the urgency the ML&C Department Authorities directed to remit the share amount in cash direct to the counsel's account immediately vide RHQ, Lahore letter No. 51447/Hoarding Appeal/RD/LR/III/4, dated 09-01-2019. As per directions of higher authorities the cash of Rs. 7,00,000/- and remitted to counsel's account vide Bank slip No.3236 dated 10-01-2019 by the Incharge Hording, CB, Psc. The same was also be intimated to ML&C Department, RHQ, Lahore and Peshawar vide this office letter No. 28/2/Acctt/92908 dated 10-01-2019.

Budget Provision exists under head L-G (b) of the Budget Estimates 2018-19.

The case file along with connected documents is placed on the table for noting of Board's.

**RESOLUTION:**

The Board noted and confirmed.

## **GENERAL BRANCH**

**ITEM 20****HONORARIUM****Requirement**

To consider grant of honorarium and appreciation certificates to the following employees of Cantonment Board Peshawar for performing within / outside the course of their ordinary duties, work of an exceptional merit and for displaying conspicuous energy and intelligence in their relevant field/areas of their working, during the year 2018: -

- Execution of beautification projects of Saddar area & RA Bazar
- Up-gradation of CGH from 200 beds to 500 beds
- Achievement of Revenue targets
- Development & implementation of software for Dispatch & Complaint

<b>Sr.</b>	<b>Name</b>	<b>Designation/ Branch</b>
1	Ms. Rukhsana Awan	Assistant Secretary
2	Ms. Qurat-ul-Ain Wazir	Cantonment Magistrate
3	Mr. Mehr Gul Wazir	Horticulturist

4	Mr. Mohsin Khan	PRO working as Revenue Supdt:
5	Mr. Mazhar Abbas Bangash	Asstt: Cantt Engineer (E)
6	Mr. Muhammad Akmal Durrani	Survey Drafts Man
7	Mr. Rooh-ul-Amin	Cantonment Overseer
8	Mr. Mughees Khan	Cantonment Overseer
9	Mr. Kafeel Khan	Cantonment Overseer
10	Mr. Saqit Rehman Satti	Working as Accountant
11	Mr. Munir Ahmad	ARS working as Incharge Rent Section
12	Pir Jawad Ali Shah	Assistant Revenue Supdt:
13	Mr. Younis Khan	Assistant Revenue Supdt:
14	Mr. Waqar Khan	Assistant Revenue Supdt:
15	Mr. Ali Bahadar	UDC
16	Mr. Usman Masood Niazi	LDC
17	Mr. Naeem Gul	UDC / Engineering Clerk
18	Mr. Zulqarnain	LDC working as Land clerk
19	Mr. Salah-ud-din	LDC working as Accounts clerk
20	Mr. Abrar Ahmed	LDC
21	Mr. Hazrat Bilal	LDC (Audit Cell)
22	Mr. Khalid Saleem	Record Keeper
23	Mr. Muhammad Naveed Khan	Incharge Sanitation Branch
24	Rana Shahzad Ahmad	LDC working Incharge Establishment Branch
25	Mr. Asad Khan	R/DEO working as General Clerk - preparation and compilation of Agendas & Proceedings, Briefings & Presentations
26	Mr. Khalid Khan	Web Developer & Incharge IT Section
27	Mr. Iftikhar Khan	Electric Inspector
28	Mr. Amjad Khan	PA to CEO

Case is put up for Board's consideration.

**RESOLUTION:**

The Board appreciated the efforts of Staff in all matters in the financial year 2018-19. The Board resolved that appreciation certificates will be awarded by the President Cantt Board in next Board meeting to the CB staff mentioned on agenda side.

**ITEM 21**

**SUO MOTO CASE NO. 27 OF 2018 REGARDING REMOVAL OF BILL BOARD / HOARDING / POLE SIGNS**

Reference: CBR No.12 dated 31-8-2018.

**Requirement**

To consider the decision of Honorable Supreme Court of Pakistan vide Suo Moto Case No.27/2018 dated 17-10-2018 passed with the following direction for removable of bill board/ Hoarding / Pole Signs within Cantt limits etc the direction is reproduced below : -

*"The bill Board / Hoarding which have been installed in any public property under license of lease, shall be uprooted within 45 days by the concerned advertising agencies which own the*

*concerned poles or displaying material or by the constructors if they own such material or by the authority with whose permission the bill board is installed”.*

The Board vide CBR under reference approved the highest bid of Rs. 16.810 million offered by M/s Apollo Advertisers Peshawar in respect of 22 x Hoarding Boards as mentioned above. The Board further resolved that remaining board be put to re-auction and till disposal of the same through auction, the existing contractor be allowed to run on the previous rates.

The Board was, however, of the view that a permanent source of income of Cantt Board Peshawar, that might be increased @ 10% for the year 2018-19, was disturbed due to BRT project, hence, the revenue cut may be justified and a compensation claim be forwarded to PDA accordingly.

### **Financial Effect**

Owing to above decision of the Supreme Court of Pakistan, the following financial effects will occur to the Budget Estimates of Cantt Board Peshawar for the year 2018-19: -

<b>Estimated Receipt 2018-19</b>	<b>Auctioned receipt</b>	<b>Recovery made so far</b>	<b>Amount due up to November 2018</b>
64 Boards	22 Boards	22 Boards	22 Boards
Rs. 40.00 million	Rs. 16.810 million	Rs. 5.603 million	Rs. 5.603 million

The case file along with connected documents is placed on the table for Board's consideration.

### **RESOLUTION:**

The Board noted and agreed on decision of the Honorable Supreme Court of Pakistan vide *Suo Moto* Case regarding removal of bill boards from Cantt area as mentioned on agenda side.

### **ITEM 22**

#### **REVISION OF RATE OF WATER CHARGES**

##### **Requirement**

To consider brief regarding levy, collection and revision of rates of water charges.

##### **Legal Authority for Water Charges**

Section 217 of Cantonments Act 1924, which says:-

“(1) In every cantonment where a sufficient supply of pure water for domestic use does not already exist, the Board shall provide or arrange for the provision of such a supply.

(2) The Board shall, as far as possible, make adequate provision that such supply shall be continuous throughout the year, and the water shall be at all times pure and fit for human consumption.”

And Section 60 of the said act which allow the Cantt Board to levy / impose and recovered its charges exact wording are as:-

“(1) The Board may, with the previous sanction of the Government, impose in any cantonment any tax which, under any enactment for the time being in force, may be imposed in any municipality.

(2) Any tax imposed under this section shall take effect from the date of its notification in the official Gazette.”

The same were approved after notification from federal govt: in official gazette.

**Detail of water connection of CBP in different wards**

Ward No.	Total Number of Units	Commercial	Residential
Ward No. 1	1183	260	923
Ward No. 2	951	81	870
Ward No. 3	840	56	784
Ward No. 4	928	132	796
Ward No. 5	757	254	503
<b>Total</b>	<b>4659</b>	<b>783</b>	<b>3876</b>

**Comparison of proposed and existing method of water charges recovery.**

Proposed Methodology of enhancement of water charges in the opinion of Vice President Cantt Board Peshawar: -

- ✓ Revenue Ward No. 01 (As a test case)
- ✓ Total Taxable Units (Commercial) = 3832
- ✓ Proposed rates Rs. = 500/-
- ✓ 1916000/-

**Disadvantages of Methodology of the said opinion in case, if we adopted:**

- ✓ Logically wrong against the spirit of Cantt Act.
- ✓ Uniformity of water rates will create serious Audit observation.
- ✓ Some will enjoy leverage for being charged less and some will suffer for being not receiving water facility and still paying tax/water charges.
- ✓ Will harm CBP image and good well as nowhere in Pakistan such practice being followed.
- ✓ Will multiply litigation against CBP.
- ✓ Will stop CBP recovery process.

**If existing Rates are applied as per CBR No. 22 dated 01-10-2015 the out come of which to the extent of Ward # 1 will be as under:**

- ✓ Total Taxable Units (Commercial) = 3832
- ✓ Water Connection available in units = 260
- ✓ Total Demand Rs. 30, 53,300/-
- ✓ By Incorporating demand of 47 x illegal connection total recoverable amount comes to = 282,000

- ✓ Grand total of recoverable amount 33,35,300 on CBP formula against 19,00,000 of Vice President proposal which is 75% greater approx..

**Advantages of the existing Methodology of the case.**

- ✓ Water charges are being recovered under rules.
- ✓ Recovery of Water Charges from those Cantt residents who actually utilizing water i.e. where CB water connection.
- ✓ The same practice being adopted and followed all over Cantonments in Pakistan.

**Financial Impact**

S.No.	Description	Remarks			
1.	Population (as per Census 2017)	70,741			
2.	Total Tube Wells	40			
3.	Total Water Filtration Plants	39			
4.	Total Residential Water Connections	3876			
5.	Total Commercial Water Connections	783			
6.	Last 03 years budgetary targets with actual recovery made	Years	Provision	Recovery	
		2015-16	22.00	14.742	
		2016-17	22.00	18.656	
		2017-18	22.00	19.710	
7.	A comparison of receipt & expenditure 2017-18 as case study	<b>RECEIPT (in million)</b> Water Charges 19.710 Sale of Water 1.075 Water connection 0.072 Total Receipts 20.857  <b>EXPENDITURE (in million)</b> Pay & Pension 20.092 Contingencies 66.628 Original Works 27.934 M&R Works 12.230  <b>Total Expenditure 126.884</b>			
8.	Average subsidy granted in the existing water charges rates	Above 510 %			
9.	Detail of existing water pipe water charges approved by Board CBR No. 22, dated 01-10-2015 with different enhancement / revision proposals	Attached below			

Propose Enhancement in Water Charges for further period w.e.f. 01/10/2018 to 30-09-2021

Sr. #	Nomenclature	Description	Existing	Proposed 10%	Proposed 20%	Proposed 30%	Proposed 50%
01	Residential Units	Up to 1360 Sft (Up to 5 Marlas)	Rs. 1500	1650	1800	1950	2250
		1361 Sft to 2720 Sft (above 5 Marla to 10 Marla)	Rs. 3000	3300	3600	3900	4500
		2721 Sft to 5440 Sft (above 10 Marla to 1 Kanal)	Rs. 4000	4400	4800	5200	6000
		5441 Sft to 8160 Sft	Rs. 6000	6600	7200	7800	9000

		(above 1 Kanal to 1.5 Kanals)					
		Above 10881 Sft (above 1.5 Kanal to 2 Kanals)	Rs.7,000 plus Rs. 5,500 per additional kanal	Rs. 7,700 plus Rs. 6050 per additional kanal	Rs. 8400 plus Rs. 6600 per additional kanal	Rs. 9100 plus Rs. 7150 per additional kanal	Rs. 10500 plus Rs. 8250 per additional kanal
		Apartments/Flats	Rs. 2000	2200	2400	2600	3000
02	Shops/Cabins / Offices etc	Less than 100 Sft	Rs. 5500	6050	6600	7150	8250
		Above 100 upto 500 Sft	Rs. 7000	7700	8400	9100	10500
		Above 500 to 1000 sft	Rs. 8500	9350	10200	11050	12750
		Above 1000 to 3000 sft	Rs. 10000	11000	12000	13000	15000
		Above 3000	Rs. 15000	16500	18000	19500	22500
		Cinema Houses	Rs. 25000	27500	30000	32500	37500
		Beauty Parlor	Rs. 23000	25300	27600	29900	34500
		Hair Dresser with Hamam at Mall Road	Rs. 30000	33000	36000	39000	45000
		Hair Dresser without Hamam at Mall Road	Rs. 20000	22000	24000	26000	30000
		Hair Dressers with Hamam situated other than Mall Road	Rs. 20000	22000	24000	26000	30000
		Hair Dresser without Hamam situated other than Mall Road	Rs. 15000	16500	18000	19500	22500
		Banks	Rs. 25000	27500	30000	32500	37500
		Marriage Halls	Rs. 40000	44000	48000	52000	60000
		Petrol/CNG Pumps with service stations	Rs. 30000	33000	36000	39000	45000
		Petrol/CNG Pumps without service stations	Rs. 15000	16500	18000	19500	22500
		Pvt Water Filtration Plants	Rs. 20000	22000	24000	26000	30000
03	Eateries	Milk Shops / Juice Vendors / Cabin /Shops (Size upto 100 Sft)	Rs. 7000	7700	8400	9100	10500
		Bakeries/Restaurants/Caf é/ Fast Food etc	Rs. 25000	27500	30000	32500	37500
04	Hotels	Hotel (up to 30 Rooms)	Rs. 25000	27500	30000	32500	37500
		Hotel (Above 30 Rooms)	Rs. 25000 plus Rs. 500 per additional room	Rs. 27500 plus Rs. 550 per additional room	Rs. 30000 plus Rs. 600per additional room	Rs. 32500 plus Rs. 650 per additional room	Rs. 37500 plus Rs. 750 per additional room
05	Penalty	detection of illegal connection	Rs. 1000/- alongwith 3 year water charges recovery according to the area / size	Rs. 1100/- alongwith 3 year water charges recovery according to the area / size	Rs. 1200/- alongwith 3 year water charges recovery according to the area / size	Rs. 1300/- alongwith 3 year water charges recovery according to the area / size	Rs. 1500/- alongwith 3 year water charges recovery according to the area / size

06	Reconnection	Shifting or reconnection after disconnection (temporary or due to default in payment)	500	550	600	650	750
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The case file along with connected documents is placed on the table for Board's/ consideration.

