

NOTIFICATION

Islamabad, the 15th November, 1997

S.R.O/1193 (I)/97. In exercise of the powers conferred by sub-section (3) of section 8 of the Worker, Welfare Fund Ordinance, 1971 (XXXVI of 1971), makes the following rules, namely:-

CHAPTER 1

PRELIMINARY

1. Short title, commencement and application.

- (1). These rules may be called the Workers' Welfare Fund (Employees Service) Rules, 1997.
- (2). These rules shall come into force at once.
- (3). These rules shall apply to all persons appointed on regular basis in whole time employment of the Workers' Welfare Fund except.
 - a) The Chairman, Workers' Welfare Fund;
 - b) Persons appointed on contract or work-charged basis or those who are paid from contingencies;
 - c) Persons serving in the Workers' Welfare Fund on deputation from the Federal or a Provincial Government or any other organization authority or institution.

2. Definitions.

- (1) In these rules, unless there is anything repugnant in the subject or context.
 - i) 'appointing authority' means the Governing Body or an officer or authority, authorized by the Governing Body in this behalf and specified in these rules regarding appointment in Workers' Welfare Fund;
 - ii) 'appellate authority' means the officer or authority next above the appointing authority;
 - iii) 'Board' means the Workers' Welfare Board constituted under subsection (1) section 11A of the Ordinance;
 - iv) 'Chairman' means the Chairman of the Governing Body;
 - v) 'conveyance allowance' means an allowance granted monthly to an employee of the workers' Welfare Fund to come to office from his residence and back;
 - vi) 'daily allowance' means a uniform allowance for each day of absence from the head quarters which is intended to cover, the ordinary daily charges, incurred by workers' Welfare Fund Employee, in consequence of such absence;
 - vii) 'day' means a calendar day beginning and ending at midnight;
 - viii) 'duty' includes time spent on ____.
 - a) Probation or apprenticeship followed by confirmation or, as the case may be, regular appointment;
 - b) Joining time;

Workers' Welfare Fund (Employees Service) Rules, 1997.

- c) a duly authorized course of instruction or training, including the time required for the journey, to and from, the place of such training;
- d) attendance at an obligatory department, examination, including a reasonable time required for journey to and from the place of examination and the day or days of the examination;
- e) time spent on authorized tour and leave; and
- ix) any extra work to be performed, under the orders of or with the permission of the appointing authority;
- x) 'employee' means any officer or official holding a post on regular basis, in the Workers' Welfare Fund, on the date or commencement of these rules or who is appointed on regular basis, under these rules;
- xi) 'family' means wife or wives of an employee or husband or as the case may be, Legitimates children, and step children, residing with and Wholly dependent on him;
- xii) 'Form' means the Form appended to these rules;
- xiii) 'Fund' means the Workers, Welfare Fund constituted under the Ordinance;
- xiv) 'Governing Body' means the Governing Body of Workers' Welfare Fund Constituted under sub-section (1) of section 7 of the Ordinance;
- xv) 'government' means the Federal government ;
- xvi) 'grade' means the Workers' Welfare Fund graders;
- xvii) 'headquarters' of an employee means, headquarters of the office of the Fund where he is employed and in which records of his office are kept;
- xviii) 'holiday' means a day declared as such, by order of the Fund and includes optional or a gazetted holiday;
- xix) 'honorarium' means a recurring or non recurring payment granted to an employee form the revenues of Fund as remuneration for special and laborious work of an occasional character;
- xx) 'house rent allowance' means an allowance granted to an employee, if the Fund does not provide residential accommodation to him;
- xxi) 'initial appointment' means appointment made otherwise than by promotion or transfer or deputation or on contract ;
- xxii) 'leave salary' means the monthly amount paid to an employee on leave ;
- xxiii) 'month' means a calendar month ; in calculating period expressed in terms of months and days, complete calendar months irrespective of the number of days in each should first be calculated and the odd number of days calculated subsequently ;
- xxiv) 'Ordinance' means the Workers' Welfare Fund Ordinance, 1971 (XXXVI of 1971);
- xxv) 'grade' means a pay scale applicable to the employees of Workers' Welfare Fund ;
- xxvi) 'pay means the amount drawn monthly by an employee as ;
 - a) the pay, other than technical pay, special pay, personal pay or qualification pay, which has been sanctioned for a post held by him

Workers' Welfare Fund (Employees Service) Rules, 1997.

