

**GOVERNMENT OF SINDH
SERVICES, GENERAL ADMINISTRATION AND
COORDINATION DEPARTMENT
(REGULATION WING)**

Karachi, dated 16th December, 2008

NOTIFICATION

No.SORI(SGA&CD)1-3/04: In exercise of the powers conferred by section 19 of the Sindh Civil Servants Housing Foundation Act, 2005 the Government of Sindh is pleased to make the following rules:

1. (1) These rules may be called the Sindh Civil Servants Housing Foundation Rules, 2008. **Short title and commencement.**

(2) These shall come into force at once.

2. (1) In these rules, unless there is anything repugnant in the subject or context,- **Definitions.**

(a) "accounts office" means the office of the Accountant General, Pakistan Revenues, or any sub-office of the Accountant General Pakistan Revenues, Accountant General, Sindh, any District Accounts Office or office of any other Accounts Officer from where salary of a member is being drawn;

(b) "Act" means the Sindh Civil Servants Housing Foundation Act, 2005;

(c) "application" means the applications for the membership of the Foundation;

(d) "category" means a category of members as specified in the rule 11;

(e) "commercial unit" means any building or structure in a scheme not being a residential unit;

(f) "contribution" means the compulsory monthly deduction from the salary of a member;

(g) "financial year" means the year commencing on 1st day of July and ending on the 30th day of June;

- (h) "misconduct" includes the conduct prejudicial to the rights and interests of the Foundation, gross illegality, neglect in discharge of duties, conduct unbecoming of gentlemen, willful or wanton disregard or deliberate violation of direction, order or instruction of the Government, the Board or the Foundation, as the case may be;
- (i) "Province" means the Province of the Sindh;
- (j) "residential unit" means a flat or a house of any category in a scheme;
- (k) "scheme" means a housing scheme of the Foundation with such name as may be determined by the Board; and
- (l) "society" means a residents' association of a scheme, registered under any law for the time being in force with authority to raise funds through compulsory contributions from the residents, for the maintenance of the scheme.

(2) The words and expressions used herein but not defined in these rules shall have the same meanings as are assigned to them in the Act.

3. (1) Subject to these rules, every person who is a Civil servant at the time of promulgation of the Act or becomes Civil servant on a subsequent date, or have been a Civil servant of the government shall be eligible to become a member of the Foundation.

Eligibility for membership.

(2) A Civil servant shall only be eligible for one membership of the Foundation.

4. A member of the Civil Service of Pakistan shall be eligible to become member of the Foundation subject to the fulfillment of any of the following conditions, namely-

Conditions for members of Civil Service of Pakistan.

- i) he is domiciled in the Province and has served in government or any agency under the government for a period of more than three years;
- or
- ii) he has served in the Provincial Government or any agency under the Provincial Government for a period of more than six years.

5. (1) A Civil Servant may become member of the Foundation on acceptance of his application. **Procedure for membership.**

(2) The Foundation may prescribe time for the submission of the applications by the eligible Civil Servants.

(3) The Foundation may impose additional conditions for the acceptance of the applications, submitted after the lapse of the prescribed time;

Provided that the application for membership shall be accepted subject to the deposit of contribution in the account of the Foundation.

(4) The Foundation shall issue a certificate of membership to each Member containing his name, designation, name of this Department or office, membership number and his account number with the Foundation.

6. (1) Membership of member shall be terminated if he – **Termination of membership.**

(a) dismissed from service, or

(b) voluntarily withdraws from membership; or

(c) is transferred to a Government other than the government of the Province, and has failed to remit contribution for six months; or

(d) has made any false statement in the application;

Provided that membership of a member shall not be terminated unless the member is afforded an opportunity to show cause against the proposed action.

(2) In case of termination of membership under sub-rule (1), the out-going member shall be entitled to re-fund of the amount in his account subject to such deductions, if any, as may be determined by the Board.

(3) Once a member withdraws the amount from his account after termination of his membership, he shall not subsequently be admitted as a member except for good cause and subject to any general or special order of the Board.

