

PUNJAB WORKERS WELFARE BOARD HOUSING SCHEME POLICY 2002
(Approved in 51st Board's meeting held on 4th June, 2002)
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HOUSING SCHEME POLICY – 2002
SECTION – I
PREAMBLE

1.1 Shelter is basic human need after food and clothing. Unfortunately we as a nation and the workers in particular are facing acute housing shortage. The magnitude of the problem can be imagined by the number of work force in the Metropolitan city of Lahore which is around 57,000 whereas the total number of houses, flats and plots available for the workers are only 5058. This figure relates to Lahore only and the position may be more worse around Lahore and other industrial cities of Punjab like Faisalabad, Sialkot, Multan and Gujranwala.

1.2 Whereas it is the prime responsibility of the employers to provide basic amenities to their workers yet the State has also its own responsibilities to supervise and where ever necessary to provide such basic amenities to the working class. The basic idea and enacting object of the Workers Welfare Fund Ordinance is to establish Housing Colonies for the workers all over the country to be financed jointly by the Employers and the Government.

1.3 As indicated by the figures mentioned in para 1.1 above, there are only few lucky workers who have been successful in getting the housing facilities. With a view to accelerate the process of providing housing facilities to the maximum number of workers, the Punjab Workers Welfare Board after deep consideration and deliberation has devised new housing policy called "Punjab Workers Welfare Board Housing Scheme Policy 2002". The policy aims at, as soon as possible, within the framework of law to provide proprietary rights to the workers on no loss no profit basis and facilitate them in the construction of their houses. It also aims at the generation of more funds for the establishment of new housing colonies in the province so as to meet the growing demands of the working class, the welfare of which has a high priority of the government.

1.4 **SHORT TITLE.-** This allotment policy will be called "Punjab Workers Welfare Board Housing Scheme Policy 2002".

1.5 **COMMENCEMENT.-** This Scheme shall come into force "at once".

1.6 **EXTENT OF APPLICATION.-** The scheme shall apply to the existing housing colonies as well as to the housing colonies to be established under this scheme.

SECTION – 2
DEFINITIONS

2.1 "Appellate authority" means the Board or any officer authorized by it to act as Appellate Authority.

2.2 "Board" means the Board constituted under Section 11(C) of the Workers Welfare Fund Ordinance 1971.

2.3 "Competent Authority" in respect of allotment, leasing and alienation of housing units means the "Authority" nominated by the Board.

2.4 "Housing Units" include houses/flats or plots exclusively meant for residential purposes.

- 2.5 "Non Housing Units" includes shopping areas of the housing schemes including the amenities plots exclusively for use other than residential purposes.
- 2.6 "Family member" means the wife, husband, children and parents who are dependents on the applicant worker.
- 2.7 The word and phrases defined in the ordinance and the scheme made therein shall also apply to this scheme.

SECTION-3
GENERAL PROVISIONS

- 3.1 PROCEDURE OF ALLOTMENT.-** (a) As soon as housing units have been developed by the Board, its Director of Works shall hand over the same to the District Officer Labour having territorial jurisdiction.
(b) The District Officer Labour after assuming the possession of the Housing units shall follow the following procedure for their allotment.
- 3.2 METHOD OF ALLOTMENT.-** ¹The houses/flats shall either be allotted to the workers on proprietary rights or on lease basis free of cost.
- 3.3 COMMITTEE OF ALLOTMENT.-** (a) A Committee for Allotment of the housing units shall be constituted by the Board consisting of ten members.
(b) The quorum of the Allotment Committee would be not less than 2/3rd of the total non-official members but presence of the official members will be envisaged compulsory.
- 3.4 CONSTITUTION OF THE COMMITTEE.-** The committee shall consist of (a) District Officer Labour, (Chairman) (b) three members each representing employers, workers and officers/officials of Punjab Workers Welfare Board / Punjab Employees' Social Security Institution / Directorate of Labour Welfare.
- 3.5 ELIGIBILITY FOR ENLISTMENT OF INDUSTRIAL ESTABLISHMENT.-** The worker should be an employee of such industrial unit which:
 - ²(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.
 - ³(b) Has been paying PESSI/EOBI contribution for last three years.
 - ⁴(c) Deleted.
 - ⁵(d) Deleted.
 - (e) Is functioning without interruption for a continuous period of 3 years.
 - ⁶(f) Is situated in the same Tehsil/District where Labour Colony is located as may be notified by the Board.