**RESOLUTION:**

The Board considered and deferred the case to the next Board meeting and directed to re-evaluate the case in point.

**ITEM 23**

**ASSESSMENT - PROPERTY NO. 32/B-1 PEARL CONTINENTAL HOTEL (PC HOTEL), KHYBER ROAD PESHAWAR CANTT**

**Requirement**

To consider recommendation of Assessment Committee dated 28-09-2018 regarding finalization of assessment for the triennial period 2016-19 in respect of Property No. 32/B-1 Pearl Continental Hotel (PC Hotel), situated at Khyber Road Peshawar Cantt.

Years	ARV	Tax	Status of Payment
2013-16	Rs.1,72,65,700/- P.A	Rs. 25,89,855/-P.A	Rs.23,30,870/- P.A.Dated on 26-05-2017 Challan No.83/557
2016-19 Proposed as per CBR No. 11	Rs.3,03,42,060/- P.A	Rs. 45,51,309/- P.A	w-e-f 01-07-2017 to 30-06-2019 Rs.91,02,618/-
2016-19 Proposed on Cost of land+Construction	Rs.18,10,93,800/- P.A	Rs.2,71,64,070/-P.A	w-e-f 01-07-2017 to 30-06-2019 Rs.5,43,28,140/-

**Detail**

- The property was assessed @ Rs. 3,03,42,060/- P.A for the period 2017-19 vide CBR No. 11 dated 10-3-2017.
- The Manager of PC Hotel raised an objection on the proposed assessment. The case was placed before the Assessment Committee and the Assessment Committee deferred the case with the direction to assess the property in question on the basis of (Cost of Land + Cost of Construction) under section 64-(a) of Cantt Act 1924.
- Thus the property have been again assessed @ Rs.18,10,93,800/ per annum for above mentioned period in the light of section 64 (a) of Cant Act 1924.
- The case was again placed before the assessment committee held on 28-09-2018. The Assessment committee decided the case to be referred to the Board for its consideration and decision.

The case file along with connected documents is placed on the table for Board's consideration.

**RESOLUTION:**

The Board considered and deliberated the case and decided to fix ARV @ Rs. 70,000,000/- for the triennial period 2016-19 in respect of Property No. 32/B-1, Pearl Continental Hotel (PC Hotel), situated at Khyber Road Peshawar Cantt.

**ASSESSMENT - PROPERTY NO.69-A ST: MARRY'S SCHOOL KHYBER ROAD, PESHAWAR CANTT:**

Reference: Assessment 2013-16 in respect of St: Marry's High School Khyber Road Peshawar Cantt.

**Requirement:**

To consider the report of Revenue Supdt: on Note sheet No.11 dated 24/04/2018 placed at file, regarding amendment/revision of ARV of St: Mary's High School Khyber Road, Peshawar Cantt: for the year 2013-16 in light of CBR No.10 dated 03/08/2012 @ 25% on existing ARV i.e 2010-13.

**Detail of the case:**

- Property No.69-A St: Marry's High School Khyber Road, Peshawar Cantt: was assessed at Rs.3,9007,830/ - P.A w.e.f 01/07/2010 to 30/06/2013 and 15% property tax comes to Rs.5,851,174/ - P.A,
- Whereas the ARV for the next triennial period 2013-2016 was proposed on the double rate from the previous ARV (Rs.39007830/ - x 2 = Rs.78015660/ - for 2013-2016) as per direction issued by ML & C Peshawar vide letter No.75/853/Lands/92/4970/D-12/ML & C/94, dt: 06/11/1994 & CBR No.23 dt: 27/09/2013 that all such residential properties be assessed at double rate from existing ARV which were using as commercial unauthorized.
- However the property in question was leased out in lease sch: VIII of the CLA rules 1937 in the name of St: Mary's High School and renewed in sch: IV of CLA Rules 1937. Accordingly Notice U/S 68 of CA 1924, for proposed ARV 2013-16 was issued.
- In response, objection, dated 06/05/2014 was received on the proposed ARV and the case was placed before the Assessment Committee. The applicant was time and again informed to appear before the Assessment Committee but in vain. Hence the Assessment Committee decided to, confirmed / fixed the proposed ARV for the period 2013-16.
- It is worth mentioning, the property in question stands in commercial lease on sch:VIII of CLA 1937 and does not fall in the categories of double increased rate of ARV, thus required to be assessed at 25% increased for the period from 01/07/2013 to 30/06/2016 on the previous year 2010-13. Whereas, ARV decreased from Rs.78015660/ - P.A to Rs.48759787/ - P.A w.e.f 01/07/2013 to 30/06/2016, U/S 71 of CA 1924.



- It is also brought into the notice of the board that the said Institution had never paid property tax to cantonment board Peshawar till date on the plea that it is a missionary school and for being educational institutional exempted from property tax under section 99-A of the cantonment act 1924.
- It is further submitted in the light of above mention facts that the concern ward incharge of revenue branch may be allowed to assess the premises on single increased rate i.e. 4,87,59,787 instead of double increase rate i.e. 7,80,15,660 for the period from 2013 to 2016.

The case file along with connected documents is placed on the table for Board's consideration.

**RESOLUTION:**

The Board considered and resolved that single ARV in respect of Property No.69-A St: Marry's High School Khyber Road, Peshawar Cantt be fixed and record be amended accordingly.

**ITEM 24**

**REFUND OF AN AMOUNT OF RS. 10,00,000/- IN RESPECT OF X-FACTOR  
ADVERTISING COMPANY**

Reference: application dated 04-01-2019.

**Requirement**

To consider application dated 04-01-2019 received from X-Factor Advertising Company requesting for refund of an amount of Rs. 10,00,000/-.

**Detail**

- Contract of hoarding Boarding size 90 x 30 and 60 x 20 was awarded to X-Factor advertising Company @ Rs.48,00,000/-.
- The applicant deposited an amount of Rs. 10,00,000/- but he did not installed the hoarding boars in the light of decision of the Honorable Supreme Court of Pakistan vide Suo Moto No. 27/2018 dated 17-10-2018 order has passed order for removable of Bill Boards/Hoardings/Pole Signs from municipal limits of CBP.
- Now he has requesting for refund of deposited amount.

**Points to be considered**

Whether to consider application dated 04-01-2019 received from X-Factor Advertising Company requesting for refund of an amount of Rs. 1,000,000/- or otherwise?

The case file along with connected documents is placed on the table for Board's consideration.

**RESOLUTION:**

The Board considered and approved request of M/s X-Factor Advertising Company for refund of amount of Rs. 1,000,000/- as mentioned on agenda side.

## STORE BRANCH

**ITEM 25****APPROVAL OF QUOTATION**

Reference: CBR No. 24 dated 28-9-2018.

**Requirement**

To consider approval of rates received from 5 x firms/contractor for procurement of items required for Cantonment General Hospital Peshawar Cantt. The Board vide CBR under reference approved in principal the procurement of the following items: -

- |                           |        |
|---------------------------|--------|
| a) Dental Unit with Chair | 01 No. |
| b) Autoclave              | 01 No. |

**Legal Provision**

Quotation Notice was published in Daily "**Dawn**" Islamabad", Daily "**Nawa-e-Waqt**" Rawalpindi/Peshawar and Daily "**Mashriq**" Peshawar dated 02-11-2018 and PPRA website vide Tender Notice No. TS370600E dated 02-11-2018 as required under Rule 12(2) of the PPRA Rules, 2004.

**As per ML&C Deptt: instructions and PPRA Rules 2004, Rule 40 says** "Save as otherwise provided there shall be no negotiations with the bidder having submitted the lowest evaluated bid or with any other bidder".

Budget Provision Exists under head F(i)(b) of the Budget Estimates 2018-19.

Bidding procedure was adopted as per rule 36(b) of PPRA Rules 2004 i.e. single stage two envelopes procedure.

**Detail**

The Technical Bids received for Medical Chair and Auto Clave from various firms. A committee comprising the following evaluate the technical Bids: -

- 1) Lt. Col. (R) Shoaib Iqbal, Health Consultant, ML&C Deptt:
- 2) Mr. Tariq Inayat, Bio Medical Engineer, CGH, Rawalpindi
- 3) Dr. Attiq Akhtar, Medical Supdt., CGH, Psc
- 4) Dr. Khalida Tahir Khan, Dental Surgeon, CGH, Psc

The technical committee evaluated the technical bids and only quotation of M/s Advance System for dental chair rejected technically. The committee also recommended all other firms to participate in financial bids.

**Comparative Statements:**

After evaluation of Bids of Medical Chair and Auto Clave financial bids opened by the following committee in pursuance of Reps of respective firms: -

- 1) Lt. Col. (R) Shoaib Iqbal, Health Consultant, ML&C Deptt:
- 2) Mr. Tariq Inayat, Bio Medical Engineer, CGH, Rawalpindi
- 3) Mr. Yadullah Khan Bangash, Member Cantt Board, Psc.
- 4) Dr. Attiq Akhtar, Medical Supdt., CGH, Psc
- 5) Dr. Khalida Tahir Khan, Dental Surgeon, CGH, Psc

The following rates have been received from the firms mentioned against each for the provision of items in question, as mentioned in the comparative statement below:-

S. No	Description	Qty	M/s Glow Pak International	M/s Combined Engineers	M/s Advance System
			Rate	Rate	Rate
1.	Dental Chair	01 No	26,60,000/- (Lowest)	44,00,000	Technical committee technically rejected their bids and returned the same.

S. No	Description	Qty	M/S Glow Pak International	M/s Ultradent Peshawar	M/S Combined Engineer	M/s Advance System	M/s Kasban International
			Rate	Rate	Rate	Rate	Rate
1.	Auto Clave	01 No	675000/-	642000/-	895000/-	625000/- (Lowest)	736000/-

**Point(s) to be considered:**

Whether to approve the lowest rates quoted by M/S Glow Pak International for Dental Chair and M/S Advance System for Auto Clave or otherwise?

Technical bids are placed on the table for consideration of the Board.

**RESOLUTION**

The Board approved the minutes of technical committee and the lowest rates of Rs. 26,60,000/- offered by M/s Glow Pak International for supply of Dental Chair (Made in USA) and Rs. 6,25,000/- offered by M/s Advance System for supply of Auto Clave (Made in UK) as mentioned on agenda side. Proper contract agreement with after sale, service be executed.

**ITEM 26****APPROVAL OF QUOTATION**

Reference: CBR No.5 dated 30-11-2018.

**Requirement**

To consider approval of rates received from the following firms/contractor for procurement of uniform for Garden Branch Peshawar Cantt.

The Board vide CBR under reference approved in principle the procurement of 300 x uniform sets for garden staff of Garden Branch, Cantt Board Peshawar. Rates be invited.

