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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF OVERSEAS PAKISTANIS AND
HUMAN RESOURCE DEVELOPMENT

NOTIFICATION

Islamabad, the 19th February, 2021

S. R. O. 260(I)/2021.—Pursuance to approval by the Cabinet in its meeting held on 26-01-2021, the Federal Government is pleased to notify “Workers Welfare Fund Housing Allotment Policy-2020”. The contents of the policy are as under:

WORKERS WELFARE FUND ALLOTMENT POLICY – 2020
SECTION – I

PREAMBLE

Section 6(a) of the Workers Welfare Fund Ordinance 1971 provides for financing of projects connected with the establishment of housing estates or construction of houses for the workers. In light of this provision and considering that industrial workers being poor strata of the society, residential accommodation

(327)

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is one of their basic needs. It is the prime responsibility of Worker Welfare Fund (WWF) to ensure housing facilities to shelter less workers. The gravity of the issue can be imagined by the fact that currently workers in the Federal Capital do not own any housing facility of their own.

WHEREAS, it is expedient to provide residential accommodation to workers and their families by virtue of the provisions contained in Workers Welfare Fund, Ordinance 1971.

AND WHEREAS, in order to regularize the procedure as well as to provide the basic regulations for establishment, allotment and to deal with the matters ancillary thereto, the Workers Welfare Fund promulgates the following allotment policy namely **“Workers Welfare Fund (WWF) Housing Allotment Policy-2020”**.

1.1 SHORT TITLE

This allotment policy will be called **“Workers Welfare Fund Housing Allotment Policy-2020”**.

1.2 COMMENCEMENT

This Scheme shall come into force “at once”.

1.3 EXTENT OF APPLICATION

The policy shall apply to the existing housing colonies as well as to the housing colonies to be established by WWF in ICT or in any other Province.

SECTION – 2 DEFINITIONS

- a. **“Appellate Authority”** means the Chairman of the Governing Body (GB) of WWF or any officer authorized by it to act as Appellate Authority;
- b. **“Competent Authority”** in respect of allotment and leasing of housing units means the “Authority” nominated by the GB;
- c. **“Employer”** has the same meaning as in section 2 of the Industrial Relations Act, 2012;
- d. **“Fund”** means the Workers' Welfare Fund constituted under section 3 of WWF Ordinance, 1971;

- e. "Governing Body" means the Governing Body of the WWF constituted under section 7 of WWF Ordinance 1971;
- f. "Industrial establishment" means the industrial establishment as provided in the Workers Welfare Fund Ordinance, 1971;
- g. "ICT" means Islamabad Capital Territory;
- h. "Secretary" means the Secretary of the Fund;
- i. "Worker" has the same meaning as in section 2 of the Industrial Relations Act 2012;
- j. "Housing Units" include houses/flats exclusively meant for residential purposes of workers;
- k. "Non Housing Units" includes shopping areas of the housing schemes including the amenity plot(s) exclusively for use other than residential purposes;
- l. "Family member" means the wife, husband, children and parents who are dependents of the applicant worker;
- m. "Allottee" means worker or widow of the worker;
- n. "Disabled" means a person who is physically disabled and has been provided employment under Disabled Person Employment and Rehabilitation Amendment Act, 2015;
- o. "Official Member" means a member appointed by the government in *ex-officio* capacity;
- p. "Non-Official Member" means independent member.

The word and phrases defined in the WWF Ordinance 1971 shall also apply to this Policy.

SECTION-3

GENERAL PROVISIONS

3.1 PROCEDURE OF ALLOTMENT

- (a) The allotment shall be done through transparent balloting process carried out separately for all categories of workers as mentioned in section 3.9 (c) of the Policy.

- (b) The worker after assuming the possession of the housing unit shall follow the terms and conditions of allotment (Annexure-A).

3.2 METHOD OF ALLOTMENT

The housing units shall be allotted on ownership basis subject to eligibility and payment criteria laid down in the policy.