¹ Amended vide Notification No.PWB-H&M-4(7)/2010 dated 28.04.2012.

² Amended vide letter No.PWB-H&M-4(2)/2008 dated 17.06.2011.

³ As above (footnote no.2).

⁴ Deleted vide Notification No.PBW/H&M-4(50)/93/I dated 22.01.2004.

⁵ Deleted vide letter No.PWB-H&M-4(2)/2008 dated 17.06.2011.

- 3.6 ELIGIBILITY OF THE WORKER.-** ⁷(a) Any worker employed in any of the Industrial establishment listed in para 3.5 of the scheme for a period 3 years.
- (b) He or any member of his family is not tenant, lessee or owner in any of the housing colony of the Board.
- (c) Is working in any industrial unit which is situated in the same Tehsil/ District where Labour Colony is located.
- (d) No criminal proceedings are pending against him either in the establishment in which he is employed or in any other forum.
- ⁸(e) Workers fulfill the condition of workmen given in PIRA 2010 subject to the condition that they should be registered with EOBI or Social Security so that they could be identified as worker.
- ⁹(f) Only married workers can apply for allotment of houses / flats/plots.
- 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.
- 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 District Officer Labour.
- (b) The applications shall be submitted to the District Officer Labour within the period specified in the advertisement and it shall be accompanied by the following documents:-
- (1) Copy of National Identity Card.
 - (2) Copy of 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.
 - (4) Affidavit from the applicant that neither he/she nor any of his / her family member is tenant, lessee or owner of the housing unit in any of the housing scheme of the Board.
 - ¹⁰(5) Deleted.
 - ¹¹(6) Copy of Family Registration Certificate issued by NADRA.
 - (7) Character certificate by the Management of Industrial unit.
- 3.9 LIST OF ELIGIBLE INDUSTRIAL UNITS.-** (a) The District Officer Labour shall maintain a list of eligible industrial units of the concerned district. These lists shall be updated each year ending 30th June.
- (b) Each eligible industrial unit shall supply a list of its eligible workers to the District Officer Labour as on first July and before 14th of August each year.

⁶ Amended vide Notification No.PWB-H&M-4(7)/2010 dated 28.04.2012.

⁷ As above (footnote no.6).

⁸ Amended vide letter No.PWB-H&M-4(2)/2008 dated 17.06.2011.

⁹ Added (vide footnote no.8).

¹⁰ Deleted vide Notification No.PWB-H&M-2(1)/2004 dated 06.05.2004.

¹¹ Amended vide footnote no.8)

(c) The District Officer Labour concerned shall verify correctness of the list by cross check from the other concerned welfare agencies such as Social Security Institutions.

¹²(d) The District Allotment Committee shall allot housing units as per open draw according to the following quotas to the eligible applicants:-

- i. 15% for female workers.
- ii. 2% for disable workers.
- iii. 5% for widows whose husbands have died due to an accidental death during work.
- iv. 25% for the workers having more than five years' service at their credit.
- v. 15% for old age workers having age between 50 to 60 years.
- vi. 38% open draw.

3.10 ALLOTMENT OF HOUSING UNITS.- The housing units shall be allotted:

- (a) Grant of proprietary rights.
- (b) Tenancy on monthly basis lease without right to sub lease the lessee rights for such period as may be determined by the Board from time to time.

3.11 GRANT OF PROPRIETARY RIGHTS.- The residential plots may be allotted to the workers on proprietary basis and on the terms and conditions mentioned in **Appendix-A** to this scheme.

3.12 GRANT OF LEASE.- The lease of flats/houses may be granted to the workers on terms and conditions given in **Appendix-B** to this scheme.

