

A  
BILL

*to provide for the establishment of Housing Foundation and provision of plots to Government servants in the Province of Khyber Pakhtunkhwa.*

**WHEREAS** it is expedient to establish a Housing Foundation in the Province of Khyber Pakhtunkhwa in order to introduce schemes for providing plots on no profit no loss basis to Government servants on their retirement or earlier and to their families in case of death during service and to make provisions for matters connected therewith or ancillary thereto;

It is hereby enacted by the Provincial Assembly of the Khyber Pakhtunkhwa as follows:

**CHAPTER-I**  
**PRELIMINARY**

1. **Short title, extent and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Government Servants Housing Foundation Act, 2025.

(2) It shall extend to whole of the Province of Khyber Pakhtunkhwa.

(3) It shall come into force at once.

2. **Definitions.**---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 constituted under section 4 of this Act;

(b) **“Chairman”** means the Chairman of the Board;

(c) **“Deputy Commissioner”** means the Deputy Commissioner of the concerned district;

(d) **“family”** means family of a Government servant in the following order:

(i) his or her spouse;


(ii) failing (i) above, his or her dependent children; or

(iii) failing (i) and (ii) above, his or her parents;

(iv) failing (i), (ii) and (iii) above, his minor sister or brother; provided that the member is issueless;

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- (e) **"Foundation"** means the Foundation established under section 3 of this Act;
- (f) **"Fund"** means the Fund established under section 12 of this Act;
- (g) **"Government"** means Government of the Khyber Pakhtunkhwa;
- (h) **"Government servant"** means a person, who is a member of civil service of the Province or who holds a civil post in connection with the affairs of the Province, or who is a member of civil service of Pakistan and has opted to become a member of the Foundation while serving in the Province and fulfills such other conditions as may be prescribed, including the employees of the Foundation and other public servants, but does not include a person who is—
  - (i) on deputation to the Province from the Federation or any other Province or other authority;
  - (ii) employed on contract or on work charged basis or who is paid from contingencies; or
  - (iii) a worker or workman as defined in the Khyber Pakhtunkhwa Factories Act, 2013 (Khyber Pakhtunkhwa Act No. XVI of 2013) or the Worker's Compensation Act, 2013 (Khyber Pakhtunkhwa Act No. XIX of 2013);
- (i) **"member"** means a Government servant, who is registered with the Foundation as member and is regularly contributing to the Fund under section 13 of this Act;
- (j) **"Managing Director"** means the Managing Director of the Foundation appointed under section 8 of this Act;
- (k) **"plot"** means a residential plot of any category as may be determined by the Foundation to be allotted to a member;
- (l) **"prescribed"** means prescribed by the rules or regulations;
- (m) **"Project"** means the Project Establishment of Housing Foundation for Government Servants;
- (n) **"Province"** means the Province of Khyber Pakhtunkhwa;
- (o) **"rules"** mean the rules made under this Act; and
- (p) **"regulations"** mean the regulations made under this Act.

  
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**CHAPTER-II**  
**THE KHYBER PAKHTUNKHWA GOVERNMENT SERVANTS**  
**HOUSING FOUNDATION.**

**3. Establishment of the Foundation.**---(1) There shall be a Foundation to be known as the Khyber Pakhtunkhwa Government Servants Housing Foundation.

(2) The Foundation shall be a body corporate, under the administrative control of Housing Department of Government, 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.

**4. Board of Directors.**---(1) There shall be a Board of Directors of the Foundation, comprising the following:

- |     |   |                                 |
|-----|---|---------------------------------|
| (a) | Chief Secretary, Khyber Pakhtunkhwa;  | Chairman                        |
| (b) | Senior Member Board of Revenue;   | Director                        |
| (c) | Additional Chief Secretary, Planning and Development Department;                                | Director                        |
| (d) | Secretary to the Government, Housing Department;  | Director                        |
| (e) | Secretary to Government, Administration Department;   | Director                        |
| (f) | Secretary to Government, Finance Department;  | Director                        |
| (g) | Secretary to Government, Communication and Works Department;                                    | Director                        |
| (h) | a representative from the Associations of Government employees to be nominated by the Chairman; | Director                        |
| (i) | a representative of the public servants in the Province to be nominated by the Chairman; and    | Director                        |
| (j) | Managing Director of the Foundation.  | Director<br>-cum-<br>Secretary. |

(2) The Chairman may co-opt any person to attend meetings of the Board on special invitation:

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Provided that such co-opted Director may participate in the discussions of meeting but shall have no right of vote.

