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THE PUNJAB JOURNALISTS HOUSING FOUNDATION ACT 2004

(XI of 2004)

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TEXT

'THE PUNJAB JOURNALISTS HOUSING FOUNDATION ACT 2004
(XI of 2004)

[10th March, 2004]

An
Act

to provide for the establishment of the Punjab Journalists Housing Foundation.

Preamble.— Whereas it is expedient to establish the Punjab Journalists Housing Foundation in order to introduce schemes for allotment of plots for construction of houses, on no profit no loss basis, and to make provisions for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Punjab Journalists Housing Foundation Act 2004.

(2) It extends to the Province of the Punjab.

(3) It shall come into force at once but shall take effect on such date as may be notified by the Government in the official Gazette.

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 of the Foundation;

(b) “Broadcast Media” means broadcast by radio, television or such other broadcast media as the Board may determine from time to time;

(c) “council member” means a member declared as such by the press club;

(d) “district” means a district as defined in the Punjab Local Government Ordinance, 2001 (XIII of 2001);

(e) “Foundation” means the Punjab Journalists Housing Foundation established under this Act;

(f) “fund” means the fund established under this Act;

(g) “Government” means the Government of the Punjab;

(h) “housing scheme” means a scheme notified by the Government for district under this Act;

(i) “journalist” means a person who is a council member of the press club;

(j) “prescribed” means prescribed by rules made under this Act; and

¹This Act was passed by the Punjab Assembly on 23 February 2004; assented to by the Governor of the Punjab on 9 March 2004; and, was published in the Punjab Gazette (Extraordinary), dated 10 March 2004, pages 721-724.

- (k) “press club” means the press club of Lahore, Rawalpindi or Multan and includes any other club of journalists declared as a press club by the Government to carry out the purposes of this Act; provided that not more than one club shall be declared as such in a district.

3. Establishment of Foundation.— (1) As soon as may be, after the commencement of this Act, the Government shall establish a foundation to be known as the Punjab Journalists 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, hold and transfer properties both movable and immovable, and may sue and be sued by the said name.

4. Board of Directors.— (1) The Foundation shall have a Board of Directors comprising the following:-

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|-----|---|------------------------|
| (a) | Chief Minister, Punjab; | Chairman |
| (b) | Minister for Information, Punjab; | Vice Chairman/Director |
| (c) | Secretary to Government of the Punjab,
Information Department; and | Secretary/Director |
| (d) | Three members of the Provincial Assembly of the Punjab, two from treasury benches and one from the opposition, to be nominated by the Chief Minister; | Directors. |

provided that ²[at least one of them shall be a female member of the Assembly and] the member from the opposition shall be proposed by the Leader of the Opposition.

(2) The nominated Directors shall hold office for a term of three years and shall be eligible for reappointment.

(3) The nominated Directors shall not be entitled to any perks and privileges under this Act.

(4) The Government may remove a nominated Director of the Board, without assigning any reason, before the expiry of his tenure.

(5) Any nominated Director of the Board may, by notice in writing under his hand addressed to the Chairman of the Board, resign from his office.

(6) No act or proceedings of the Board shall be invalid merely on the ground of the existence of any vacancy or defect in the constitution of the Board.

(7) Three Directors shall constitute quorum in a meeting of the Board.

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

²Inserted by the Punjab Fair Representation of Women Act 2014 (IV of 2014); and published in the Punjab Gazette (Extraordinary), dated 12.3.2014, pages 2733-2744, s.2 and Schedule, at serial NO.44.

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

- (a) to take steps for the establishment of the fund;
- (b) to arrange, purchase or acquire land wherever necessary;
- (c) to develop the land for the purpose of setting up housing schemes;
- (d) to prepare policy for allotment of plots;
- (e) to receive such fees and other user charges as may be prescribed;
- (f) to sell or dispose of assets, movable or immovable;
- (g) to authorize spending from the fund;
- (h) to delegate any of these powers and functions to the Managing Committee; and
- (i) to do such acts as are ancillary and incidental to carry out the purposes of this Act.

6. Managing Committee.— (1) There shall be a Managing Committee of the Foundation with the following composition:—

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|--------|--|------------------|
| (i) | Secretary to Government of Punjab, Information Department; | Convener |
| (ii) | Secretary to Government of Punjab, Finance Department or his nominee; | Member |
| (iii) | Secretary to Government of Punjab, Housing Urban Development and Public Health Engineering Department or his nominee; | Member |
| (iv) | Member (Colonies), Board of Revenue, Punjab; | Member |
| (v) | District Coordination Officer concerned where the housing scheme is notified; | Member |
| (vi) | Managing Director of the Foundation; | Member/Secretary |
| (vii) | Director General Public Relations, Punjab; | Member |
| (viii) | Director General of the Lahore Development Authority in case of Lahore District, or the Director General of the authority established under the Punjab Development of Cities Act, 1976, in respect of the district for which a housing scheme is notified; and | Member |
| (ix) | President of Press Club of the District where the housing scheme is notified | Member. |

(2) The Managing Committee shall perform the functions as may be prescribed.

7. Eligibility of allotment of plots.— (1) The following shall be eligible for allotment of plots in a housing scheme:—

- (a) council members;
- (b) employees of the Punjab Information Department as may be prescribed; and
- (c) employees of the broadcast media subject to the policy determined by the Board:

Provided that an eligible person shall not be allotted more than one plot in all the housing schemes of the Foundation.

(2) An allotted plot shall not be alienated for a period as may be prescribed.

8. Fixation of quota.— The number of plots to be allotted to persons other than council members shall not exceed one-fifth of the plots available for allotment.

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

10. Managing Director.— (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 for a specified period and shall hold office during the pleasure of the Board.

(3) The Managing Director shall exercise such powers and perform such functions as may be prescribed.

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

11. Annual progress report.— (1) The Managing Committee 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. Establishment of fund.— (1) As soon as may be, after the commencement of this Act, the Foundation shall arrange establishment of a fund.

(2) The fund shall consist of—

- (a) such grants as may be provided 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;
- (d) contributions towards purchase of plots and development charges;
- (e) income and profits from investments from various sources;
- (f) fees or other user charges;
- (g) amounts received from sale or disposal of assets of the Foundation;
- (h) grants as may from time to time be made by the Government of Pakistan; and

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

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

13. Location, price and allocation of plots.— (1) The housing schemes shall be carried out at such districts as may be determined by the Board.

(2) The Board shall determine the price of the plot and the mode of its payment.

(3) The title and the possession of the plot shall not be transferred unless the full price of the same is paid by the allottee.

14. Budget and audit.— The budget of the Foundation shall be approved and its accounts audited in such manner as may be prescribed.

15. Public servants.— 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).

16. Power to make rules.— Government may make rules for carrying out the purposes of this Act.

17. Power to make regulations.— Subject to the provisions of this Act and the rules made thereunder, the Board may make regulations to give effect to the provisions of this Act.