**Legal Provision**

Quotation Notice was published in Daily "DAWN Rawalpindi", Daily Nawai-Waqt Peshawar, Daily Ajj Peshawar, dated 03-12-2018 and also displayed on PPRA web site vide tender Notice No.TS376737E dated: 03-01-2019 as required under Rule 12(1) of the PPRA Rules, 2004.

As per ML&C Deptt: instructions and PPRA Rules 2004, Rule 40 says "Save as otherwise provided there shall be no negotiations with the bidder having submitted the lowest evaluated bid or with any other bidder".

Budget Provision Exists under head E-6(b) of the Budget Estimates 2018-19.

**Comparative Statement of Rates:**

Description	Qty	M/S Waji Sports Govt & General Order Supplier Peshawar		M/S Hafeez Enterprises Peshawar		M/S Azad General Order & Suppliers Peshawar	
		Rate	Total	Rate	Total	Rate	Total
2	3	4		5		6	
Track Suits (Safini) with T-Shirts,Caps Green Colour with Shoes (Monograms on every item) for Malies.	300 sets	2445	7,33,500-	2693	807,900	3785	11,35,500

M/S Shadab Associates Peshawar		M/S Al Fazal Traders Peshawar	
Rate	Total	Rate	Total
7		8	
4662	13,98,600	4700	14,10,000

**Recommendations of Procurement Committee:**

Rates as mentioned in column 4 above have been found lowest and reasonable (as compared to the local market rates) as verified by the Procurement Committee.

**Point(s) to be considered:**

Whether to approve the lowest rates mentioned in column 4 above or otherwise?

The case file alongwith connected documents is placed on the table for Board's consideration.

**RESOLUTION**

The Board considered and approved the lowest rates of Rs. 733,500/- offered by M/s Waji Sports, Govt: & General Order Supplier, Peshawar for supply of uniform as mentioned on agenda side.

**ITEM 27****APPROVAL OF QUOTATION****Requirement**

To consider approval of rates received from the following firms/contractor for procurement of the following items for CB Filtration Plants Peshawar Cantt.

**Legal Provision**

Rates were called from the firms vide Quotation Notice as required under Rule 42(b) of the Public Procurement Regulatory Authority (PPRA) Rules, 2004.

**As per ML&C Deptt: instructions and PPRA Rules 2004, Rule 40 says** "Save as otherwise provided there shall be no negotiations with the bidder having submitted the lowest evaluated bid or with any other bidder".

Budget Provision Exists under head F-5(b) of the Budget Estimates 2018-19.

**Comparative Statement of Rates:**

S. No	Description	Qty	M/S Basit Abdullah Govt :Contractor,		M/S AL Mansoor Traders, Peshawar		M/S Sherry trading company contractor .	
			Rate	Total	Rate	Total	Rate	Total
1	2	3	4		5		6	
1	Filtration Cartridge Jumbo size	100 Nos	3000/-	Rs.300,000/-	3050/-	Rs.305,000/-	3100/-	Rs.310,000/-
2.	U.V Lamps 36"	22 Nos	5000/-	Rs.110,000/-	5100/-	Rs.112,200/-	5200/-	Rs.114,400/-
3.	Bib cock 1/2 Faisal	60 Nos	800/-	Rs.48,000/-	820/-	Rs.49,200/-	835/-	Rs.50,100/-
4.	Acid	50 Btl	200/-	Rs.10,000/-	230/-	Rs.11,500/-	250/-	Rs.12,500/-
			<b>Total:</b>	<b>Rs.468,000/-</b>		<b>Rs.477,900/-</b>		<b>Rs.487,000/-</b>

**Recommendations of Procurement Committee:**

Rates as mentioned in column 4 above have been found lowest and reasonable (as compared to the local market rates) as verified by the Procurement Committee.

**Point(s) to be considered:**

Whether to approve the lowest rates mentioned in column 4 above or otherwise?

The case file alongwith connected documents is placed on the table for Board's consideration.

**RESOLUTION**

The Board considered and approved the lowest rates of Rs. 468,000/- offered by M/s Basit Abdullah, Govt: Contractor for supply of filter cartridge as mentioned on agenda side.

**ITEM 28****APPROVAL OF QUOTATION**

Reference: CBR No.5 dated 30-11-2018.

**Requirement**

To consider approval of rates received from the following firms/contractor for procurement of 3 x generators for CB Schools & Cantt Mall Building Fakhr-e-Alam Road Peshawar Cantt.

**Legal Provision**

Quotation Notice was published in Daily "The News Islamabad" dated 3-5-2018, Daily **Nawai-Waqt** Peshawar dated 4-5-2018, Daily **Mashriq** Peshawar, dated 03-5-2018 and also displayed on PPRA web site vide tender Notice No.TS354296E dated: 8-05-2018 as required under Rule 12(1) of the PPRA Rules, 2004.

**As per ML&C Deptt: instructions and PPRA Rules 2004, Rule 40** says "Save as otherwise provided there shall be no negotiations with the bidder having submitted the lowest evaluated bid or with any other bidder".

Budget Provision Exists under head G-2(b), G-3(b) & D-1(a) of the Budget Estimates 2018-19.

**Comparative Statement of Rates:**

Sr	Description	Qty	M/S Khwaja Brothers Peshawar		M/S Mecca Tech Pvt Ltd		M/S Scitech Corporation Peshawar		M/S Greaves Pakistan Pvt: Ltd Peshawar	
			Rate	Total	Rate	Total	Rate	Total	Rate	Total
1	2	3		5		5		6		7
1	Supply & Installation of 60 KVA standby Generator for various amenities of Cantt Board Girls High School & college Khadim Hussain Road & Cantt Board Boys High School & College RA Bazar, Peshawar Cantt (operating voltage 380V-415V,50Hz) made in UK, Germany, Japan, Austria or European/American equivalent along	02 Nos	2282482	4564964-	1950000	3900000-	2182500	4365000-	3566200	7132400-

	with original canopy compete ATS & earthing foundation for Generator and connection to main.									
2	Supply & Installation of 200 KVA standby Generator for the services area/various amenities of Cantt Mall situated at Saddar/Fakhre-Alam Road, Peshawar Cantt (operating voltage 380V-415V,50Hz) made in UK, Germany, Japan, Austria or European/American equivalent along with original canopy compete ATS & earthing foundation for Generator and connection to main.	01 No	5004738	5004738	4200000	4200000/ -	4515000	4515000/-	6572600	6572600
3	Cable 19/52 (04 core copper)	Per Mtr Rate	2267	2267/-	1550	1550/-			2182	2182/-
			<b>Total:</b>	<b>9,571,969</b> -		<b>8,101,550</b> -		<b>8,880,000-</b>		<b>13,707,182</b> -
						<b>Lowest</b>				

**Recommendations of Procurement Committee:**

Rates as mentioned in column 5 above have been found lowest and reasonable (as compared to the local market rates) as verified by the Procurement Committee.

**Point(s) to be considered:**

Whether to approve the lowest rates mentioned in column 4 above or otherwise?

The case file alongwith connected documents is placed on the table for Board's consideration.

**RESOLUTION**

The Board considered and approved the lowest rates offered by M/s Mecca Tech Pvt Ltd for supply and installation of 60 & 200 KVA Generators as mentioned on agenda side.

## **ENGINEERING BRANCH**

### **ITEM 29**

#### **COMPOSITION FEE - INSTALLMENTS**

Reference: CBR No. 38(10), dated 31-7-2018.

#### **Requirements:**

To consider application dated 5-9-2018 submitted by Mst. Maryam Masood W/o Masood Khan requesting therein for grant of permission for payment of composition fee & other charges amounting to Rs.13,01,087/- in easy monthly installments in respect of Property No. 453, Survey No. 542/529, Jinnah Street, Saddar, Peshawar Cantt.

#### **History of the case:**

Mst. Maryam Masood W/o Masood Khan vide application dated 16-7-2018 submitted regularization building plan in respect of Property No. 453, Survey No. 542/529, Jinnah Street, Saddar, Peshawar Cantt.

The case was placed before the BC/Board for consideration. The BC/Board vide CBR No. 38(10), dated 31-7-2018 approved the same on payment of composition fee amounting to Rs.12,94,977/-.

The applicant was informed vide CBP letter No. 6/681/1/87450, dated 30-8-2018 to deposit the composition fee alongwith other charges i.e. Rs.13,01,087/-

In response thereof, the applicant submitted application dated 5-9-2018 for payment of composition fee & other charges in easy monthly installments.

#### **Points to be considered:**

Whether to allow Mst. Maryam Masood W/o Masood Khan to deposit the composition fee & other charges amounting to Rs. 13,01,087/- in easy installments or otherwise?

The case file alongwith connected documents is placed on the table for Board's decision.

### **RESOLUTION**

The Board considered and approved to allow Mst. Maryam Masood W/o Masood Khan to deposit the composition fee & other charges amounting to Rs. 13,01,087/- in four equal installments.

### **ITEM 30**

#### **DEMOLITION / REMOVAL OF UNAUTHORIZED CONSTRUCTION IN RESPECT OF PROPERTY COMPRISING SURVEY NO. 380, SITUATED AT KATCHERY GATE / NAZ CINEMA ROAD, PESHAWAR CANTONMENT**

Reference: Notices under Section 185 & 256 of the Cantonments Act, 1924.



**Requirement**

To consider the demolition / removal of unauthorized construction in respect of property comprising Survey No. 380, situated at Katchery Gate / Naz Cinema Road, Peshawar Cantonment.

**History of the case**

Property Survey No. 380, situated at Katchery Gate/Naz Cinema Road, Peshawar Cantonment is held as Private land in the names of M/S Shabbir Ahmad & others in the record of CBP.

Initially the property in question was allotted by the settlement department in favour of Muhammad Israel (father of M/S Shabir Ahmad & others) vide P.T.D/ P.T.O Transfer Copy No. 111168 dated 21-06-1963.

The case was referred to D.D.O.R/DSC, Peshawar for verification purpose, who vide his letter dated 12-04-2011 informed that the P.T.D issued in favour of Mr. Muhammad Israel (father of applicant) is final and stands in the field and no other.

Accordingly, DML&C, Peshawar vide letter dated 19-05-2011 allowed necessary amendment of GLR by cancelling the mutation entries in favour of **M/S Bashir Hussain Khan & other (lessee(s) of Survey No. 379)** & Survey No. 380 held by the evacuee and entries in favour of Muhammad Israel Khan.

In the light of instruction contained in DML&C, Peshawar letter stated above, mutation/transfer was affected in favour of M/S Shabbir Ahmad & others (legal heirs of Muhammad Israel Khan) in respect of Property Survey No. 379 & 380.

A case to probe the correctness/ genuineness of PTO/PTD involved in the subject case was also referred to NAB authorities vide letter dated 22-05-2014, but reply is still awaited. Similarly a litigation case in respect of subject property is also subjudged in Court of law.

However, HQML&C, Rwp through RHQ, Peshawar vide letter dated 01-02-2017 directed CBP to restore the rights of the applicant Muhammad Hassan Khan etc (Previous owner(s)) on the same analogy as was resorted to while cancelling the entry in respect of property survey No. 379.

Mr. Shabbir Ahmad vide application dated 28-03-2017 applied for issuance of attested copy of GLR extract in respect of property in question.

The request of the applicant was regretted vide this office letter dated 31-03-2017 owing to involvement of un-authorized construction and outstanding CB dues. House Tax Rs. 1,07,18,465/- and Conservancy fee Rs. 6,07,950/- are lying outstanding against subject property upto 30-06-2017.

The property in question subdivided into 03 plazas and a number of shops. All plazas and shops un-authorizedly constructed and consist of G/Floor, F/Floor, 2<sup>nd</sup> Floor at the site. As per GLR the property comprising survey No. 380, described as "Musafar Khana and Mandar Pir Rattan Nath", but at the site all the property is being used for commercial purpose i.e. shops and commercial plazas.

Notices Section 185 & 256 of the Cantonments Act, 1924 were served upon the applicant vide CBP letters No. 6/19/79360, dated 19-9-2017 & 6/19/92478, dated 31-12-2018 respectively.

The applicant vide application dated 17-07-2017 requested to serve Notice u/s 185 upon the tenant / occupant of property in question owing to involvement of un-authorized construction.