3.3 COMMITTEE FOR ALLOTMENT

- (a) A Committee for allotment of the housing units shall be constituted by the GB consisting of not less than five members as follows:-

i.	Secretary, Workers Welfare Fund	<i>Chairman</i>
ii.	A representative of Workers	<i>Member</i>
iii.	A representative of Employers	<i>Member</i>
iv.	A representative of District Administration	<i>Member</i>
v.	An officer from M/o OP&HRD not less than BS-19 will act as Secretary of the Committee	<i>Secretary Committee</i>

- (b) The quorum of the Allotment Committee would not be less than 2/3rd of the total non-official members but presence of the official members will be compulsory.

3.4 CONSTITUTION OF THE ALLOTMENT COMMITTEE

The committee shall be constituted and notified prior to the advertisement of the housing policy with the following ToRs:

- (a) Scrutiny of all the applications (quota-wise).
- (b) Preparation of list of eligible workers.
- (c) Arrangements for the draw and maintaining list of successful workers.
- (d) Maintaining list of alternate candidates.
- (e) Any other task assigned by the GB.

3.5 ELIGIBILITY OF INDUSTRIAL ESTABLISHMENT

The worker should be an employee of such industrial unit which:-

- (a) Is defined in Section 2(f) of Workers Welfare Fund Ordinance, 1971, and Section 2(b) of Companies Profit (Workers Participation) Act, 1968 and registered under the Factories Act 1934.
- (b) Has been paying ESSI/EOBI contribution for last three years.
- (c) Is functioning without interruption for a continuous period of 3 years.
- (d) Is situated in the same district where labour Colony is located.

3.6 ELIGIBILITY OF THE WORKER

- (a) Any worker employed in any of the Industrial establishment situated in the district and having cumulative period of 3 years service in the same district.
- (b) The worker or any member of family is not allottee or owner or lessee in any of the housing colony of the Fund in any province.
- (c) Worker has not been convicted by any Court of Law.
- (d) Worker fulfills the condition of workmen given in IRA 2012 subject to the condition that they should be registered with EOBI or Employee Social Security so that they can be identified as worker.

3.7 INVITATION OF APPLICATION

Applications for allotment of the housing units shall be invited through publication of notice in two national and one local daily Newspapers of wide circulation and on the web site of the Ministry of OP&HRD and WWF.

3.8 PROCEDURE FOR SUBMISSION OF APPLICATION

- (a) The eligible workers shall apply for allotment on the prescribed form to be available from the office of concerned Director / Deputy Director / Assistant Director and website of the Workers Welfare Fund.
- (b) The applications shall be submitted to the concerned Director / Deputy Director / Assistant Director within the period specified in the advertisement and it shall be accompanied by the following documents:-

- (1) Copy of CNIC.
- (2) Copy of Employees Social Security/EOBI Card attested by the Management.
- (3) Particulars of the worker indicating length of service and pay, certified by the Employer and the CBA (where applicable) as per prescribed Performa / application form.
- (4) Affidavit from the applicant that neither he nor any of his family member is allottee, tenant, lessee or owner of the housing unit in any of the housing scheme of the Provincial Board / Fund.
- (5) Copy of Family Registration Certificate issued by NADRA.
- (6) Character certificate by the concerned police station and management of industrial unit.
- (7) Two latest passport size photographs.
- (8) An Affidavit that the applicant does not own moveable and immovable properties worth more than Rs.500,000/-.

3.9 LIST OF ELIGIBLE INDUSTRIAL UNITS

- (a) The Director / Deputy Director / Assistant Director shall maintain a list of eligible industrial units of the district.
- (b) The Allotment Committee shall verify correctness of the list by cross checking from other concerned welfare agencies such as Employees Social Security Institutions/EOBI.
- (c) The Allotment Committee shall allot housing units as per open draw according to the following quotas to the eligible applicants:-
 - i. 3% for widows.
 - ii. 2% for disabled workers.
 - iii. 95% for open draw.