3.13 GRANT OF TENANCY.- (a) The housing units reserved for the grant of tenancy on month to month basis shall be allocated to the eligible industrial units and there shall be tripartite agreement of tenancy between the Board, the Industrial Establishment and the Worker.

(b) The terms and conditions of such tenancy are specified in the rent deed to be executed in the form "Appendix-C" to this scheme.

3.14 PROCESS OF ALLOTMENT.- (a) Within 20 days of the last date fixed for submission of the applications, the District Allotment Committee, shall prepare the final list of eligible workers for each enlisted industrial establishment after due scrutiny by the Allotment Committee.

(b) The allotment of residential units to the eligible workers, industrial establishment wise, shall be made through ballot to be supervised by the District Allotment Committee. In order to ensure transparency the date, time and venue of the ballot shall be duly publicized in the press.

¹² Amended vide Notification No.PWB-H&M-4(7)/2010 dated 28.04.2012.

(c) Information shall also be given to the industrial establishment to whom the residential units have been allocated and they may send their CBA representative to participate in the supervision of the ballot.

(d) The list of workers successful in the draw of ballot, industrial establishment wise, shall be prepared by the District Allotment Committee, which may also be signed by the representative of the Employer/CBA if present at such ballot.

(e) At the time of ballot for allotment of flats/houses to eligible industrial workers, the District Allotment Committee shall also draw a waiting list of eligible workers in respect of each industrial establishment. The cancelled flats/houses shall be allotted by the District Allotment Committee to the eligible industrial workers from the waiting list of that industrial unit.

(f) Agreement on the prescribed form shall be executed by the District Officer Labour or any officer authorized by him in writing on that behalf.

3.15 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 residence and likewise non-residential units shall also be used only for the specified use and to none else.

(b) District Officer Labour shall ensure the conforming use of the buildings. In case of violation, after show cause notice, the Competent Authority shall have the power to terminate the tenancy, cancel the lease or revoke the allotment/title deed.

3.16 SHOPPING AREA / COMMERCIAL UNITS / AMENITIES PLOTS.- (a) The plots in the shopping/commercial areas of the housing scheme shall be sold through unrestricted public auction.

(b) The amenities plots 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 Board on such premium as may be determined by the Board keeping in view the specified use of the plot.

3.17 ENCROACHMENT.- The buildings in the housing schemes shall be constructed in accordance with the plan sanctioned by the Authority authorized by law. No encroachment shall be allowed in any form. District Officer Labour, in summary proceedings, may order the removal of encroachments and if the encroachment is not removed within the period specified by the District Officer Labour, he may with the assistance of the law enforcing agencies, if required, may remove the encroachment at the cost of the encroacher.

3.18 CANCELLATION OF ALLOTMENT OF PLOT/HOUSE/FLAT.- (a) The Competent Authority, may, after notice of show cause to the defaulter for a period of not less than 10 days, order the cancellation of the lease or revoke, tenancy or deed of allotment or title as the case may be in case he decides that the allottee has committed breach of the term and condition of allotment. If such a breach is rectifiable, the defaulter may be given a period not exceeding one month to rectify such breach.

(b) The Competent Authority shall also be empowered to forfeit in favour of the Board, the amount deposited by the worker for the allotment of the housing units.

3.19 APPEALS.- (a) 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.

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

3.20 AMENDMENT IN THE SCHEME.- The Board shall always have the power to add or amend or revise this scheme.

3.21 REPEAL.- (a) Punjab Province Workers Houses Allotment Regulation 1976 and Punjab Province Workers Plots Allotment Regulation 1976 are hereby repealed.

(b) The repeal shall not effect the previous operation of the Regulations referred in para-3.21(a).

3.22 PENALTY FOR DEFAULTERS.- The Employer/Industrial unit will be charged a fine of Rs.10/- per day of default in payment of monthly rent till the rent is fully realized. In case the period of default exceeds three months the Board may cancel the orders of allotment of the flat/house.

3.23 EVICTION.- If the tenant/worker violates any of the conditions laid down in the allotment order, he shall be liable to eviction in the manner prescribed in Section 11-E of Ordinance, read with the provision of this scheme.