The matter was forwarded to the CLA for legal opinion and the CLA reported that the case is subjudice before the Civil Court between Maj. (Retd) Shabbir Ahmad Khan and Evacuee Trust Property, therefore, the record should not be attend till final decision.

**Points to be considered**

Whether to demolish / removal the unauthorized construction in respect of property comprising Survey No. 380, situated at Katchery Gate / Naz Cinema Road, Peshawar Cantonment through Cantonment Board Agency or otherwise?

The case file alongwith connected documents is placed on the table for Board's decision.

**RESOLUTION**

The Board considered and approved to allow demolition / removal of illegal & unauthorized construction as mentioned on agenda side.

**ITEM 31**

**STRUCTURAL CONSULTANCY CHARGES**

Reference: Application dated 5-10-2018.

**Requirement**

To consider payment of Rs. 3,52,020/- to Engr. Tariq Javed of M/s Descons Consultants, Peshawar on account of structure design / drawings of 4 x building projects already included in the Budget Estimates for the year 2018-2019.

**History of the case**

CBP vide letter No. 28/2/Misc/Engg Br/88050, dated 17-9-2018 approached Engr. Tariq Javed of M/s Descons Consultants, Peshawar for submission of structure design / drawings of the following 4 x building projects already included in the Budget Estimates for the year 2018-2019:-

<b>S.No.</b>	<b>Description of work</b>
1	Construction of First Floor on Community Hall, Chhoti Lalkurti
2	Construction of Community Hall at CB Colony, Gulberg Road
3	Construction of CB Flats situated at 35 Ground Latrines, S.M. Road
4	Construction of Flats at the site of old quarters at Rafique Lane

**Points to be considered**

Whether to approve the payment of Rs. 3,52,020/- to Engr. Tariq Javed of M/s Descons Consultants, Peshawar on account of structural consultancy charges for the above mentioned building projects or otherwise?

The case file alongwith connected documents is placed on the table for Board's decision.

**RESOLUTION**

The Board considered and approved payment of Rs. 3,52,020/- to Engr. Tariq Javed of M/s Descons Consultants, Peshawar on account of structure design / drawings of 4 x building projects already included in the Budget Estimates for the year 2018-2019.

**ITEM 32****APPROVAL OF M&R ESTIMATES**

Reference: CBR No.12 (1) dated 30-11-2018.

**Requirement**

To consider the following necessary M&R works required to be executed on emergency basis for service / safety of the public as was deferred by the Board:-

**Detail of M/R Estimates**

<b>Sr.</b>	<b>Detail of specification, quantity, status of work to be executed</b>	<b>Justification of its demand, date of last repair/execution, and state/purpose of requirement</b>	<b>Input/recommendations by ward member (concerned)</b>	<b>Amount (Rs.)</b>	<b>Relevant head of Budget Estimates</b>
1	Repair/renovation works in Addl CEO Bungalow situated in DOC, Khyber Road, Peshawar Cantt.	Official requirements	-	4.500 (M)	D-2(a)
2	Repair/maintenance works in Chit Chat park at DOC Shami Road	Desired by ward member	Recommended by Member Ward-5	1.070 (M)	D-2(f)
3	Repair/reconstruction of boundary wall of CB Grave Yard of Nadaan Baba, DOC, Shami Road	Directed vide Station HQ, Psc letter No. 89/5/Gen/CB-FNH1EE, dated 12-12-2018	Recommended by Member Ward-4	0.390 (M)	D-2(f)
4	Repair works of park at Street No. 5, DOC, Khyber Road	Requested vide application dated 02-01-2019	Recommended by Member Ward-4	0.410 (M)	D-2(f)
5	Repair of road berms in Street No. 19 on main Shami Road	Desired by ward member	Recommended by Member Ward-5	0.350 (M)	D-2(f)
6	Provision of PCC floor in CB Nursery, Sher Khan Road	Requested vide application dated 19-11-2018	-	1.270 (M)	D-2(f)
7	Maintenance / repair works in Askari-V Colony	Desired by ward member	Recommended by Member Ward-2	0.610 (M)	D-2(f)
8	Maintenance/repair works in Falcon	Application dated 20-11-2018	Recommended by Member Ward-2	0.920 (M)	D-2(f)

	Complex, 68-The Mall				
9	Repair/maintenance of drain/manholes at Artillery Road, Peshawar Cantt.	The work is required for beautification of road side berms	PCB directions	0.754 (M)	D-2(c)
10	Repair/maintenance of sewerage line (portion) of Block No. 36, 37 & 38, Askari-II, Bara Road, Peshawar Cantt.	The work is required for re-instatement of damaged sewerage line (portion)	Station HQ letter No. CB/Ask-II/89/5-F0HNY3, dated 13.12.2018 & Vice President also requested for repair of the same	0.231 (M)	D-2(c)
11	Repair/maintenance of sewerage line at street new Sarwar Gunj, Sunehri Masjid Road, Peshawar Cantt.	The work is required for re-instatement of damaged drainage/sewerage line	Request of Vice President dated 30.11.2018 & resident application dated 10.01.2019	0.136 (M)	D-2(c)
12	Repair/maintenance of sewerage line in Alama Iqbal Street, Sunehri Masjid Road, Peshawar Cantt.	The work is required for re-instatement of damaged drainage/sewerage line	Request of Vice President dated 30.11.2018	0.109 (M)	D-2(c)
13	Repair/raising of drain / nullah at Qafila Road, Peshawar Cantt.	The work is required for safety measures	Request of Mr. Shahryar Atif, dated 24.12.2018	0.270 (M)	D-2(c)
14	Repar/maintenance of sewerage line near Gate No. 2, Askari-II, Bara Road, Peshawar Cantt.	The work is required for re-instatement of damaged sewerage line (portion)	Request of Vice President dated 30.11.2018	0.258 (M)	D-2(c)
15	Repair/maintenance of street new Sarwar Gunj, Sunehri Masjid Road, Peshawar Cantt.	The work is required for re-instatement of damaged street floor	Request of Vice President dated 30.11.2018	0.150 (M)	D-2(f)

**Legal Provision**

Rule 62(b) of the Cantonment Account Code 1955.

**62 B. Contract Documents.-** Before a work is given out on contract, the Executive Officer must cause to be prepared the necessary contract documents to include : -

- (i) A complete set of drawings showing the general dimensions of the proposed work, and so far as necessary, details of the various parts;
- (ii) A complete specification of the work to be done, and of the materials to be used, unless reference can be made to some standard specification;

- (iii) A schedule of quantities of various description descriptions of work;  
and
- (iv) A set of “conditions of contract” to be complied with by the person whose tender is accepted.

**Point(s) to be considered**

Whether to approve the above said M/R estimate(s) or otherwise?

The case file alongwith connected documents is placed on the table for Board’s consideration.

**RESOLUTION**

The Board considered and approved the M/R Works mentioned on agenda side. The Board further resolved that the quality of works and timely execution of works be ensured and also update on the approved projects in last 3 x months be shown / presented in the next Board Meeting.

<b>PROCEEDING OF COMMITTEE</b>
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**ITEM 33**

**PROCEEDINGS OF BAZAR COMMITTEE**

**Requirement:**

To consider and approve proceedings of Bazar Committee meetings of Cantonment Board, Peshawar held on 10<sup>th</sup> January, 2019 and 22<sup>nd</sup> January, 2019 in respect of the following cases:

-

**Legal Provision:**

Section 43 of the Cantonments Act, 1924 and CBR No.5 dated 1-10-2015: -

**43-A.-(1)** Every Board constituted under section 13A in a Class I Cantonment or Class II Cantonment shall appoint a committee consisting of the elected members of the Board, the Health Officer and the Executive Engineer for the administration of such areas in the cantonment as the Central Government may, by notification in the official Gazette, declare to bazaar areas, and may delegate its powers and duties to such committee in the manner provided in clause (e) of sub-section (1) of section 44.

(2) The Vice President of the Board shall be the Chairman of the committee appointed under sub-section (1).

**Proceedings of Bazaar Committee from serial No 1 to 16 of Lands branch held on 22-01-2019 and serial No. 17 of Revenue held on 10-01-2019**

Sr. No	Case	Property Location	Status	Proposed Charges	Recommendation
1.	Mutation / Transfer	<u>SHOP NO. 404, COMPRISING SURVEY NO. 542/463, SITUATED AT LIAQUAT STREET NO. 02, PESHAWAR CANTT.</u>	Sch: IX-C of the CLA Rules, 1937 for commercial purposes	TIP Tax Paid Rs. <b>1,65,708/-</b> vide Bank Challan No. GC-187478, dated 09-03-2017.	The Committee considered and recommended the Mutation/transfer of Shop No. 404, comprising Svy No. 542/463, situated at Liaquat street No. 02, Peshawar Cantonment in favour of <b>Muhammad Tahir Nadeem S/o Muhammad Yousaf</b> for Board's approval.
2.	Lease Renewal	<u>SHOP NO. G.F-10( 28), (GROUND FLOOR), SURVEY NO. 542/80-F, SITUATED AT PIR ALAM MARKET TIPU SULTAN ROAD, PESHAWAR CANTT.</u>	Schedule-VIII for commercial purpose of the CLA Rules, 1937	Not applicable	The Committee considered and recommended the Lease Renewal of Shop No. G.F-10(28), (Ground Floor), comprising Survey No. 542/80-F, situated at Pir Alam Market Tipu Sultan Road, Peshawar Cantonment in favour of <b>Mr. Muhammad Naeem Khan S/o Haji Nazir Khan</b> for Board's approval.
3.	Mutation / Transfer	<u>SHOP NO. 354, COMPRISING SURVEY NO. 542/412, SITUATED AT TIPU SULTAN ROAD, PESHAWAR CANTT.</u>	Schedule - IX-C of the CLA Rules, 1937 for commercial purpose.	TIP Tax Paid Rs. <b>2,79,388/-</b> vide Bank Challan No. GC-180471, dated 30-03-2018 & No. GC-296175, dated 07-02-2018.	The Committee considered and recommended the Mutation/transfer of Shop No. 354, comprising survey No. 542/412 situated at Tipu Sultan Road, Peshawar Cantonment in favour of <b>Mr. Zia-Ur-Rehman S/o Inayat-ur-Rehman</b> for Board's approval.

4.	Mutation / Transfer.	<u>SHOP NO. M.F-04 (MEZZANINE FLOOR), OUT OF PROPERTY NO. 381,382 &amp; 383, SURVEY NO. 542/443, SITUATED AT LIAQUAT STREET NO.1, PESHAWAR CANTT.</u>	Schedule - IX-C of the CLA Rules, 1937 for commercial purpose	Paid TIP Tax Rs. 11,13,883/- vide Bank Challan No. 27/265, dated 28-05-2011.	The Committee considered and recommended the Mutation/Transfer Shop No. M.F-4 (Mezzanine Floor) Out of Property No. 381, 382 & 383, Survey No. 542/443, situated at Liaquat Street No. 1, Peshawar Cantonment in favour of <b>Mr. Ajmal Khan S/o Rasool Khan</b> for Board's approval.
5.	Mutation / Transfer & Conversion	<u>PROPERTY COMPRISING SURVEY NO. 542/1610/B, SITUATED AT FAKHAR-E-ALAM ROAD, PESHAWAR CANTT.</u>	Old Grant	Paid T.I.P Tax Rs. 29,79,314/- & Non-Utilization fee paid vide Cantt-4-B receipt No. 40/47 dated 21-12-2018.	The Committee considered and recommended the following for Board's approval: -  i. Mutation/transfer of Property bearing Survey No. 542/1610/B, situated at Fakhar-e-Alam Road, Peshawar Cantonment in favour of Bank-Al-Habib Limited to the extent of an area measuring 4896 Sft.  ii. Conversion of old grant rights into regular lease for Commercial purpose in respect of Property bearing Survey No. 542/1610/B, situated at Fakhar-e-Alam Road, Peshawar Cantonment as per Old Grant Policy 2007 for approval/sanction.
6.	Mutation / Transfer & Lease Renewal	<u>SHOP NO. GF-19(38) (GROUND FLOOR) OUT OF SURVEY NO. 542/80-F, SITUATED AT PIR ALAM MARKET, TIPU SULTAN ROAD, PESHAWAR CANTT.</u>	Sch: VIII of the CLA Rules, 1937 for commercial purpose	TIP Tax Paid Rs. 4,58,474/- vide Receipt No. 15/104, dated 27-12-2006, No. 99/874, dated 13-04-2006 &	The Committee considered and recommended the Mutation/Transfer & Lease Renewal of Shop No. G.F-19(38) (Ground Floor) Out of Survey No. 542/80-F, situated at Pir Alam Market, Tipu Sultan Road, Peshawar Cantonment in favour of <b>M/S Zarbat Khan &amp; Shoukat Khan S/o Yar Shah</b> for Board's