(3) The Directors shall in all cases attend the meetings of the Board personally:

Provided that in case of any exigency, if a Director is unable to attend the meeting of the Board, he shall nominate an officer, not below BPS-19, to attend the meeting.

(4) Five Directors shall constitute the quorum for a meeting of the Board and the decision of the Board shall be taken in terms of decision of the majority of the Directors present. In case of tie, the Chairman shall have a casting vote.

(5) Meetings of the Board shall be presided over by the Chairman and in case of his absence, the Chairman may nominate any of other Director to preside over the meeting.

(6) The Board shall meet at least once in six months and the meeting of the Board shall be held on such date, time and place as the Chairman may determine.


(7) The Managing Director shall maintain or cause to be maintained the record of each meeting of the Board, including the minutes of the meetings as approved by the Chairman or Director, who presides over the meeting.

**5. Powers and functions of the Board.**---(1) Subject to the provisions of this Act, the Board shall exercise such powers and functions as may be necessary for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing provision, the Board shall have the following powers, namely:

- (a) arrange, purchase or acquire land, through pre-eminent suitable model such as Public Private Partnership (PPP), land sharing formula, direct acquisition or private negotiation wherever necessary, within the Province and hold, manage, reclaim and take possession of such land or property in accordance with law;
- (b) grant approval to enter into contracts, arrangements, joint venture agreements with any person or firm for preparation, planning, development, execution, implementation and maintenance of schemes in the specified area, for carrying out the purposes of this Act;
- (c) prepare a master plan for the development of land to establish housing schemes thereon in accordance with the provisions of this Act, the rules and regulations;

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- (d) develop the land for the purpose of setting up housing schemes with provisions for plots, commercial area and social, recreational, educational, health or other activities necessary for the benefit and welfare of the members and their families;
  - (e) establish committees for carrying out the purposes of this Act;
  - (f) exercise control over the housing scheme and look after the operation and maintenance of all essential services;
  - (g) authorize spending from the Fund;
  - (h) regulate fees, taxes and other user charges in the manner as may be prescribed by regulations;
  - (i) grant approval to lease, purchase, procure, sell, exchange, mortgage, rent out or otherwise dispose of any property of the Foundation; and
  - (j) do such acts as may be assigned to it by Government from time to time.

**6. Delegation of functions.**---The Board may delegate to the Managing Director, a Director of the Board or any other officer of the Foundation, not below BPS-18, any of its functions except the following, namely:

- (a) framing or amendment or repeal of the regulations;
- (b) approval of the annual budget of the Foundation;
- (c) consideration and decision on the audit or performance report; and
- (d) approval of the annual plan and annual report of the Foundation.

**7. Management of the Foundation.**---The executive authority and management of the Foundation shall vest in the Board which shall be exercised by the Managing Director under the supervision, direction and control of the Board.

### **CHAPTER-III**

#### **THE MANAGING DIRECTOR OF THE FOUNDATION**


**8. Managing Director.**---(1) There shall be a Managing Director of the Foundation who shall be the Chief Executive Officer of the Foundation.

(2) The Managing Director shall be appointed by the Government from amongst officers PAS, PMS or PCS in BPS-20.

9. **Powers and functions of the Managing Director.**---(1) Subject to the provisions of this Act, the rules and regulations, the Managing Director shall exercise all executive powers of the Foundation, delegated to him or otherwise, in accordance with the directions, decisions and policies made by the Board.

(2) Without prejudice to the generality of the foregoing provision, the Managing Director shall perform the following functions, namely:

- (a) manage the Fund and be responsible for the operations and property of the Foundation;
- (b) prepare plans and carry out developmental execution, implementation, maintenance, management and regulation of any scheme in the specified area approved by the Board;
- (c) prepare and present strategic and operational plan to the Board for review, appraisal and approval;
- (d) identify and procure land for the schemes on the recommendation and approval of the Board;
- (e) incur any expenditure and procurement of buildings, plants, machinery, equipment, instruments and necessary materials for the approved schemes in the manner as may be prescribed;
- (f) carry out maintenance, arrangement, management and provision of all facilities, services and utilities including water, electricity, gas and sewerage for schemes in the specified area;
- (g) do all such acts and deeds that may be necessary for the purpose of proper preparation, planning, development execution, implementation, management and maintenance of residential and commercial property in the schemes in the specified area;
- (h) recover development charges, transfer fees, service charges, toll or other charges in respect of any land or buildings within any scheme in the specified area as imposed by the Board;
- (i) sanction all administrative expenditures after completion of codal formalities as per the budgetary approval in accordance with the manner as may be prescribed by rules;
- (j) implement the Foundation's policies and protect the financial interest of the Foundation;

  
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- (k) provide leadership to the senior management and give directions to the employees of the Foundation;
- (l) take disciplinary action against employees of the Foundation in the manner as may be prescribed by regulations and report such action to the Board;
- (m) convene meetings of the Board on the directions of Chairman; and
- (n) perform such other functions as may be assigned to him from time to time by the Board.