Note: In case, number of applications for a specific quota are less than the housing units reserved for the same, the remaining housing units will go to open draw.

3.10 EXECUTION OF OWNERSHIP DEED

Ownership agreement deed shall be executed between Workers Welfare Fund through concerned Director / Deputy Director / Assistant Director and the allottee on the terms & conditions as at Annexure-A.

3.11 PROCESS OF ALLOTMENT

- (a) Within 20 days of the last date fixed for submission of the applications, the Allotment Committee, shall prepare the final list of eligible workers after due scrutiny by the Allotment Committee.
- (b) The allotment of residential units to the eligible workers, shall be made through ballot to be supervised by the Allotment Committee. In order to ensure transparency the date, time and venue of the ballot shall be duly publicized in the press.
- (c) Information shall be publicized in the press so that GB members may participate in the supervision of the ballot.
- (d) The list of workers successful in the draw of ballot shall be prepared by the allotment committee.
- (e) The ownership deed shall be executed by and between Workers Welfare Fund through concerned Director / Deputy Director / Assistant Director and the allottee as per criteria at Annexure-B.
- (f) Allotment Certificate will be signed by the concerned Director / Deputy Director / Assistant Director as per at Annexure C.

3.12 NON-CONFORMING USE

- (a) There shall be no non-conforming use of the housing units. The unit allotted for residential purpose shall only be used for residential purpose.
- (b) Director / Deputy Director / Assistant Director shall ensure the conforming use of the building(s). In case of violation, after show cause notice, the Competent Authority shall have the power to terminate the ownership certificate after affording an opportunity of personal hearing.
- (c) The allottee shall not have the right to sub-lease the property.

- (d) The allottee after having paid full amount due, relating to the house/flat and after 5th anniversary of the allotment, can sell the property after advertisement on the Fund's web site and to the similar category of worker.

3.13 SHOPPING AREA/COMMERCIAL UNITS/AMENITY PLOT(S)

- (a) The plots in the shopping/commercial areas of the housing scheme shall be sold through public auction after widely circulated in press and on the web site of WWF.
- (b) The amenity plot(s) like plots reserved for School/ Hospital/ Dispensary/Mosque, Marriage Hall etc. may be allotted to the concerned government department free of cost or may be leased out to such institutions as are approved by the GB on such terms & conditions as may be determined by the GB keeping in view their specified use.

3.14 MANAGEMENT COMMITTEE

There shall be a Management Committee of the Labour Colony constituted by the Workers Welfare Fund which shall work as per prescribed TORs to be prepared and approved by the GB.

3.15 ENCROACHMENT

The buildings in the housing scheme Zone-V are constructed in accordance with the plan sanctioned by the GB. No encroachment shall be allowed in any form. Director / Deputy Director / Assistant Director Works, WWF in summary proceedings, may order the removal of encroachments and if the encroachment is not removed within the period specified by the concerned Director / Deputy Director / Assistant Director (Works) of WWF with the assistance of the law enforcing agencies, if required and may remove the encroachment at the cost of the encroacher.

3.16 MOU/AGREEMENTS WITH OTHER AUTHORITIES/ORGANIZATION(S)

The WWF may enter into an MoU agreement(s) with any other authority/ organization having mutual interest in the benefit of workers after seeking approval of the Federal Government.

3.17 APPEAL

Any person aggrieved of the order passed by the Competent Authority regarding allotment or its cancellation may file appeal with the Appellate Authority within 20 days of the impugned order.

The order passed by the Appellate Authority shall be final and shall not be called in question at any forum.

3.18 AMENDMENT IN THE POLICY

The Federal Government shall have the power to add or amend or revise this Policy.

3.19 EVICTION

If the allottee violates any of the conditions laid down in the allotment deed, he shall be liable to eviction in the manner prescribed by the GB.