				No. 79/45, dated 15- 05-2008.	approval.
7.	Mutation / Transfer	<u>SHOP NO. F-11 (FIRST FLOOR), OUT OF PROPERTY NO. 35/HJK, COMPRISING SURVEY NO. 167/C, MALL TOWER THE MALL, PESHAWAR CANTT.</u>	Lease in Schedule IX-C of the CLA Rules, 1937 for commercial purpose	Paid T.I.P Tax Rs. 14,535/- vide Cantt 4-B Receipt No. 72/725 dated 29-09-2005	The Committee considered and recommended the Mutation/Transfer of Shop No. F-11 (1 <sup>st</sup> Floor) Out of Property No. 35/HJK, Survey No. 167/C, situated at Mall Tower The Mall Peshawar Cantonment in favour of <b>Muhammad Ashraf Mirza S/o Abdul Ghani</b> for Board's approval.
8	Mutation / Transfer	<u>SHOP NO. 35/3, COMPRISING SURVEY NO. 542/83, SITUATED AT TIPU SULTAN ROAD, PESHAWAR CANTT.</u>	Old Grant	Paid TIP Tax Rs. 1,07,988/- paid vide Bank Challan No. CBP-2018/19-I-969, dated 28-09-2018.	The Committee considered and recommended the Mutation/Transfer of (5/10 Share) out of Shop No. 35/3 comprising Survey No. 542/83, situated at Tipu Sultan Road, Peshawar Cantonment in favour of <b>M/S Arshad Ali, Amjad Ali, Mst. Amina Khaton, Mst. Farhat un Nisa w/o Tariq Hamayun &amp; Mst. Misbah Ali w/o Saeed Nawaz Babar Ss &amp; Ds/o Muhammad Ali(Late )</b> for Board's approval.
9	Mutation / Transfer	<u>SHOP NO. B-17 (BASEMENT), OUT OF COMPRISING SURVEY NO. 542/3-B, SITUATED AT BILOUR PLAZA, SADDAR ROAD, PESHAWAR CANTT.</u>	Lease in Sch: X (Modified) of the CLA Rules, 1937	Paid T.I.P Tax amounting to Rs. 1,07,783/- vide Bank Challan No. GC-108954, dated 25-01-2016.	The Committee considered and recommended the Mutation/Transfer of Shop No. B-17 (Basement), out of comprising Survey No. 542/3-B, situated at Saddar Road, Peshawar Cantonment in favour of <b>Mr. Riaz Shahid S/o Lajbar Khan</b> for Board's approval.
10	Mutation / Transfer	<u>(TO THE EXTENT OF AN AREA MEASURING 1088 SFT) OUT OF PROPERTY</u>	Lease in Sch: IX-C of the CLA Rules, 1937	Paid TIP Tax amounting Rs. 20,94,509/- vide Bank	The Committee considered and recommended the Mutation/Transfer of an area measuring 1088 Sft out of Property No. 27/7/86,



		<u>NO. 27/7/86,</u> <u>COMPRISING</u> <u>SURVEY NO.</u> <u>567(PART),</u> <u>SITUATED AT</u> <u>SADDAR</u> <u>ROAD,</u> <u>PESHAWAR</u> <u>CANTT.</u>		Challan No. GC- 280224, dated 27- 12-2017.	comprising Svy No. 567 (Part) situated at Saddar Road, Peshawar Cantonment in favour of <b>Mst. Amna Sohail</b> for Board's approval.
11	Conversion	<u>HOUSE NO.</u> <u>24/90/H</u> <u>COMPRISING</u> <u>SURVEY NO.</u> <u>576, SITUATED</u> <u>AT JINNAH</u> <u>LANE,</u> <u>SADDAR</u> <u>ROAD,</u> <u>PESHAWAR</u> <u>CANTT.</u>	Old Grant	Not applicable	The Committee considered and recommended for Board's approval the Conversion of old grant rights into regular lease for Residential purpose in respect of House No. 24/90/H, comprising Survey No. 576, situated at Jinnah Lane, Saddar Road, Peshawar Cantonment as per Old Grant Policy 2007 for approval/sanction.
12	Conversion/ Merger	<u>HOUSE NOS.</u> <u>100, 101 &amp; 102</u> <u>COMPRISING</u> <u>SURVEY NO.</u> <u>163/139, 163/138</u> <u>&amp; 163/135,</u> <u>SITUATED AT</u> <u>CHOTTI LAL</u> <u>KURTI,</u> <u>PESHAWAR</u> <u>CANTT.</u>	Old Grant	Not applicable	The Committee considered and recommended for Board's approval the Conversion/Merger of old grant rights into regular lease for Residential purpose in respect of House Nos. 100, 101 & 102 comprising Survey No. 163/139, 163/138 & 163/135 situated at Chotti Lal Kurti, Peshawar Cantonment as per Old Grant Policy 2007 for approval/sanction.
13	Conversion	<u>HOUSE NO. 974</u> <u>COMPRISING</u> <u>SURVEY NO.</u> <u>542/1119,</u> <u>SITUATED AT</u> <u>LIBRARY</u> <u>STREET,</u> <u>PESHAWAR</u> <u>CANTT.</u>	Old Grant	Not applicable	The Committee considered and recommended for Board's approval the Conversion of old grant rights into regular lease for Residential purpose in respect of House No. 974 comprising Survey No. 542/1119, Library Street, Peshawar Cantonment as per Old Grant Policy 2007 for approval/sanction.

14	Mutation / Transfer & Conversion	<u>HOUSE NO.</u> <u>860-A</u> <u>COMPRISNG</u> <u>SURVEY NO.</u> <u>542/987,</u> <u>SUNEHRI</u> <u>MASJID ROAD,</u> <u>PESHAWAR</u> <u>CANTT.</u>	Old Grant	Not applicable	The Committee considered and recommended the following for Board's approval: -  i. Mutation/transfer of House No. 860-A comprising Survey No. 542/987 situated at Sunehri Masjid Road, Peshawar Cantonment, in favour of <b>Mst. Shahida Sultana.</b>  ii. Conversion of old grants rights into regular lease for Residential purpose in respect of House No. 860-A comprising Survey No. 542/987 situated at Sunehri Masjid Road, Peshawar Cantonment as per Old Grant Policy 2007 for approval/sanction.
15	Conversion / Merger	<u>SHOP NOS. 602</u> <u>&amp; 603</u> <u>COMPRISING</u> <u>SURVEY NO.</u> <u>542/688 &amp;</u> <u>542/689,</u> <u>SITUATED AT</u> <u>FAWARA</u> <u>CHOWK,</u> <u>PESHAWAR</u> <u>CANTT.</u>	Old Grant	Not applicable	The Committee considered and recommended for Board's approval the Conversion/Merger of old grant rights into regular lease for Commercial purpose in respect of Shop Nos. 602 & 603 comprising Survey No. 542/688 & 542/689, Fawara Chowk, Peshawar Cantonment as per Old Grant Policy 2007 for approval/sanction.
16	Mutation / Transfer	<u>PROPERTY</u> <u>SURVEY NO.</u> <u>566/B-1</u> <u>SITUATED AT</u> <u>SADDAR</u> <u>ROAD,</u> <u>PESHAWAR</u> <u>CANTT.</u>	lease in Schedule-VIII of the CLA Rules, 1937	Paid T.I.P Tax Rs. 10,70,605/- vide bank challan no CBP-2018- 19-1-9734 dated 23-1- 2019	The Committee considered and recommended the Mutation/Transfer of Property comprising Survey No. 566/B-1, situated at Saddar Road, Peshawar Cantonment in favour of Mst. Tasleem Bibi W/o Sartaj Muhammad Khan for Board's approval.

17	Remission and exemption of property Tax in Peshawar Cantonment under relevant sections of the Cantonment Act 1924	Cases recommended by Bazaar committee for remission of House Tax under section 76 to 77 A of the cantonment act 1924 and recommendation of exemption cases on poverty basis for board approval under section 100 of the cantonment act 1924. The concerned proformas duly scrutinized and signed by members/chair man of bazaar committee are placed on table with relevant files	<p>The Committee considered and recommended the following for Board's approval: -</p> <p>a) Grant of remission and exemption in respect of the following properties, as per detail mentioned on agenda side which brief description is placed on the table as <b>Annex-A:-</b></p> <table border="1" data-bbox="635 481 1487 896"> <thead> <tr> <th><u>W- I</u></th> <th><u>W- II</u></th> <th><u>W- III</u></th> <th><u>W- IV</u></th> <th><u>W- IV</u></th> <th><u>W- IV- A</u></th> <th><u>W- V</u></th> </tr> </thead> <tbody> <tr> <td>U/S 76, 77 &amp; 77-A</td> <td>U/S 76, 77 &amp; 77-A</td> <td>U/S 76, 77 &amp; 77-A</td> <td>U/S 76, 77 &amp; 77-A</td> <td>U/S 100</td> <td>U/S 76, 77 &amp; 77-A</td> <td>U/S 76, 77 &amp; 77-A</td> </tr> <tr> <td>Sr. No.</td> <td>Sr. No.</td> <td>Sr.</td> <td>Sr. No.</td> <td>Sr. No.</td> <td>Sr. No.</td> <td>Sr. No.</td> </tr> <tr> <td>01 to 31</td> <td>01 to 26.</td> <td>No 01 to 18.</td> <td>01 to 04</td> <td>01 to 06</td> <td>01 to 05</td> <td>01 to 12.</td> </tr> </tbody> </table>	<u>W- I</u>	<u>W- II</u>	<u>W- III</u>	<u>W- IV</u>	<u>W- IV</u>	<u>W- IV- A</u>	<u>W- V</u>	U/S 76, 77 & 77-A	U/S 76, 77 & 77-A	U/S 76, 77 & 77-A	U/S 76, 77 & 77-A	U/S 100	U/S 76, 77 & 77-A	U/S 76, 77 & 77-A	Sr. No.	Sr. No.	Sr.	Sr. No.	Sr. No.	Sr. No.	Sr. No.	01 to 31	01 to 26.	No 01 to 18.	01 to 04	01 to 06	01 to 05	01 to 12.
<u>W- I</u>	<u>W- II</u>	<u>W- III</u>	<u>W- IV</u>	<u>W- IV</u>	<u>W- IV- A</u>	<u>W- V</u>																									
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Sr. No.	Sr. No.	Sr.	Sr. No.	Sr. No.	Sr. No.	Sr. No.																									
01 to 31	01 to 26.	No 01 to 18.	01 to 04	01 to 06	01 to 05	01 to 12.																									

**Point(s) to be considered:**

Whether to approve the above proceeding of Bazaar Committee in respect of 17 x cases above or otherwise.

The proceeding of the Bazaar Committee is placed on the table for Board's consideration.

**RESOLUTION**

The Board considered and approved the proceedings of Bazaar Committee meeting held on 10<sup>th</sup> & 22<sup>nd</sup> January in respect of 17 x cases as mentioned on agenda side.

