

## CONTENTS

### SECTIONS

Preamble.

1. Short title, extent, commencement and application.
2. Definitions.
3. Establishment of the Foundation.
4. Board of Directors
5. Removal of a Director.
6. Casual vacancy
7. Power and functions of the Board.
8. Management.
9. Committees.
10. Managing Director.
11. Annual progress report.
12. Establishment of fund.
13. Membership of the Foundation.
14. Termination of membership.
15. Manner of collection of contribution and maintenance of accounts.
16. Disposal of plots.
17. Location, categorization, allocation and price of plots.
18. Budget and audit.

## THE BALOCHISTAN GOVERNMENT SERVANTS HOUSING FOUNDATION ACT, 2007

(Balochistan Act IV of 2007)

19.

20.

21.

22.

Directions by Government.

Public Servants.

Power to make rules.

Power to make regulations.

# 'THE BALOCHISTAN GOVERNMENT SERVANTS

Preamble.

Short title, extent,  
commencement  
and application.

Definitions.

## HOUSING FOUNDATION ACT, 2007

(Balochistan Act IV of 2007)

[20% August, 2007]

An Act to provide for establishment of a housing foundation for introducing a scheme for providing plots on no profit no loss basis to Government servants of the province.

WHEREAS it is expedient to established the Balochistan Government Servants Housing Foundation in order to introduce a scheme for providing plots on no profit no loss basis to Government servant or to their families in case of death during service and to make provisions for matters connected therewith or ancillary thereto.

1. (1) This Act may be called the Balochistan Government Servants Housing Foundation Act, 2007.

(2) It extends to the whole of the Province of Balochistan.

(3) It shall come into force at once.

(4) It shall apply to all Government servants.

2. In this Act, unless there is anything repugnant in the

subject or context, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

(a) "Board" means the Board of Directors of the Foundation;

(b) "family" in relation to a Government servant means his or her relatives in the following order:—

(i) — wife, wives or husband, as the case may be;

(ii) children, if residing with and wholly depend upon him or her;

\* This Act was passed by the Balochistan Assembly on 11" August, 2007; assented to by the Governor of Balochistan on 18" / published in the Balochistan Gazette (Extraordinary) No. 98, dated 20" August, 2007.



(g)

(h)

(1)

Q)

(iii) parents, sisters and minor brothers, if residing with and wholly dependent upon him or her;

“Foundation” means the Balochistan Government Servants Housing Foundation establishment under this Act;

“fund” means the fund established under this Act;

“Government” means the Government of Balochistan;

“Government servant” means a person holding a Government post and also includes—

(i) a retired Government servant of the Province of Balochistan; or

(ii) a person who holds any civil post of any scale of pay from BPS-1 to BPS-22 in connection with the affairs of the Province; or

(iii) a member of the Civil Service of Pakistan who, while serving under the Provincial Government, has opted to become a member of the Foundation and satisfies such other conditions as may be prescribed:

Provided that such a person is not employed on contract or on work-charge basis, or is paid from contingencies;

“member” means a Government servant who is a member of the Foundation;

“prescribed” means prescribed by the rules made under this Act;

“regulations” means the regulations framed under section 22 of this Act; and

“rules” means the rules made under section 21 of this Act.

Establishment of  
the Foundation.

Board of  
Directors.

3. (1) As soon as may be after commencement of this Act,  
the Government shall establish a foundation to be known as the  
Balochistan Government Servants Housing Foundation.

(2) The Foundation shall be a body corporate, having  
perpetual succession and a common seal with power, subject to the  
provisions of this Act to acquire land in accordance with law and  
hold properties both movable and immovable and may sue and be  
sued by the said name.

(3) The Government may, from time to time, transfer  
state or Bilapaimoda (Baroon az line) land, free of cost, to be  
utilized for the purpose for which the Foundation is established.

4. (1) The Foundation shall have a Board of Directors  
consist of:—

(a) Chief Secretary to the Chairman  
Government of  
Balochistan;

(b) Additional Chief Director  
Secretary (Dev) P&D  
Department, Government  
of Balochistan;

(c) Senior Member, Board of Director  
Revenue, Balochistan;

(d) Secretary to Government Director  
of Balochistan, Services  
& General Administration  
Department;

(e) Secretary to Government Director  
of Balochistan, Finance  
Department;

(f) Secretary to Government Director  
of Balochistan,  
Communication & Works  
Department;

(g) Secretary to Government Director

Removal of a  
Director.

Casual vacancy.

Power and  
functions of the  
Board.

of Balochistan, Public  
Health Engineering  
Department;

(h) Secretary to Government Director  
of Balochistan, Law  
Department;

(1) Two civil servants of Directors  
Balochistan, one  
representing the civil  
servants from BPS- 1 to  
BPS- 15 and the other  
representing B- 16 and  
above, to be appointed by  
the Government for a  
specific period;

(j) Managing Director of the Director/  
Foundation. Secretary.

(2) Six Directors shall constitute quorum in a meeting of  
the Board.

(3) Decisions shall be taken by the Board by simple  
majority and the Chairman shall have the casting vote in case of  
equality of votes.

5. (1) A Director, not being an ex-officio Director, shall  
hold the office during the pleasure of the Government.

(2) Government may remove any such Director during  
the tenure of his office in the prescribed manner.

6. Any vacancy caused due to the death, resignation or  
removal of a Director, other than ex-officio Director, shall be filled  
in by the Government through appointment of another person as  
Director and such appointee shall, subject to the provisions of  
section 4, hold such office for the unexpired period of the term of  
his predecessor.