3.20 MAINTENANCE OF HOUSING UNIT

The maintenance of housing unit shall be the responsibility of the allottee who has been allotted the housing unit.

3.21 REMOVAL OF DIFFICULTY

If any difficulty arises in implementation or otherwise of the Policy, the GB shall be the designated forum for removal of such difficulty.

ANNEXURE-A TERMS & CONDITIONS ALLOTMENT POLICY 2020 WORKERS WELFARE FUND

- A.1 The house/flat shall be allotted to the eligible workers on ownership / lease basis as per eligibility criteria prescribed in the Policy.
- A.2 The cost of the house/flat shall be paid upfront within 90 days of the draw by the allottee or by installments seeking financing through a mortgage deed with the banks.
- A.3 In case of a mortgage deed the lending bank after having executed deed with the allottee shall pay the entire cost of the house/flat to the WWF.
- A.4 The allottee shall not be allowed to alter or to create any change or encumber his rights in the house/flat except to the extent allowed by the GB.

3. The allottee shall not do any un-lawful activity or to create any nuisance to the annoyance of neighbours.
4. The allottee shall not sell or sublet whole or any portion of the housing unit unless all dues are cleared and only after fifth anniversary of the scheme.
5. The allottee shall be responsible for payment of all utility bills and any other payments due by the development authority / management committee or the society.
6. The officer concerned of the Fund may inspect / check / examine the housing unit at any reasonable time without any hindrance by the occupant.
7. That the GB reserves the right to make any addition or alteration in the housing unit as and when deemed necessary in the larger interest of the workers.
8. The allottee shall not keep animals such as buffaloes, cows, horses etc. in the housing unit.
9. The allottee without prior permission of the GB, shall not add / alter or demolish any part of the housing unit and if happens so, the allottee shall be responsible to make good of the loss incurred to the GB.
10. The allottee is responsible to keep the housing unit in good order and condition including electric fitting, water connection, sanitary ware etc. Any loss or damage shall be the responsibility of the allottee.
11. The Fund reserves the right to make any addition or alteration or amendment in these terms and conditions whenever deemed necessary in the larger interest of workers with prior consultation of the worker.

Signature of Allottee Worker Name: _____
CNIC No. _____

Signature & Stamp of concerned
Director / Deputy Director / Assistant
Director

Dated _____

WITNESS - 1

Name: _____
Signature _____
CNIC No. _____
Address: _____

WITNESS - 2

Name: _____
Signature _____
CNIC No. _____
Address: _____

ANNEXURE-C
WORKERS WELFARE FUND HOUSING POLICY 2020
(Allotment Certificate)
GOVERNMENT OF PAKISTAN
WORKERS WELFARE FUND
ISLAMABAD

F.No.....
To

dated.....

.....
.....

Subject: **PROVISIONAL OFFER OF ALLOTMENT OF HOUSE/ FLAT.**

Workers Welfare Fund (WWF) is pleased to inform you that you have been successful for allotment of a House/ Flat of Cat-.....through computerized balloting held on The result of balloting can be seen online of the website of WWF at.....

2. Having been declared successful for allotment, Workers Welfare Fund (WWF) is pleased to provisionally offer you allotment of a Flat/House of Cat..... apartment measuring.....
3. The Provisional allotment shall be subject to:
 - a. Scrutiny & validation of information provided by you in the application form.
 - b. Provision of affidavit as given in Section 3.8(b)(8).
4. If the above Provisional Offer Letter (POL) is acceptable to you, please deposit the dues as per agreement.
5. Needless to mention that this offer can be cancelled at any time in case of non-payment of any amount on account of cost of the House / Flat by the prescribed date.
6. The Final allotment letter shall be issued and possession of the apartment shall be handed over to you on payment of complete cost of the housing unit.

(.....)
Director (Estate)

[F.No.13-1/2020-WWF.]

OMER FAROOQ RANA,
Deputy Secretary (HRD.I).