3.24 MAINTENANCE OF HOUSES/FLATS.- The maintenance of flats/houses shall be the responsibility of the industrial establishments who have been allotted the flats/houses.

SECTION-4 **EXISTING HOUSING PROJECTS**

4.1 The position of allotment of plots/houses/flats in the existing Housing Projects is given as under:

Sr. No	Name of Housing Project	Total number of Plots/Houses/ Flats ;	Allotted	Unallotted
1.	272-Multi Storied Flats, Allama Iqbal Town, Lahore.	272 flats	265	07 ¹³ flats
2.	Nishtar Labour Colony, Lahore	4786 plots	4786 ¹⁴	Nil
3.	Labour Colony, Kala Shah Kaku, Sheikhpura.	554 plots	303	Nil
4.	Sahukimallian Labour Colony, Sheikhpura	508 plots 500 houses	508/500	Nil
5.	Sher-e-Bangal Labour Colony (Phase-I), Sheikhpura.	471 houses	471	Nil

¹³ Printed in the Notification as "04"

¹⁴ Printed in the Notification as "4787"

6.	Sher-e-Bangal Labour Colony (Phase-II), Sheikhpura.	870 houses	870	Nil
7.	Tipu Sultan Labour Colony, Faisalabad	3134 plots	3134	Nil.
8.	Muhammad Bin Qasim Labour Colony, Faisalabad	3285 plots	3252	33
9.	Kaleem Shaheed Labour Colony I & II, Faisalabad.	3031 plots	3031	Nil
10.	Hussain Shaheed Soharwardi Labour Colony, Faisalabad.	1797 plots '	1797	Nil
11.	Johar Labour Colony, Faisalabad.	2299 plots	2265	34 ¹⁵
12.	I.I. Chundrigarh Labour Colony, Faisalabad.	252 plots.	252	Nil
13.	512-Multi Storied Flats, Faisalabad.	512 flats	512	Nil
14.	Labour Colony, Toba Tek Singh.	301 plots	301	Nil
15.	Gulgisht Labour Colony, .Sargodha.	1418 plots	56	1362
16.	Labour Colony, Jhang.	1370 plots	Nil	1370
17.	Labour Colony, Kamalia.	730 plots	Nil	730
18.	Qasimpur Labour Colony, Multan.	453 plots	448	05
19.	Gulbahar Labour Colony, Burewala	571 plots	404	167
20.	Labour Colony, Sahiwal	295 plots	295	0
21.	Madina Labour Colony, Gujrat	209 flats	209	Nil
22.	Labour Colony, Jhelum.	150 plots	150	Nil
23.	Ghulshan Labour Colony, Gujranwala.	340 plots & 300 houses	340/300	Nil.
24.	Allama Iqbal Labour Colony, Sialkot.	504 flats	501	03
25.	Raja Ghazanfar Ali Khan Labour Colony, Faisalabad.	1377 plots	1377	Nil
26.	Labour Colony, Mian Channu.	169 houses	169	Nil
27.	Labour Colony, Rahim Yar Khan.	246 houses	230	16
28.	Labour Colony, Defence Road, Lahore	1296 flats	1286	10
29.	Labour Colony, Muzaffargarh	303 houses	298	5

4.2 EXISTING ALLOTMENTS.- Subject to the provision of this housing scheme policy the plots / flats / houses which have already been allotted in the Housing Projects of Punjab Workers Welfare Board would continue to be governed by the same terms and conditions on which these were allotted.