7. (1) A Director, not being an ex-officio Director may be removed by the Government if he – **Removal Director.** **of**

(i) is guilty of misconduct; or

(ii) fails to attend three consecutive meetings of the Board without any reasonable cause or excuse.

(2) A Director against whom action is proposed to be taken under sub-rule (1) shall be provided with an opportunity to show cause against any such action.

8. A director, not being ex-officio Director, may resign from his office by tendering his resignation to the Government and shall cease to be the Director upon the acceptance of his resignation. **Resignation Director.** **of**

9. (1) The Board may make recommendation to Government for removal of the Managing Director during the tenure of his office. **Removal relieving Managing Director.** **and of**

(2) The Managing Director shall cease to hold the office upon acceptance of the recommendation by Government.

(3) The Government may, by order, relieve the Managing Director from his duties and he shall cease to hold the office upon the issuance of such order.

10. The Managing Director may resign from his office by tendering his resignation to Government and shall cease to hold the office upon the acceptance of his resignation. **Resignation Managing Director.** **of**

11. (1) The rate of contribution shall be determined by the Board for members belonging to each to the following category: **Rate contribution.** **of**

- | | | |
|-------|-----------------|--------------|
| (i) | BS-1-7 | Category-I |
| (ii) | BS-8-15 | Category-II |
| (iii) | BS-16-18 | Category-III |
| (iii) | BS-19 and above | Category-IV |

(2) The contribution shall be deducted at source by the account office.

(3) Subject to the provision of sub-rule (1), the Board shall determine on yearly basis the rate of profit to be credited to the account of a member.

(4) The balance price of a residential unit, if any, calculated after accounting for the amount in the account of the member, shall be paid by the member, or his family before the delivery of possession of the residential unit.

(5) If the amount in the account of the member is more than the price of his residential unit, the excess amount shall be returned to the member or his family.

12. The Accountant General, Pakistan Revenues or the Accountant General, Sindh as the case may be, shall credit the contributions to such detailed head of account or the sub-detailed head of account of the Foundation as may be notified from time to time, on monthly basis.

Head of account.

13. (1) Where a member is transferred to a government other than Government of the Province, he shall remain a member subject to rules in the same manner as if he has not been so transferred, and his contribution during such period shall be remitted to the account of the Foundation at the accounts office where he has been serving immediately before his such transfer:

Contribution of a transferred or retired civil servant member.

Provided that it shall be responsibility of the member to ensure that his contributions are being properly remitted to the account of the Foundation.

(2) The payment of contribution in case of retired civil servants shall be remitted by the Member to the accounts office in a manner as prescribed by the Foundation.

14. (1) Contributions to the account of the Foundation shall be maintained by the accounts office where the contributions is deducted or remitted.

Maintenance of accounts.

(2) Withdrawal of the amount from the account of the Foundation at the account office shall be made in the manner as may be determined by the Accountant General.

(3) The account shall be kept in Pakistani rupees and all payments therein shall be made in Pakistani rupees.

15. (1) The budget of the Foundation shall be prepared by the Managing Director for each financial year containing the details of income and expenditure.

Budget and audit.

(2) The budget statement shall be placed before the Board for approval before the commencement of each financial year.

(3) The accounts of the Foundation shall be kept in double-entry system.

(4) Every payment shall be made after applying prescribed pre-audit checks through internal audit system of the Foundation and in accordance with the rules of Government.

(5) The accounts of the Foundation shall be post audited annually by a firm of Chartered Accountants.

(6) Annual audit report shall be laid before the Board for approval.

16. (1) The Board shall meet the transaction of business at least once in every three months.

Meetings of the Board.

(2) The Managing Director with the approval of the Chairman, may summon the meeting of the Board on such date or dates, may be specified.

(3) Any three Directors may requisition the meeting of the Board to consider the issue or issues mentioned in the requisition notice, and the Managing Director shall summon meeting of the Board within seven days of the receipt of the requisition.

(4) All decisions of the Board shall be recorded in a minute book.