**ITEM 34**

**PROCEEDINGS OF BUILDING COMMITTEE**

**Requirement**

To consider and approve proceedings of Building Committee meeting of Cantonment Board, Peshawar held on 31<sup>st</sup> January, 2019 as under:-

**Legal Provision**

CBR No.8 dated 1-10-2015 and;

Section 181 of the CA, 1924	<b>181. Power of Board to sanction or refuse</b>
Section 183-A of the CA, 1924	<b>183-A. Period for completion of building</b>
Section 185 of the CA, 1924	<b>185. Power to stop erection or re-erection or to demolish</b>

**Proceeding of the Building Committee**

TEM 1

**EXTENSION IN TIME FOR COMPLETION OF BUILDING UNDER SECTION 183-A OF CANTONMENTS ACT 1924 - PROPERTY NO. 172, SURVEY NO. 542/205, SUNEHRI MASJID ROAD, PESHAWAR CANTONMENT**

To consider application, dated 22-10-2018 submitted by the lessees requesting for grant of 1<sup>st</sup> extension in time for completion of the building w.e.f. 24-1-2019. Building plan in respect of Property No. 172, Survey No. 542/205, Sunehri Masjid Road, Peshawar Cantt was approved by the Board vide CBR No. 26(4), dated 30-11-2017 and released to the lessees vide CBP letter No. 6/1504/82637, dated 24-01-2018. The detail is as under ;

<b>(COMMERCIAL)</b>	
File No.	6/1504
Name of Lessees	M/s MCB Bank Limited through Branch Manager
Nature of Lease	Commercial
Schedule of Lease	IX-C
Expiry of Lease	13-02-2111
Classification of Land	B-3
Total area of Plot	1147.00 Sft.
Covered area	4043.316 Sft.
Description of floors	Basement + Ground Floor + Mezzanine Floor + First Floor + Mumty
Area	Inside Bazar Area.

One year extension is allowed under Section 183-A of the Cantonment Act, 1924 for completion of remaining construction.

**Recommendations:** Recommended for decision of the Board.

ITEM 2

**EXTENSION IN TIME FOR COMPLETION OF BUILDING UNDER SECTION 183-A OF CANTONMENTS ACT 1924 - PLOT NO. 2, SURVEY NO. 191/2, KHALID LANE, PESHAWAR CANTONMENT**

To consider application, dated 02-01-2019 submitted by the lessees requesting for grant of 1<sup>st</sup> extension in time for completion of the building w.e.f. 23-1-2019. Building plan in respect of Plot No. 2, Survey No. 191/2, Khalid Lane, Peshawar Cantt was approved by the Board vide CBR No. 26(7), dated 30-11-2017 and released to the lessees vide CBP letter No. 5/88-II(Pt-II)/82578, dated 23-01-2018. The detail is as under ;

<b>(RESIDENTIAL)</b>	
File No.	5/88-II (Plot-2)
Name of Lessees	M/s Muhammad Imran and Muhammad Ehsan Ss/o

	Abdul Ghafoor
Nature of Lease	Residential
Schedule of Lease	IX-C
Expiry of Lease	30-05-2104
Classification of Land	B-3
Total area of Plot	755.55 Sq. Yds.
Covered area	10576.00 Sft.
Description of floors	Basement + Ground Floor + First Floor + Mumty
Area	Outside Bazar Area

One year extension is allowed under Section 183-A of the Cantonment Act, 1924 for completion of remaining construction.

**Recommendations:** Recommended for decision of the Board.

### ITEM 3

#### **COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF HOUSE NO. CB-26/14/86/I, COMPRISING SURVEY NO. 567/86/I, SADDAR LANE (AMIN JAN LANE), PESHAWAR CANTONMENT**

To consider application submitted by the lessees regarding regularization of unauthorized construction carried out in House No. CB-26/14/86/I, Survey No. 567/86/I, Saddar Lane (Amin Jan Lane), Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	CP-567/CB-26/197/86/96-I
Name of Lessees	M/s Mst. Badar Bukhari, Syed Muhammad Imran Bukhari, Mst. Rabia Bukhari Wd/S/D of Syed Muhammad Aqil Bukhari through Attorney Syed Muhammad Aamir Bukhari and M/s Syeda Farzana Bukhari, Syed Muhammad Asim Bukhari, Syed Aamir Bukhari, Syed Muhammad Arshid Bukhari, Syed Muhammad Rashid Bukhari Wd/Ss of Syed Abdul Manan Bukhari
Nature of Lease	Residential
Schedule of Lease	IX-C
Expiry of Lease	4-12-2108
Classification of Land	B-3
Total area of Plot	2622.00 Sft.
Covered area	2985.86 Sft.
Description of floors	Ground Floor + Mezzanine Floor + First Floor
Area	Inside Bazar Area
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>	
• Cost of construction per sft	= Rs. 2,000/-
<b>Major Deviation</b>	
a. Total major deviated covered area	= 2985.86 Sft.
b. Total cost of construction = (2985.86 x 2000/-)	= Rs.59,71,720/-
c. Composition fee @ 10%	= <b>Rs.5,97,172/-</b>
Rebate @ 100% as per CBR No. 17, dated 24-5-2018	= <b>Rs.5,97,172/-</b>
<b>Net payable composition fee</b>	= <b>Rs. Nil.</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-03-2019 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed before partition which come under 100% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessees.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

#### ITEM 4

#### **COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PLOT NO. 4, SURVEY NO. 729/4, JAN SHER KHAN STREET, MALL ROAD, PESHAWAR CANTONMENT**

To consider application submitted by the lessee regarding regularization of unauthorized construction carried out in Plot No. 4, Survey No. 729/4, Jan Sher Khan Street, Mall Road, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	5/161 (Plot No.4)
Name of Lessee	Mr. Muhammad Shoaib S/o Zair Ullah
Nature of Lease	Residential
Schedule of Lease	VIII
Expiry of Lease	10-03-2047
Classification of Land	B-3
Total area of Plot	500.00 Sq. Yds.
Covered area	6604.04 Sft.
Description of floors	Basement + Ground Floor + First Floor + Mumty
Area	Outside Bazar Area
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>	
• Cost of construction per sft	= Rs. 2,000/-
<b>Minor Deviation</b>	
a. Total minor deviated covered area	= 325.00 Sft.
b. Total cost of construction = (325.00 x 2000/-)	= Rs.6,50,000/-
c. Composition fee @ 5%	= <b>Rs.32,500/-</b>
<b>Major Deviation</b>	

a. Total major deviated covered area	=	1510.04 Sft.
b. Total cost of construction = (1510.04 x 2000/-)	=	Rs.30,20,080/-
c. Composition fee @ 10%	=	Rs.3,02,008/-
Total composition fee	=	Rs.3,34,508/-
Rebate @ 20% as per CBR No. 17, dated 24-5-2018	=	Rs.66,902/-
<b>Net payable composition fee</b>	=	<b>Rs.2,67,606/-</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-12-2018 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed within 05 years which come under 20% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessee.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

#### ITEM 5

#### **APPROVAL OF PROPOSED BUILDING PLAN IN RESPECT OF PLOT NO. 6, SURVEY NO. 196/5, HOSPITAL ROAD (GENERAL BAKHT KHAN ROAD), PESHAWAR CANTONMENT**

To consider application submitted by the lessees for approval of residential building plan in respect of Plot No. 6, Survey No. 196/5, Hospital Road (General Bakht Khan Road), Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	5/63-B-II (6)
Name of Lessees	M/s Feroz Ghani & Faisal Ghani Ss/o Ghani-ur-Rehman
Nature of Lease	Residential
Schedule of Lease	IX-C
Expiry of Lease	03-12-2098
Classification of Land	B-3
Total area of Plot	654.09 Sq. Yds.
Covered area	10027.53 Sft.
Description of floors	Basement + Ground Floor + First Floor + Mumty
Area	Outside Bazar Area
<b>LAND POINT OF VIEW</b>	The MEO Peshawar has given NOC from land point of view vide letter No. CP-196/5/15, dated 31-12-2018.

<b>TECHNICAL POINT OF VIEW</b>	The Engineering Branch has certified that all byelaws have been followed in the building plan.
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The applicants have requested for approval of the above mentioned building plan for residential purposes.

**Recommendations:** Recommended for approval by the Board.

ITEM 6

**COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PLOT NO. 34, SURVEY NO. 93-A/34, DOC KHYBER ROAD, PESHAWAR CANTONMENT**

To consider application submitted by the lessee regarding regularization of unauthorized construction carried out in Plot No. 34, Survey No. 93-A/34, DOC Khyber Road, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	32/115 (34)
Name of Lessee	Mst. Shahina Zahoor W/o Muhammad Zahoor Sethi
Nature of Lease	Residential
Schedule of Lease	IX-A
Expiry of Lease	20-9-2070
Classification of Land	B-3
Total area of Plot	4500.00 Sft.
Covered area	5040.00 Sft.
Description of floors	Basement + Ground Floor
Area	Outside Bazar Area
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>	
• Cost of construction per sft	= Rs. 2,000/-
<b>Minor Deviation</b>	
a. Total minor deviated covered area	= 124.00 Sft.
b. Total cost of construction = (124.00 x 2000/-)	= Rs.2,48,000/-
c. Composition fee @ 5%	= <b>Rs.12,400/-</b>
<b>Major Deviation</b>	
a. Total major deviated covered area	= 885.00 Sft.
b. Total cost of construction = (885.00 x 2000/-)	= Rs.17,70,000/-
c. Composition fee @ 10%	= <b>Rs. 1,77,000/-</b>
Total composition fee	= <b>Rs.1,89,400/-</b>
Rebate @ 40% as per CBR No. 17, dated 24-5-2018	= <b>Rs. 75,760/-</b>
<b>Net payable composition fee</b>	= <b>Rs.1,13,640/-</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-12-2018 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%



Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed 13 years back which come under 40% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessee.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

ITEM 7

**COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PLOT NO. 34-A, SURVEY NO. 93-A/34-A, DOC KHYBER ROAD, PESHAWAR CANTONMENT**

To consider application submitted by the lessee regarding regularization of unauthorized construction carried out in Plot No. 34-A, Survey No. 93-A/34-A, DOC Khyber Road, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	32/115 (34-A)
Name of Lessee	Mst. Aniq Yasmeen W/o Muhammad Irfan Sethi
Nature of Lease	Residential
Schedule of Lease	IX-A
Expiry of Lease	20-9-2070
Classification of Land	B-3
Total area of Plot	500.00 Sq. Yds.
Covered area	4298.75 Sft.
Description of floors	Basement + Ground Floor + First Floor
Area	Outside Bazar Area
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>	
• Cost of construction per sft	= Rs. 2,000/-
<b>Minor Deviation</b>	
a. Total minor deviated covered area	= 40.00 Sft.
b. Total cost of construction = (40.00 x 2000/-)	= Rs.80,000/-
c. Composition fee @ 5%	= <b>Rs.4,000/-</b>
<b>Major Deviation</b>	
a. Total major deviated covered area	= 243.00 Sft.
b. Total cost of construction = (243.00 x 2000/-)	= Rs.4,86,000/-
c. Composition fee @ 10%	= <b>Rs.48,600/-</b>
Total composition fee	= <b>Rs.52,600/-</b>
Rebate @ 60% as per CBR No. 17, dated 24-5-2018	= <b>Rs.31,560/-</b>
<b>Net payable composition fee</b>	= <b>Rs.21,040/-</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-12-2018 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed 19 years back which come under 60% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessee.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

#### ITEM 8

#### COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PROPERTY NO. 122, 123 & 124 (1/2 SHARE), SURVEY NO. 542/162, 542/163 & 542/164 (1/2 SHARE), LIAQAT STREET NO. 4, SADDAR, PESHAWAR CANTONMENT

To consider application submitted by the lessee regarding regularization of unauthorized construction carried out in Property No. 122, 123 & 124 (1/2 Share), Survey No. 542/162, 542/163 & 542/164 (1/2 Share), Liaqat Street No. 4, Saddar, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	6/1238-Pt-II
Name of Lessee	Mr. Ashiq Khan S/o Abdul Jabbar Khan (as per sale deed)
Nature of Lease	Residential
Schedule of Lease	IX-C
Expiry of Lease	30-12-2103
Classification of Land	B-3
Total area of Plot	175.00 Sft.
Covered area	350.00 Sft.
Description of floors	Ground Floor + First Floor
Area	Inside Bazar Area
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>	
• Cost of construction per sft	= Rs. 2,000/-
<b>Major Deviation</b>	
a. Total major deviated covered area	= 350.00 Sft.
b. Total cost of construction = (350.00 x 2000/-)	= Rs.7,00,000/-
c. Composition fee @ 10%	= <b>Rs.70,000/-</b>
Rebate @ 100% as per CBR No. 17, dated 24-5-2018	= <b>Rs.70,000/-</b>
<b>Net payable composition fee</b>	= <b>Rs. Nil.</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-03-2019 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed before partition which come under 100% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessees.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