¹⁵ Printed in the Notification as "31"

ANNEXURE – A
TO HOUSING SCHEME POLICY 2002 WORKERS WELFARE BOARD PUNJAB
(REFERRED IN PARA-3.11)

- A.1 The residential plots may be allotted to the eligible workers on proprietary basis. The eligibility criteria has already been prescribed in the scheme (para-3.6).
- A.2 The cost of the plot on no profit and no loss basis shall be payable by the allottee in 20 equal quarterly installments.
- A.3 In case the allottee of the residential plot has paid 3/4th of the price of the plot and an agreement to sell has been duly executed in his favour he may be allowed by the Board for raising loan on the security of the plot only for the purpose of house building either from the employer or any other financial institution approved by the Board.
- A.4 The residential plots allocated on prescribed pro rata basis may be placed at the disposal of the concerned industrial establishment for construction of houses/flats in accordance with the sanctioned plan by the said industrial establishment for the benefit of its workers found eligible by the District Allotment Committee.
- A.5 The allottee shall not be allowed to alternate or to create any charge or encumber his rights in the plot except to the extent allowed by the Board. The allottee shall not be allowed to alienate the plot in favour of any person unless he completes the construction of the house and a period of 20 years has elapsed from the date of the completion of the house.
- A.6 The allottee/worker after lapse of period of 20 years may be allowed by the Board to alienate his proprietary rights only to the worker belonging to his own class and none else.
- A.7 The allottee of the residential plot shall be granted proprietary rights if he has fulfilled all the terms and conditions¹⁶ of the agreement of sale executed by him in favour of the Board.
- A.8 The management of the housing colony, the maintenance of civic amenities may be entrusted by the Board to a Cooperative Society of the allottees/owners of the houses which is duly registered with the Registrar of the Cooperative Registrar.
- A.9 In case the allottee worker dies during the currency of the agreement of sale, the plot may be transferred to his heirs without charging the remaining installments provided further that the heirs of the deceased worker have no other source of income.
- A.10 For the rapid development of the existing housing projects which may be sick and old and in order to accelerate the process of their development the Board may sanction special condition for such housing projects so as to achieve their development within the shortest possible time.

¹⁶ Printed in the Notification as "condition"

ANNEXURE-B
TO HOUSING SCHEME POLICY 2002 WORKERS WELFARE BOARD PUNJAB
(REFERRED IN PARA-3.12)

The houses/flats reserved by the Board for allotment to the eligible workers on lease for such period as may be prescribed from time to time shall be allotted to the workers amongst others on the following terms and conditions:-

- B.1 The lease shall be granted to the eligible workers in the method and manner prescribed in the scheme.
- B.2 The lease of house/flat shall be granted to the worker in consideration of such annual or lump sum premium for the whole period of the lease as may be determined by the Board keeping in view the length of the period of lease.
- B.3 The lessee shall be required to deposit 1/4th of the premium of the lease within one month of intimation to that effect by the Board.
- B.4 The lease deed shall be executed between the lessee worker and the Board after the worker has deposited 1/4th of the premium of the lease within the prescribed period.
- B.5 The lease deed shall contain the schedule of payment of the remaining 3/4th of the premium. This may be paid in biannual installments within a period not exceeding 10 years.
- B.6 In case lessee worker pays the remaining 3/4th of the premium of the house/flat within 3 months of the date of intimation of granting of lease to him, the lessee shall be given rebate of 10% of the total premium of the house/flat.
- B.7 If the lessee fails to pay the biannual installments by the due date, he shall be liable to pay penal charges in the sum of 5% of the due amount. The lessee may be allowed upto 30 days extension period of release after the due date of the installment.
- B.8 In case the lessee fails to pay biannual installment and the surcharge levied thereon, the lease may be cancelled and the premium of the flat/house paid by the lessee or such portion thereof as may be deemed proper by the Competent Authority shall be forfeited in favour of the Board.
- B.9 The due biannual installment may be recovered from the lessee through his Employer/Industrial establishment in which he is employed for the time being. The lessee shall not be entitled to create any charge or lien on the house/flat without the prior approval of the Board.
- B.10 The lessee worker in no case shall be allowed to alienate its lessee right for a period of not less than 15 years from the date of the execution of the lease deed.
- B.11 That the lessee may after the expiry of fifteen years of the lease alienate his lessee right with prior permission of the Board only and only to the same category of the worker to which he belongs. The alienation shall not be allowed to any other person.