7. Subject to the provisions of this Act, the Board shall  
exercise such powers and take such measures as may be necessary  
for carrying out the purposes of this Act, including—





- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)
- (h)
- (i)
- Gj)
- (k)
- (1)

to take steps for the establishment of a Fund in the manner hereinafter provided, for carrying out the purposes of the Foundation including incurring of expenditure and investment of money;

to arrange, purchase or acquire land, wherever necessary, within the Province of Balochistan;

to develop the land for the purpose of setting up residential colonies and units with provisions for market and \_\_\_ social, recreational, educational, health or other activities necessary for the benefit and welfare of the members and their families;

to prepare a master plan for the development of land;

to create organizations and employ such persons as may be necessary for running affairs of the Foundation.

to exercise control over the housing schemes and look after the operation and maintenance of all essential services;

to receive such fees and other user charges as may be prescribed;

to sell or dispose of assets, movable or immovable, of the Foundation in such a manner as may be determined by the Board;

to appoint employees and determine their terms and conditions of service;

to authorize spending from the fund;

to delegate any of these powers and functions to a person or to a body of persons; and

to do such acts as are ancillary and incidental to the above functions.

Management.

Committees.

Managing  
Director.

Annual progress  
report.

Establishment of  
fund.

8. Executive authority and management of the Foundation shall vest in the Board.

9. The Board may constitute such committees as may be necessary for carrying out the purpose of this Act.

10. (1) There shall be a Managing Director of the Foundation who shall also be the chief executive of the Foundation.

(2) The Managing Director shall be appointed by the Board with the approval of the Government for a specified term.

(3) The Managing Director shall exercise such powers and perform such functions as may be determined by the Board.

(4) The Managing Director shall cease to hold office in the manner as may be prescribed.

11. (1) The Foundation shall prepare an annual progress report at the end of each financial year.

(2) This report shall be submitted in a meeting of the Board, whenever such meeting takes place after the preparation of the report.

12. (1) As soon as may be, after the commencement of this Act, the Foundation shall arrange establishment of a fund with the help and assistance of the Government.

(2) The fund shall consist of—

(a) such grants as may, from time to time, be made by the Government;

(b) other contributions and donations by private or public organizations;

(c) such loans and advances as may be obtained from financial institutions with the help of the Government wherever necessary;

(d) contributions made by members from time to time;

(e) income and profits from investments from

various sources;

(f) fees and other users charges;

Membership of the  
Foundation.

Termination of  
membership.

Manner of  
collection of  
contribution and  
maintenance of  
accounts.

Disposal of plots.

Location,  
categorization,

[www.ezqanoon.com](http://www.ezqanoon.com)

(g) amounts received from sale or disposal of  
assets of the Foundation; and

(h) all other sums received by the Foundation  
and income from any other source.

(3) The monies credited to the fund shall be kept in such  
custody as may be prescribed.

13. (1) A Government servant may become member of the  
Foundation in the manner as prescribed in the rules.

(2) A member shall be liable to pay such monthly  
contribution as may be determined by the Board from time to time.

14. Membership of a Government servant may be terminated by  
the Board in the manner as prescribed in the rules.

15. (1) All monthly contributions shall be deducted as  
source from the salary of the member concerned by the Accountant  
General or the District Accounts Officers, as the case may be,  
within whose jurisdiction the disbursement of salary is made to that  
member.

(2) The Accountant General Balochistan shall allocate a  
separate sub head for deduction of contributions from the pay bills  
of the Government servants and pass on the credit to the Foundation  
regularly within one month of such deduction.

(3) The Foundation shall maintain separate account in  
respect of each member and be responsible to ensure that the  
amounts of contributions paid by the member or deducted from his  
pay bills by the Accountant General or the District Accounts  
Officer, as the case may be, have been received and accounted for  
in the books of the Foundation.

16. Subject to provisions of this Act, the Foundation shall dispose of the plots in favour of its member (Government servants) or in favour of their families in case of death during service:

Provided that in case the number of plots exceeds the above requirement, the same may be disposed of in favour of other members in the manner as may be prescribed.

17. (1) The housing scheme shall be carried out at locations as may be determined by the Board but initially a scheme shall be

allocation and  
price of plots.

Budget and audit.

Directions by  
Government.

Public Servants.

Power to make  
rules.

Power to make  
regulations.

[www.ezqanoon.com](http://www.ezqanoon.com)

started at Quetta as a pilot project at one or more suitable places and when the housing schemes are commenced at other locations a member may be given three options of preference of the locations of his choice.

(2) A member shall be allocated by the Board, a plot of a particular category, keeping in view his seniority, date of retirement or any other manner as prescribed.

(3) Price of each plot or each category of plots shall be determined by the Board.

(4) All payments made by a member shall be updated annually at the rate of markup, as may be determined by the Board from time to time.

(5) Possession of a plot shall not be delivered unless the price of the plot is paid in full.

(6) A member shall not alienate the allocated plot for a prescribed period.

18. The budget of the Foundation shall be approved and its accounts shall be audited in the manner as may be prescribed.

19. The Foundation shall, in discharging its functions, act and be guided by such directions as the Government may give to it from time to time.

20. All persons acting or purporting to act in pursuance of any provision of this Act, shall be deemed to be public servants as defined in section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

21. The Government may, by Notification in official Gazette, make rules to carry out the purposes of this Act.



22. The Board may, with the prior approval of the Government, make regulations for carrying out the purposes of this Act.