#### ITEM 9

#### COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PLOT NO. 6, SURVEY NO. 29-A/6, DOC, SHAMI ROAD, PESHAWAR CANTONMENT

To consider application submitted by the lessees regarding regularization of unauthorized construction carried out in Plot No. 6, Survey No. 29-A/6, DOC, Shami Road, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	5/214
Name of Lessees	Dr. Shakeel Ahmed and Mst. Khair-un-Nisa
Nature of Lease	Residential
Schedule of Lease	IX-A
Expiry of Lease	27-4-2057
Classification of Land	B-3
Total area of Plot	1500.00 Sq. Yds.
Covered area	6440.68 Sft.
Description of floors	Ground Floor + First Floor
Area	Outside Bazar Area
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>	
• Cost of construction per sft	= Rs. 2,000/-
<b>Minor Deviation</b>	
a. Total minor deviated covered area	= 97.43 Sft.
b. Total cost of construction = (97.43 x 2000/-)	= Rs.1,94,860/-
c. Composition fee @ 5%	= <b>Rs.9,743/-</b>
<b>Major Deviation</b>	
a. Total major deviated covered area	= 2302.80 Sft.
b. Total cost of construction = (2302.80 x 2000/-)	= Rs.46,05,600 /-

c. Composition fee @ 10%	=	Rs. 4,60,560/-
Total composition fee	=	Rs.4,70,303/-
Rebate @ 100% as per CBR No. 17, dated 24-5-2018	=	Rs. 4,70,303/-
<b>Net payable composition fee</b>	=	<b>Rs. Nil.</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-03-2019 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed above 39 years back which come under 100% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessees.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

ITEM 10

**COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PLOT NO. 224, SURVEY NO. 16,16-A, DOC, SHAMI ROAD, PESHAWAR CANTONMENT**

To consider application submitted by the lessee regarding regularization of unauthorized construction carried out in Plot No. 224, Survey No. 16, 16-A, DOC, Shami Road, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	32/126 (224)
Name of Lessee	Mr. Muhammad Ikram Ullah through Mr. Muhammad Tariq (Attorney Holder)
Nature of Lease	Residential
Schedule of Lease	IX-A
Expiry of Lease	28-08-2092
Classification of Land	B-3
Total area of Plot	7200.00 Sft.
Covered area	11389.23 Sft.
Description of floors	Basement + Ground Floor + First Floor + Mumty
Area	Outside Bazar Area
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>	
• Cost of construction per sft	= Rs. 2,000/-
<b>Minor Deviation</b>	

a. Total minor deviated covered area	=	922.00 Sft.
b. Total cost of construction = (922.00 x 2000/-)	=	Rs.18,44,000/-
c. Composition fee @ 5%	=	<b>Rs.92,200/-</b>
<b>Major Deviation</b>		
a. Total major deviated covered area	=	1373.60 Sft.
b. Total cost of construction = (1373.60 x 2000/-)	=	Rs.27,47,200/-
c. Composition fee @ 10%	=	<b>Rs. 2,74,720/-</b>
Total composition fee	=	<b>Rs.3,66,920/-</b>
Rebate @ 60% as per CBR No. 17, dated 24-5-2018	=	<b>Rs. 2,20,152/-</b>
<b>Net payable composition fee</b>	=	<b>Rs.1,46,768/-</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-03-2019 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed 18 years back which come under 60% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessees.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

#### ITEM 11

#### COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PLOT NO. 69, SURVEY NO. 93-A/69, DOC, KHYBER ROAD, PESHAWAR CANTONMENT

To consider application submitted by the lessee regarding regularization of unauthorized construction carried out in Plot No. 69, Survey No. 93-A/69, DOC, Khyber Road, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	32/115 (69)
Name of Lessee	Mr. Khwaja Naseem Pervez S/o Khwaja Muhammad Akram
Nature of Lease	Residential
Schedule of Lease	IX-A
Expiry of Lease	17-4-2083
Classification of Land	B-3
Total area of Plot	744.44 Sq. Yds.
Covered area	5749.29 Sft.

Description of floors	Basement + Ground Floor + First Floor	
Area	Outside Bazar Area	
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>		
• Cost of construction per sft	=	Rs. 2,000/-
<b>Minor Deviation</b>		
a. Total minor deviated covered area	=	138.65 Sft.
b. Total cost of construction = (138.65 x 2000/-)	=	Rs.2,77,300/-
c. Composition fee @ 5%	=	<b>Rs.13,865/-</b>
<b>Major Deviation</b>		
d. Total major deviated covered area	=	1207.64 Sft.
e. Total cost of construction = (1207.64 x 2000/-)	=	Rs.24,15,280/-
f. Composition fee @ 10%	=	<b>Rs. 2,41,528/-</b>
Total composition fee	=	<b>Rs.2,55,393/-</b>
Rebate @ 80% as per CBR No. 17, dated 24-5-2018	=	<b>Rs. 2,04,315/-</b>
<b>Net payable composition fee</b>	=	<b>Rs.51,078/-</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-03-2019 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed 30 years back which come under 80% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessees.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

ITEM 12

**COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PLOT NO. 38, SURVEY NO. 93-A/38, DOC, KHYBER ROAD, PESHAWAR CANTONMENT**

To consider application submitted by the lessees regarding regularization of unauthorized construction carried out in Plot No. 38, Survey No. 93-A/38, DOC, Khyber Road, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>	
File No.	32/115 (38)
Name of Lessees	M/s Muhammad Saqib Hussain & Muhammad Akif Hussain
Nature of Lease	Residential

Schedule of Lease	IX-A
Expiry of Lease	26-6-2070
Classification of Land	B-3
Total area of Plot	1000.00 Sq. Yds.
Covered area	6408.78 Sft.
Description of floors	Ground Floor + First Floor
Area	Outside Bazar Area
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>	
• Cost of construction per sft	= Rs. 2,000/-
<b>Minor Deviation</b>	
a. Total minor deviated covered area	= 147.10 Sft.
b. Total cost of construction = (147.10 x 2000/-)	= Rs.2,94,200/-
c. Composition fee @ 5%	= <b>Rs.14,710/-</b>
<b>Major Deviation</b>	
a. Total major deviated covered area	= 2930.07 Sft.
b. Total cost of construction = (2930.07 x 2000/-)	= Rs.58,60,140/-
c. Composition fee @ 10%	= <b>Rs. 5,86,014/-</b>
Total composition fee	= <b>Rs.6,00,724/-</b>
Rebate @ 100% as per CBR No. 17, dated 24-5-2018	= <b>Rs. 6,00,724/-</b>
<b>Net payable composition fee</b>	= <b>Rs. Nil.</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-03-2019 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed 43 years back which come under 100% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessees.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

ITEM 13

**APPROVAL OF PROPOSED BUILDING PLAN IN RESPECT OF PLOT NO. 2, SURVEY NO. 201/1, KHALID ROAD, PESHAWAR CANTONMENT**

To consider application submitted by the lessees for approval of residential building plan in respect of Plot No. 2, Survey No. 201/1, Khalid Road, Peshawar Cantt as detailed below;

**(RESIDENTIAL)**

File No.	5/13 (Plot:2)
Name of Lessees	Mr. Sajjad Ahmad & Mst. Madiha Junaid
Nature of Lease	Residential
Schedule of Lease	IX-C
Expiry of Lease	17-4-2104
Classification of Land	B-3
Total area of Plot	2350.00 Sq. Yds.
Covered area	10131.23 Sft.
Description of floors	Ground Floor + First Floor + Mumty
Area	Outside Bazar Area
<b>LAND POINT OF VIEW</b>	The MEO Peshawar has given NOC from land point of view vide letter No. CP-201/2/, dated 28-1-2019.
<b>TECHNICAL POINT OF VIEW</b>	The Engineering Branch has certified that all byelaws have been followed in the building plan.

The applicants have requested for approval of the above mentioned building plan for residential purposes.

**Recommendations:** Recommended for approval by the Board.

#### ITEM 14

#### **COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF PLOT NO. 138, SURVEY NO. 88/138, DOC, KHYBER ROAD, PESHAWAR CANTONMENT**

To consider application submitted by the lessees regarding regularization of unauthorized construction carried out in Plot No. 138, Survey No. 88/138, DOC, Khyber Road, Peshawar Cantt as detailed below;

<b>(RESIDENTIAL)</b>		
File No.	32/115 (138)	
Name of Lessees	Mr. Muhammad Aslam & Mrs. Salma Aslam	
Nature of Lease	Residential	
Schedule of Lease	IX-A	
Expiry of Lease	9-3-2086	
Classification of Land	B-3	
Total area of Plot	619.30 Sq. Yds.	
Covered area	6904.91 Sft.	
Description of floors	Basement + Ground Floor + First Floor	
Area	Outside Bazar Area	
<b>DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE</b>		
• Cost of construction per sft	=	Rs. 2,000/-
<b>Minor Deviation</b>		
a. Total minor deviated covered area	=	220.23 Sft.
b. Total cost of construction = (220.23 x 2000/-)	=	Rs.4,40,460/-
c. Composition fee @ 5%	=	<b>Rs.22,623/-</b>
<b>Major Deviation</b>		
a. Total major deviated covered area	=	1371.36 Sft.
b. Total cost of construction = (1371.36 x 2000/-)	=	Rs.27,42,720/-
c. Composition fee @ 10%	=	<b>Rs. 2,74,272/-</b>



Total composition fee	=	Rs. 2,96,295/-
Rebate @ 80% as per CBR No. 17, dated 24-5-2018	=	Rs. 2,37,036/-
<b>Net payable composition fee</b>	=	<b>Rs. 59,259/-</b>

It is pointed out that according to CBRs No. 17, dated 24-5-2018 & No. 11, dated 31-12-2018, those lessees who have to regularize their unauthorized construction upto 31-03-2019 shall be given special offer/rebate as categorized below:-

Period	Rebate
Upto 05 years	20%
Over 05 years and upto 15 years	40%
Over 15 years and upto 25 years	60%
Over 25 years and upto 35 years	80%
Over 35 years	100%

As the building in question is constructed 25 years & 9 months back which come under 80% rebate category.

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessees.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

ITEM 15

**COMPOSITION FEE/APPROVAL OF REGULARIZATION BUILDING PLAN IN RESPECT OF SHOP NO. 10, SURVEY NO. 407/A(10), AWAMI JOINT PLAZA, SHAH QABOOL AULIA ROAD, SHOBA BAZAR, PESHAWAR CANTONMENT**

To consider application submitted by the lessee regarding regularization of unauthorized construction carried out in respect of Shop No. 10, Survey No. 407/A(10), Awami Joint Plaza, Shah Qabool Aulia Road, Shoba Bazar, Peshawar Cantt as detailed below;

(COMMERCIAL)	
File No.	32/60 (Shop - 10)
Name of Lessee	Mr. Niaz Muhammad Khan S/o Shah Muhammad Khan (mutation is in process)
Nature of Lease	Commercial
Schedule of Lease	VIII
Expiry of Lease	23-7-2013 (renewal of lease is in process)
Classification of Land	B-3
Total area of Plot	150.625 Sft. (as per GLR) & 162.00 Sft. (as per site)
Covered area	682.00 Sft.
Description of floors	Basement + Ground Floor + First Floor + Second Floor
Area	Inside Bazar Area.
<b>LAND POINT OF VIEW</b>	The Land Supdt has verified that the land is situated inside Bazar area under the management of Cantt Board Peshawar.
DETAIL OF UNAUTHORIZED CONSTRUCTION/COMPOSITION FEE	
• Cost of Land per sft	= Rs. 11888.00

• Cost of construction per sft	=	Rs. 2500.00
<b>Major Deviation</b>		
a. Total major deviated covered area	=	162.00 Sft.
b. Total cost of construction	=	Rs. 4,05,000/-
c. Composition fee @ 15% of the assessed cost	=	<b>Rs. 60,750/-</b>
<b>Detail of Cost of Land</b>		
<u>Basement</u>		
a. Land area of major deviation	=	162.00 Sft.
b. Total cost of land	=	Rs. 19,25,856/-
c. Cost of land @ 100%	=	<b>Rs. 19,25,856/-</b>
<b>Total of composition fee (Cost of Construction + Cost of Land)</b>	=	<b>Rs.19,86,606/-</b>
<i>Authority :- CBRs No. 17, dated 24-5-2018 &amp; No. 52, dated 28-9-2018.</i>		

It is pertinent to mention here that no proposed construction is shown in the regularization building plan submitted by the lessee.