- in which he has been confirmed or which is held by him in an officiating capacity ;
- b) special pay, technical pay, personal pay and qualification pay ;
 - c) any other emoluments which may be specially classified as a pay be the Governing Body ;
- xxvii) ' pay scale' means the pay scale applicable to the Federal Government Servants in which a post in the Fund is placed ;
- xxviii) 'personal pay' means additional pay granted to an employee.
- a) to save him from loss of pay due to a revision of pay or any reduction of such pay other than as a disciplinary measures; and
 - b) in exceptional circumstance, on other personal considerations;
- xxix) 'project' means any project undertaken and managed by the Fund directly or indirectly of which Governing Body has paid the money under the Ordinance, provided it does not have a separate legal entity;
- xxx) 'Secretary' means the Secretary of the Fund ;
- xxxi) 'Selection Board' means the Selection Board, constituted for purposes of making selection of persons for appointment, promotion or transfer to posts in pay scale 19 under rule 12 ;
- xxxii) 'Selection Committee' means a Committee constituted for the purpose of making selection of persons for appointment, promotion or transfer to posts in pay scales 18 and below in the Fund and consisting of such persons, as may be appointed to by the Secretary from time to time ;
- xxxiii) 'service' means and includes the period during which an employee is on duty and as well as on duly sanctioned leave ;
- xxxiv) 'special pay' means an addition, of the nature of pay, to the emoluments of a post granted in consideration of ;
- a) the specially onerous nature of duties; or
 - b) a specific addition to the work or responsibility ; or
 - c) the unhealthiness of the locality in which the work is performed ;
or
 - d) any other function, considered appropriate by the competent authority ;
- xxxv) 'subsistence grant' means a monthly grant made to an employee who is not in receipt of pay or leave salary ; and
- xxxvi) 'technical pay' means pay granted to an employee by virtue of his possessing minimum technical qualification prescribed for a post.

CHAPTER 2

GENERAL PROVISIONS

3. Employees to be governed by these rules and subsidiary orders.

(1). Terms and conditions of service of an employee shall be, as such laid down in these rules or in such subsidiary orders and instructions which may be issued, from time to time, with the approval of the Governing Body including such orders and instructions issued by the Federal Government and made applicable to the employees with the approval of the Governing Body.

(2). Any subsidiary orders and instruction in respect of any terms and conditions of service, duly made by, or issued with the approval of Governing Body and immediately in force before the commencement of these rules, shall, in so far as such rules and instructions are not inconsistent with the provisions of these rules, be deemed to be subsidiary orders and instructions issued with the approval of Governing Body in terms of sub-rules (1).

4. Employment to be whole time.

Unless in any case if otherwise provided, the whole time employee shall be at the disposal of the Fund and he may be employed in any manner required by proper authority without claim for additional remuneration.

5. Liability to serve in any post etc.

An employee shall be liable to serve any where, within or outside Pakistan in any post, office or project or in any post under the Federal Government or the Provincial Government or a Corporation or a body set up or established or managed by such Government:

Provided that where an employee is required to serve in a post outside his service or cadre, his terms and conditions of service, as to his pay, shall not be less favorable than those to which he would have been entitled, if he had not been, so required to serve.

6. Claims to be preferred within six months.

Any claim against the Workers' Welfare Fund made after six months of its becoming due shall not be paid unless the time-limit is specifically relaxed in individual cases by the Secretary in his discretion:

Provided that claims which are more than three years old shall not be paid without the previous sanction of the Chairman, and such sanction shall be granted only if there are very strong reasons such as their affect on retirement benefits, etc.

Note. This rule shall not apply to claims on account of gratuity which will be regulated by rules relating to gratuity.

CHAPTER 3

APPOINTMENT

PART I. GENERAL PROVISIONS

7. Appointment to be made against sanctioned posts.

All cadre appointment in the Fund shall be made against sanctioned posts.