(5) The Managing Director shall record minutes of meeting of the Board, and in his absence the Chairman may direct any other Director to perform such function.

17. All amounts constituting the fund shall be kept in the manner as may be determined by the Board.

Custody of money.

18. The Board may invest such amount constituting the fund as are not required for immediate expenditure, in the manner as it deems fit.

Disposal of surplus funds.

19. (1) No member or his family shall be entitled to allocation of more than one residential unit in all the schemes of the Foundation.

Allocation of residential units.

(2) The residential unit shall be allocated in favour of the members or their families in the following manner, namely -

- (a) to the members or their families on retirement or death, as the case may be, in accordance with the priority of station indicated in their option for stations:

Provided that a member may, with the approval of the Foundation at any time before allocation, change his priority of station;

- (b) if the residential units at a station are less than the demand, allocation of the residential units at such a station shall be made on the basis of seniority of members in a particular category and in case of tie, on the basis of draw of lots:

Provided that a separate seniority list, on the basis of the date of retirement, for each category of members shall be maintained by the Foundation; and

- (c) where the date of retirement or the date of death of two or more members in a category is the same, the seniority shall be determined from the date of membership of the Foundation.

(3) In case the number of the residential units exceeds the existing requirement, the surplus residential units shall be allocated to the next eligible members in accordance with the seniority list.

(4) In case of death of a civil servant during service period, the family of the deceased civil servant shall be provided a residential unit on out of turn basis on payment of balance price of the residential unit.

(5) 10% of the total houses constructed during a year shall be reserved for already retired civil servants w.e.f. the commencement of the Act.

20. The Foundation shall deliver possession of an allocated residential unit to a member or his family on payment of the balance price of the unit, if any.

Delivery of possession.

21. (1) The Foundation shall maintain a scheme for one year after its completion.

Maintenance of schemes.

(2) Further maintenance and management of the scheme shall lie with Resident's Association or a society, subject to its recognition and general supervision by the Foundation.

22. Allocation of a residential unit in favour of member shall be made subject to the following conditions: - **Conditions of allocation.**
- (a) the member shall not alienate the allocated residential unit within one year of the delivery of possession;
 - (b) all subsequent transfer of the allocated residential unit shall be made with the approval of the Foundation subject to payment of transfer fee as may be determined by the Board;
 - (c) no structural change of any kind shall be made in a residential unit except with prior permission of the Foundation;
 - (d) all subsequent transferees of a residential unit shall be bound to comply with the provision of the Act, rules and regulations wherever applicable, any reference to a member shall include reference to a subsequent transferee; and
 - (e) such other conditions as may be prescribed by the Foundation.
23. (1) Where a member or his family or a subsequent transferee has failed to fulfill any condition of allocation, the Board may cancel the allocation after affording an opportunity to show cause against any such action. **Cancellation of allocation.**
- (2) In case of cancellation of allocation under sub-rule (1), the Board may also terminate the membership of such member and all consequences of termination of membership shall follow:
- Provided that the member or a subsequent transferee shall not be entitled to any amount unless he delivers the vacant possession of the residential unit to the Foundation.
- (3) The Foundation shall be entitled to recover possession of the residential unit in case of cancellation of allocation and may deduct such amount from the account of the member as it deems fit.
24. (1) A commercial unit shall be maintained by or leased out in the manner as may be determined by the Foundation. **Maintenance and disposal of commercial unit.**

(2) A commercial unit shall not be sold or disposed of except through prior public notice and open auction.

(3) No structural change shall be made in a commercial unit except with the prior permission of the Foundation.

(4) The Board may impose any other condition upon the owner of the lessee for the proper maintenance or use of the commercial unit.

25. (1) No alteration of land use in a scheme shall be made without the approval of the Board.

Restriction on conversion.

(2) No public utility or public amenity area in a scheme shall be converted into commercial or residential area.

26. Record of the Foundation shall be deemed to be public record and every member shall be entitled to have access to it or get its certified copies, subject to payment of fee, if any, as may be determined by the Foundation.

Freedom of information.