(3) The Managing Director may, either by himself or through an officer appointed by the Board in this behalf, do the correspondence and shall sign, verify, pursue and file all pleadings and such other documents on behalf of the Foundation in any suit, appeal, petition and proceedings which may be instituted, prepared and filed by or against the Foundation in or before any court, tribunal or authority.

(4) The Managing Director may delegate any of his powers and functions to any other officer of the Foundation except the functions mentioned in clause (a) and the functions delegated to him under section 6 of this Act.

**10. Appointment of officer and officials.**---(1) The Board may appoint such officers and officials as it may consider necessary, for the efficient performance of its functions, on such terms and conditions as may be prescribed by regulations.

**11. Appointment of advisors, experts and consultants etc.**---The Board may appoint advisors, experts, consultants and any other officer or official on contract basis, as it may consider necessary, on such terms and conditions as may be determined by the Board.

#### **CHAPTER-IV** **FINANCES**

**12. Establishment of Fund.**---(1) There shall be a Fund of the Foundation to be known as the Khyber Pakhtunkhwa Government Servants Housing Foundation Fund.

(2) The Fund shall consist of-

- (a) such grants-in-aid as may, from time to time, be made by the Government or the Federal Government;
- (b) contributions made by members deducted from their monthly salary at-source or deposited into the Fund by the members through challan, bank draft or pay order etc;

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- (c) arrangements with private, public and foreign investors including both individuals and firms;
- (d) such loans and advances as may be obtained by the Foundation from banks or financial institutions;
- (e) contributions, donations, gifts, endowments, etc. made by individuals, Non-Governmental Organizations, private or public philanthropic organizations or welfare organizations whether local, national or international;
- (f) fees, taxes or other user charges levied by the Foundation;
- (g) amounts received from sale or disposal of assets of the Foundation;
- (h) any other income and profits accruing from investments from any legal source; and
- (i) all other sums received by the Foundation.

(3) The Fund of the Foundation shall be kept in any scheduled bank and its custody shall be regulated in such a manner as may be prescribed by rules.

**13. Contribution to the Fund and manner of collection.**---(1) The members shall be liable to contribute such monthly amount and at such rates as may be prescribed by regulations for each category of the employees as per their respective basic pay scales.

(2) All monthly contributions, under sub-section (1), shall be deducted from the monthly pay of the members at source by the Accountant General or the District Accounts Officers, as the case may be, within whose jurisdiction the disbursement of salary is made to the member:

Provided that in case where a member is transferred to an autonomous body, Federal Government or other Provincial Government, and, if his contribution is not or could not be deducted at-source from his pay, he shall pay his contribution through bank draft, pay order, *challan* or in any other manner as may be determined by the Board.

(3) The Accountant General, Khyber Pakhtunkhwa shall allocate a separate sub-head for deduction of contributions from the salary of the members and pass on the credit to the Fund regularly within one month of such deduction.

(4) There shall be maintained separate account in respect of each member and the Foundation shall be responsible to ensure that the amounts of contributions paid by the member or deducted from his salary by the Accountant General, Khyber Pakhtunkhwa or the District Accounts Officers, as the case may be, have been received and accounted for in the books of accounts to be kept for the purpose.

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14. **Maintenance of accounts.**---The accounts of the Foundation shall be maintained in the manner as may be prescribed by rules.

15. **Budget and audit.**---(1) The budget of the Foundation shall be approved by the Board in the manner as may be prescribed by rules.

(2) The Auditor General of Pakistan shall audit the accounts of the Foundation.

(3) Notwithstanding anything contained in sub-section (2), the Board may carry out internal audit of the accounts of the Foundation in the manner as may be prescribed by regulations.

16. **Annual progress report.**---The Foundation shall prepare an annual progress report at the end of each financial year and the said report shall be laid before the Government.

## **CHAPTER-V**

### **MEMBERSHIP OF THE FOUNDATION**

17. **Membership of the Foundation.**---On commencement of this Act, all Government servants may, on payment of membership fee, as may be determined by the Board, apply for registration as member of the Foundation in a manner as may be prescribed by regulations:

Provided that all those Government servants, who have been registered as members under the Project, before the commencement of this Act, shall be deemed to have been validly registered as members of the Foundation under this Act, subject to payment of membership fee as may be determined by the Board, and they shall accordingly contribute to the Fund in accordance with section 13 of this Act.