8. Appointment of incumbent on abolition of a post.

In the event of abolition of a post, the employee holding such post on regular basis may be appointed to another post in the same pay scale within the cadre, and if there is no such vacant post, to a post outside the cadre, in the same pay scale provided he is considered suitable by the appointing authority for appointment to such post and if no vacancy exists in a post in the same pay scale, the appointing authority at its option may either offer him a post in a lower pay scale if such a vacancy exists or terminate his service :

Provided that in the event of termination the services of the junior most person in the cadre, to which the employee belongs, shall be terminated.

9. Service and cadres.

Service in the Fund shall consist of different cadres as specified in Appendix-I to these rules.

10. Nomenclature of Posts in each cadre, method of appointment, qualifications etc.

1. Appointment to posts, included in the cadre concerned, shall be made on regular basis by one or more of the following methods, namely :-

- a) by initial appointment, in accordance with Part II of this Chapter;
- b) by promotion in accordance with part III of this Chapter; and
- c) by transfer.

2. The pay scale in which a post is classified, method of appointment, qualification and experience and other conditions, relating to various posts shall be such as laid down in Appendix -2 to these rules.

11. Appointing authorities.

1. Appointment to posts in BPS-20 and above or equivalent and also the posts carrying a minimum pay of Rs.6810 and above may be made according to the procedure specified in Establishment Division's Office Memorandum No.6/4/96-R. 3, dated 10th May, 1997, as amended from time to time.

2. The authority competent to make appointment to various posts shall be,

- i) Posts in pay scale-19 in the Fund Chairman; and
- ii) Posts in pay scale-18 and below in the Fund Secretary

12. Constitution of Selection Board and Selection Committee.

1. There shall be constituted as Selection Board, headed by the Secretary, for the purpose of selection of person for appointment to posts in pay scale-19, and Members of the Board shall be;

- iii) Joint Secretary (Labour); and
- iv) Financial Advisor (Labour).

2. There shall be constituted one or more Selection Committees, with approval of the Secretary, of the Secretary, for the purpose of selection of persons for appointment to posts in pay scale-18 and below.

PART II. INITIAL APPOINTMENT.

13. Procedure for initial appointment.

1. Initial appointment to posts in pay scale-19 and above shall be made by the appointing authority on recommendations of the Selection Board.

2. Initial appointment to posts in pay scale-18 and below, shall be made by the appointing authority on recommendations of the Selection Committee concerned.

3. No person, who is not a citizen of Pakistan, shall be eligible for appointment to any post:

Provided that the requirement may be relaxed by the Chairman in suitable cases.

4. Persons married to a person who is not a citizen of Pakistan, shall not be appointed to a post in the Fund except with the prior approval of the Chairman.

5. A candidate for initial appointment must possess the educational qualification and experience and must be within the age limit laid down for the post in Part-II of Appendix-2 to these rules:

Provided, that maximum age limit may be relaxed up to five years by the appointing authority of no suitable candidate within the prescribed age limit is available.

6. The vacancies shall be advertised in the national press.

14. Observance of merit and provincial quotas.

1. Vacancies in the following posts, as are reserved for initial appointment, shall be filled on all –Pakistan basis in accordance with merit and provincial or regional quotas prescribed by the Federal Government for vacancies, in posts in connection with the affairs of the Federation, namely:-

- i) All posts in pay scale-16 and above; and
- ii) All posts in pay scale-1 to 15 in offices which serve the whole Pakistan.

2. Vacancies in posts in pay scales 1 to 15 in offices, which serve only a particular province or region shall be filled by appointment of persons domiciled in that province or region.

3. Vacancies in posts in pay scales 1-2 shall ordinarily be filled in on local basis.

4. Vacancies which remain unfilled, by candidate belonging to the province or region concerned, shall be carried forward and no substitute appointment shall be made except with the sanction of Chairman for the reasons to be recorded.

5. Suitable percentage of vacancies shall be reserved for orphans, destitutes or disabled persons as per rule and directive of the Government.