**Recommendations:** Deferred till next Building Committee Meeting in which proper images of the existing building and deviated area provided for the perusal of the Committee.

### **RESOLUTION**

The Board considered and approved the proceedings of Building Committee meeting held on 31<sup>st</sup> January, 2019 in respect of 15 x cases as mentioned on agenda side.

### **ITEM 35**

#### **REVISED ESTIMATES - UP-GRADATION / IMPROVEMENT OF CGH INCLUDING CONSTRUCTION OF ADDITIONAL FLOORS ON TRAUMA CENTRE BUILDING**

Reference: ML&C Deptt letter No. 40/1/P&MA/ML&C/H&E/2018, dated 05-07-2018.

#### **Requirement**

To consider the revised estimates amounting to Rs. 147.400 million for up-gradation / improvement of CGH including construction of 3 x additional floors on Trauma Centre Building, Sunehri Masjid Road, Peshawar Cantonment.

#### **History of the case**

An amount of Rs. 76.068 million was sanctioned by the CFA i.e. DGML&C, Rwp vide letter No. 26/4/P&MA/ML&C/Up/CGH/2018-II, dated 30-7-2018 and conveyed by the D ML&C, Peshawar vide letter No. 20/177/B.E/18-19/Pesh/DPR, dated 6-8-2018 for up-gradation / improvement of Cantonment General Hospital including construction of 2 x additional floors on Trauma Centre Building, Sunehri Masjid Road, Peshawar Cantt based on PM&DC requirements of 2012.

Later on the ML&C vide letter No. 40/1/P&MA/ML&C/H&E/2018, dated 05-07-2018 directed CBP to update the existing design in accordance to PM&DC inspection format notified by the Federal Government vide Notification No. F.1.19/2015.SO(PM&DC), dated 08-03-2018.

In the light of new PM&DC inspection format, the consultants was directed vide CBP letter No. 21/512/Consultants/CGH/ to re-visit the design and brought it according to the requirements given in the new format. After re-visiting the design, the consultant added the following addition / alteration for accommodating the improved requirements as per new format:-

- Increasing the number of OTs from 3 to 7 (by adding complete additional floor)
- Conversion of basement (parking) into diagnostic centre
- Improvement of retro fittings design for taking the load of additional floor
- Reserved complete floor for CSSD
- Other misc changes

The above mentioned addition / alteration would affect an increase of Rs. 71.332 million (Rs.147.400 - Rs. 76.068). The additional amount shall be met out of Closing Balance of the Premium Fund Account.

#### Legal provision

- Section 63 (7) of Cantonment Accounts Code, 1955
- PM&DC Notification No. F.1.19/2015.SO(PM&DC), dated 08-03-2018

#### Points to be considered

Whether to approve the revised estimates amounting to Rs. 147.400 million for up-gradation/improvement of CGH including construction of 3 x additional floors on Trauma Centre Building, Sunehri Masjid Road, Peshawar Cantonment or otherwise?

The case file alongwith connected documents is placed on the table for Board's decision.

#### RESOLUTION

The Board considered and approved the revised estimates amounting to Rs. 147.400 million for up-gradation/improvement of CGH including construction of 3 x additional floors on Trauma Centre Building, Sunehri Masjid Road, Peshawar Cantt to meet the requirements of PMDC as presented by M/s Mascot Consultants, Peshawar. The other formalities as regards approval of revised estimates i.e. vetting by NAB etc be also completed to avoid complications at later stage. Sanction of the competent authority be obtained.

#### ITEM 36

#### INTERFERENCE IN OFFICIAL WORK

#### Requirement

To consider report of Cantonment Board Magistrate has requested that action be taken against Tax defaulter shopkeeper namely Mr. Mujeeb ur Rehman, Tipu Sultan Road, Psc is create hindrance, whenever recovery drive started he creates nonsense and de-sealed the properties which sealed on account of non remittance of Tax.

#### Detail

Mr. Mujeeb ur Rehman, Tipu Sultan Road, Psc is create hindrance, whenever recovery drive started by CBM in said area, he creates nonsense and de-sealed the properties which sealed on account of non remittance of Tax. On various time FIRs have also been lodged against him but no output has come.

**Points to be considered**

Whether action be taken against Mr. Mujeeb ur Rehman or otherwise?

The case is put up for consideration of the Board.

**RESOLUTION**

The Board taken serious viewed in interference of Mr. Mujeeb ur Rehman in official work. The PCB directed to Mr. Muhammad Waris, Vice President, CB, Psc to call Mr. Mujeeb ur Rehman and take up the case at their own level and the Board be inform the out put in its next meeting, otherwise the Board will take necessary action as per Rules.

**ITEM 37****PROGRESS OF M/S ALI & ALI ADVOCATES & LEGAL CONSULTANTS**

Reference: CBR No. 5, dated 28-9-2018

**Requirement**

To consider initial four months evaluation report / presentation of M/s Ali & Ali Advocates & Legal Consultants as required vide Board Resolution under reference.

**Detail**

The following, approximately 200 cases are being contested / defended by M/s Ali & Ali Advocates & Legal Consultants on behalf of Cantonment Board Peshawar. Mr. Ibrahim Syed and Mr. Waqas Munir of M/s Ali & Ali Advocates & Legal Consultants are ready to present progress on Court Cases to the Board: -

**High Court Cases**

1. **CBP vs Islamic Investment Bank:** Written arguments have been submitted as ordered by the hon'ble High Court. Respondent (bank) has to submit it's written arguments and is fixed for order.
2. **Ismail & others vs CBP:** Comments prepared and submitted. Arguments to be heard on the next date fixed.
3. **Qazi Masood vs CBP:** Vakalatnama submitted case was dismissed in default.
4. **Arshad Hussain vs CEO, CBP and others:** The case is fixed for arguments.
5. **Yaqoot vs CBP:** Contempt of Court petition was filed against CBP. The Petition was dismissed and it was observed by the Court that the CBP had performed its duties by removing encroachments.
6. **Khalid Saeed and another vs Amer Akram and others & London Book Company vs Sakeena Saleh:** Proceedings are closely followed and it is fixed for arguments over an application for changing the status of Petitioner No.2 to Respondents, submitted by the counsel for the Petitioner.

**Civil, Magistrate & District and Session Courts:**

**Arguments heard:**

1. **Dr. Bilal vs CBP & others:** Arguments in detail over maintainability of the suit and discrepancies in evidence of witnesses were highlighted in great detail along with judgments of the Supreme Court of Pakistan. Case was heard and dismissed.
2. **Haji Mehmood Jan vs CBP:** Appeal against judgment of Civil judge, arguments heard by the hon'ble judge from both sides. In light of the arguments of the learned counsel the appeal was dismissed.
3. **CBP vs Tahir Nadeem and CBP vs Zehrish Nadeem:** Review was filed against the order of the District Court for mentioning Field book/Sketch book instead of survey plan. Arguments from CBP heard.
4. **Mohmand vs State (Before the Additional Session Judge):** Cheque dishonor case, arguments were heard on pre arrest bail petition, interim bail was recalled.
5. **Mohmand vs State (Before the Magistrate):** Accused applied for post-arrest bail before the court of judicial magistrate which was contested on behalf of CBP and his regular bail was denied in light of the arguments raised by the counsel.
6. **Mohmand vs State (Before the Additional Session Judge):** Feeling aggrieved of order of the Magistrate, the accused filed bail application before the hon'ble court of Additional Session Judge, his bail plea was contested and his bail was denied again.
7. **Abid Zameer vs CBP:** Suit for declaration and permanent injunction filed by the plaintiff was disposed off. Application under order 7 rule 11, for rejection of plaint was submitted and after arguments application was allowed and case dismissed.
8. **Sabrina Cinema etc. vs CBP:** Application under O7 Rule 11 was submitted and arguments of CBP have been heard.
9. **Yaqoot Khan v. CBP:** case withdrawn by the Plaintiff.
10. **Iqbal Gill vs CBP and Natin Gill vs CBP:** Fixed for arguments on maintainability and case has been argued at length by counsels for CBP and arguments of the opposing counsel are pending.
11. **Muhammad Riaz vs CEO Cantonment Board:** Arguments heard appeal dismissed.
12. **Mumtaz Ali Shah vs CBP:** We have already submitted a letter that intimated Deputy Commissioner about the PTD, PTO. further, we have submitted application for additional evidence and made AC and Record Keeper were made additional witnesses.
13. **Shah Faisal vs Nasreen:** Evidence recorded and judgment pronounced.
14. **Shah Faisal vs Muhammad Iqbal:** Withdrawn by the plaintiff.
15. **Sami ullah vs Cantonment Board:** Case dismissed.
16. **Azeem Khan vs CBP:** Suit was filed several years earlier and dismissed in default and non compliance of payment of diet money for witnesses. An application for restoration of suit had already been filed. it was argued before the Court along with supreme Court case law and the suit was dismissed as time barred.
17. **Abdul Hameed Marwat vs CBP:** Application under O7 R11 submitted and CBP arguments along with case law heard.
18. **Arbab Wisal vs CBP:** Appeal on temporary relief before the District Court was argued and is now fixed for the order.

**Evidence produced or cross-examined:**

1. **Asmat Ullah vs CBP:** Fixed for evidence of the plaintiff.
2. **Aman Ullah vs CBP:** Fixed for evidence of the plaintiff.
3. **CBP vs Malik Arif:** Fixed for cross-examination. Examination in chief recorded by us.
4. **CBP vs Malik Hafeez:** Application was submitted for amended plaint and the same was accepted and amended plaint has been submitted. Case is now fixed for evidence.
5. **CBP vs Gul Nabi:** Plaintiff evidence complete. Fixed for cross-examination by the defendants.
6. **CBP vs Shahid Khan:** We have recorded entire plaintiff's evidence and is fixed for cross examination by the defendants.
7. **Naheed Bibi vs CBP:** Plaintiff evidence complete and Defendant evidence shall be completed in the next date as CBP witness did not bring the entire record.

**Fixed for final arguments, order or reply pending:**

1. **Abdul Hameed Marwat vs CBP:** Application under O7 R11 i.e. rejection of plaint has been submitted and reply by the defendant is pending.
2. **Laila Khalid vs CBP:** Application under O7 R11 submitted and is fixed for defendant's reply.
3. **CBP vs Ad Solutions and CBP vs MS Macrosim Advertisers:** In these cases application under O7 R11 has been submitted by the defendants and we have submitted our reply for the said application.
4. **Mansoor Ahmed vs CBP:** Fixed for final arguments.
5. **Anti Encroachment Drive Case:** 30 bail cancellation petitions are submitted and fixed for arguments. Fixed for arguments.

The list of all cases is placed on the table.

**RESOLUTION**

M/s Ali & Ali Advocates & Legal Consultants presented the cases entrusted to them in detail to the Board. The Board showed its complete satisfaction and greatly appreciated the Law Firm on their efforts to pursue the cases with unprecedented zeal. In particular, the Board is pleased to note that the case titled Dr. Bilal Vs CBP & Others, which was pending for the last 20 years, has been successfully disposed off immediately after it was handed over to the Law Firm, resulting in the taking over by the Cantonment Board property worth over one billion rupees. In view of the extra-ordinary performance of M/s Ali & Ali on a pro-bono basis, the Board is pleased to request the firm to continue their services for the next two month, where-after a proper consultancy agreement shall be executed with them on mutually agreed terms.

**(Rana Khawar Iftikhar)**  
Cantonment Executive Officer,  
Peshawar Cantonment

**Brigadier**  
**Muhammad Masroor Ur Rehman**  
President, Cantt Board Peshawar

**PESHAWAR CANTONMENT - THURSDAY THE 31<sup>st</sup> JANUARY, 2019**