ANNEXURE-C
TO HOUSING SCHEME POLICY 2002 WORKERS WELFARE BOARD PUNJAB
(REFERRED IN PARA-3.13(b))

The rent deed to be executed by the Board, the Industrial Establishment and the workers shall have the following terms and conditions:-

- C.1 The houses/flats shall be allotted to the selected workers in the prescribed procedure but the industrial establishments shall be signing the rent deed as a guarantor for the fulfillment of the terms and conditions of the tenancy by its employee.
- C.2 The possession of the houses/flats shall be handed over to the workers through its industrial establishment.
- C.3 The industrial establishment, employer shall pay monthly rent of the house/flat to the Board through District Officer Labour concerned by 10th of every month which such employer shall deduct from the wages of the tenant worker.
- C.4 The Employer shall not allow the worker to do any unlawful activity or to create any nuisance to the annoyance of neighbours.
- C.5 In case the worker tenant resigns or leaves the job or his services are terminated, the employer shall hand over the possession of the house/flat to the District Officer Labour and it shall not be given to any other worker without allotment by the District Allotment Committee in the prescribed procedure.
- C.6 The worker tenant shall not sublet whole or any portion of the flat/house.
- C.7 In case of death, retirement or removal from service or permanent disability of the worker the employer shall get vacated the flat/house from the worker or his dependents within six months of his ceasing to be an employee and shall hand over the vacant possession to the District Officer Labour.
- C.8 In case the tenant fails to pay Utility Bills, for three consecutive months, the Competent Authority may cancel the order of allotment of the flat/house.
- C.9 The Board or the District Officer Labour may inspect / check / examine the flat/house at any time without any let or hindrance by the tenant/occupant.
- C.10 The Board reserves the right to make any addition or alteration in the flat/house as and when deemed necessary.
- C.11 The Employer/Industrial Establishment shall not allow any worker or his dependent to keep animals such as buffaloes, cows, horses etc. in the house/flat.
- C.12 The Employer/Industrial Establishment or worker, without prior permission, shall not add / alter or demolish any part of the house/flat and if so he shall be¹⁷ responsible to make good the loss to the Board.
- C.13 The Employer/Industrial Establishment or worker shall be responsible to keep the house/flat in good order and condition including electric fitting, water connection, sanitary ware etc. Any loss or damage shall be recovered by the Board from the Employer/Industrial Establishment.

¹⁷ The words "shall he" are replaced with "he shall be"

- C.14 The Board reserves the right to make any addition or alteration or amendment' in those terms and conditions whenever deemed necessary in the larger interest of workers.
- C. 15 Signing of Agreement.- The agreement shall be signed by District Officer Labour concerned on behalf of Punjab Workers Welfare Board¹⁸.
- C.16. Fixation¹⁹ of Rent.- The rent to be charged from the tenant/employer/industrial establishment shall be determined by the Punjab Workers Welfare Board in respect of each Housing Project,
- C. 17 Enhancement of Rent.- The rent shall be enhanced @10% after every three years.
- C.18 Recovery of Rent.- (a) The Employer/Industrial establishment shall deposit the monthly rent in the specified allowed number of the nominated Bank in the name of Chairman Punjab Workers Welfare Board and send the receipt thereof to the D.O.L concerned by 10th of every month.
- (b) In case the receipt for deposit of rent is not received by the D.O.L by 10th of the month, he shall depute an officer/official to collect the rent from the Industrial Establishment on behalf of Punjab Workers Welfare Board.
- (c) The rent recovered under clause (b) shall be deposited in the account mentioned in clause (a) above.
- (d) Monthly statement of recovery of rent shall be submitted by D.O.L concerned to the Director (Finance), Punjab Workers Welfare Board.
- (e) The Board shall be entitled to affect the recovery of rent as prescribed in Section 11-D of the Workers Welfare Fund Ordinance, 1971.

PROCEDURE FOR ALLOTMENT OF LABOUR COLONIES

- Invitation of applications from workers through press.
- District Allotment Committee scrutinizes the applications.
- Allotment of available plots/flats/houses in Labour Colonies through ballot.

¹⁸ Printed in the Notification as "Hoard"

¹⁹ Printed in the Notification as "fixation"