18. **Termination of membership.**---(1) A member may, through an application, apply to the Managing Director for termination of his membership, in such a manner as may be prescribed by regulations.

(2) Notwithstanding anything contained in sub-section (1), the Managing Director may, on such grounds and in such manner as may be prescribed by regulations, and after affording an opportunity of hearing to a member, terminate his membership.

19. **Allotment of plots.**---Subject to the provisions of this Act, the Foundation shall allot plots to the members on their retirement or earlier, as the case may be, in accordance with the retirement seniority and in favor of their families in case of death of members in the manner as may be prescribed by regulations.

20. **Appeal.**---(1) Any member or person aggrieved by an order of the Managing Director may, within thirty days of such order, prefer an appeal to the Board in the manner as may be prescribed by regulations.

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(2) The Board shall decide the appeal within a period of ninety days.

**21. Review.**---(1) The appellant aggrieved by the order of the Board, passed in appeal under section 20 of this Act, may file for a review of the order to the Board within thirty days of the receipt of such order.

(2) The Board shall decide the review petition within a period of sixty days. The decision of the Board on review shall be final.

(3) The procedure for filing review petition shall be such as may be prescribed by regulations.

## **CHAPTER-VI**

### **MISCELLANEOUS**

**22. Transfer and savings.**---(1) On commencement of this Act, all assets, rights, powers, authorities and privileges and all property, movable and immovable, bank balances, bank accounts, reserve funds, investments and all other interests and rights in or arising out of such property and all liabilities and obligations of whatever kind of the Project established before commencement of this Act, shall stand transferred to and vested in the Foundation.

(2) Notwithstanding anything contained in any other law for the time being in force, everything done, action taken, powers exercised in connection with the establishment of the Foundation and the membership of the Foundation under the Project, prior to the commencement of this Act, shall, in so far as not inconsistent with the provisions of this Act, be deemed to have been respectively done, taken and exercised under this Act.

**23. Removal of difficulty.**---If any difficulty arises in giving effect to any of the provisions of this Act within one year from the commencement of this Act, Government may give such directions, consistent with the provisions of this Act, as it may consider necessary for removal of such difficulty.

**24. Directions by Government.**---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.

**25. Power to make rules.**---Subject to the provisions of this Act, Government may make rules for carrying out the purposes of this Act.

**26. Power to make regulations.**---Subject to the provisions of this Act and the rules, the Board may make regulations for carrying out the purposes of this Act.

**27. Act not in derogation of other laws.**---The provisions of this Act shall be in addition to and not in derogation of any other laws for the time being in force.

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28. **Amendment of the Khyber Pakhtunkhwa Act No XI of 2005.**---In the Khyber Pakhtunkhwa Housing Authority Act, 2005 (Khyber Pakhtunkhwa Act No. XI of 2005), Chapter-IV shall be deleted.

### **STATEMENT OF OBJECTS AND REASONS**

Ensuring access to adequate housing is essential for the well-being and dignity of government servants, who dedicate their lives to serving the nation. The shortage of affordable housing options force government servants to live in costly rented accommodations, causing extra financial burden on them given their monthly remuneration. Government servants often face challenges in securing housing loans due to limited financial resources, making it hard for them to build their own homes. Providing housing support by Government to its servants can improve job satisfaction, retention and motivation among government servants, leading to enhanced public service delivery.

A housing foundation can promote social welfare and equality amongst Government servants by providing equal access to housing opportunities to them regardless of rank or position. A centralized housing foundation supported and owned by Government can optimize resources, reduce administrative burdens and streamline housing management for government agencies. Moreover, establishing a housing foundation also aligns with national development objectives, prioritizing the welfare of government servants and promoting sustainable development.

Many countries have established similar housing foundations to support their servants, demonstrating the effectiveness of this approach in promoting housing security and social welfare. Furthermore, access to decent housing can significantly enhance the quality of life for government servants, fostering a sense of security, stability and well-being in them. Apart from that, investing in a housing foundation may yield long-term cost savings for the government, reducing expenditures on temporary accommodations and housing allowances to the Government servants given the current crunch financial position of the Province of Khyber Pakhtunkhwa.

It is also important to mention that other Provinces of Pakistan including the Federal Government and other institutions like Armed Forces have also established Housing Foundations for their servants/employees in order to provide accommodation facilities to them.

The Bill seeks to achieve the above mentioned objectives.



**MINISTER-IN-CHARGE**

Peshawar,  
dated the: 20 / 05 / 2025.