6. Five per cent of the vacancies available to a region or province, as per its quota, will be reserved for women.

7. Quotas reserved in sub-rule (5) and (6) will not apply to

- a) Vacancies reserved for recruitment on the basis of merit;
- b) recruitment made by promotion or transfer in accordance with the relevant rules;
- c) short term vacancies likely to last for less than six month;
- d) isolated posts in which vacancies occur only occasionally; and

Workers' Welfare Fund (Employees Service) Rules, 1997.

- e) a post of qualified candidates are not available, and the post shall be filled on merit.

Explanation.-

The question as to who is an orphan or destitute for purposes of this rule shall be decided by the Secretary and his decision in this behalf shall be final.

15. Medical fitness.

1. A candidates for initial appointment must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties.

2. A candidate who, after such medical examination by the Medical Officer or as the case may be, the Medical Board, as may be nominated by the Secretary, is found not to satisfy these requirements shall not be appointed.

3. The medical certificate of health shall be submitted in such form, as may be required by the Governing Body which shall be affixed to his first pay bill.

16. Verification of character and antecedents.

1. An initial appointment shall be subject to such verification of the character and antecedents of the candidate, as the appointing authority may require.

2. No person, not already in service of the Fund or the Government, shall be appointed unless he produces a certificate of good conduct form the principal of the academic institute last attended and a certificate of good conduct form an officer in Basic Pay Scale-17. or above in the service of the Federal or Provincial Government or any other autonomous body set up, managed or controlled by such Government or a commissioned officer of the Armed Forces of Pakistan or an officer of Pay Scale-17 or above of the Fund who is not related to the candidate.

17. Declaration of secrecy.

The appointment of a person to any post, in the Fund shall be subject to the signing of declaration of secrecy in the form as the Governing Body may require.

PART III. APPOINTMENT BY PROMOTION

18. Eligibility for promotion.

An employee possessing such qualifications and length of service and fulfilling other conditions, as are laid down in rule 20 and Part-III of Appendix -2 to these rules, shall be eligible for promotion to a higher post, for the time being, reserved for promotion in the cadre to which he belongs.

Explanation.

1. The prescribed minimum length of the service is condition for eligibility for promotion and does not confer a right to promotion. Where a senior person has not put in requisite service, the junior, as a rule, should not be considered even if he fulfills the requisite condition of length of service.

2. Even for Selection post, the persons shall be considered in the order of their seniority.

19. Selection posts and non-selection posts for promotion.

Posts in pay scale-19 and above are selection posts, promotion to which shall be made on the basis of selection on seniority-cum-merit, and posts in pay scale -18 and below are non – selection posts, promotion to which shall be made on the basis of seniority- cum- fitness.

Workers' Welfare Fund (Employees Service) Rules, 1997.

20. Promotion in certain posts subject to length of service.

1. No promotion shall be made to posts in pay scale-18 and above, unless the employee has completed the minimum length of service for promotion as is specified below:-

- | | | |
|------|---|--|
| i) | For promotion to posts in Pay Scale-18. | Five years service in Pay Scale-17. |
| ii) | For promotion to posts in Pay Scale-19 | Twelve years service in Pay Scale-17 and above of which at least seven years should be in Pay Scale -18 equivalent Position. |
| iii) | For promotion to posts in Pay Scale-20 | Seventeen years service in pay Scale-17 and above of which at least five years should be in pay Scale-19 or equivalent position. |
| iv) | For promotion to posts in Pay Scale-21 | Twenty-two years service in pay Scale-17 and above of which at least five years should be in pay Scale -20 or equivalent position. |

2. When initial appointment of a person, including a person who is already an employee of the Fund, takes place in a post in Pay scale – 18, 19 or 20, the length of service specified, in this sub-rule (1), shall be reduced by the following periods, namely:-

Initial appointment in	Reduced by
Pay Scale-18 	5 years.
Pay Scale-19 	12 years.
Pay Scale-20 	17 years.

3. When first appointment of a person, other than a person covered sub-rule (3) was made in a post in Pay Scale -16 or below, one half of the service in Pay Scale-16 and one-fourth of the service in Pay Scale -15 and below shall be counted as service, in Pay Scale-17 for computing length of service for the purpose of promotion only.

21. Training or examination on promotion.

Promotion to a Post shall be subject to undergoing such training or passing of such examination as may be specified by the Chairman in the case of promotion to posts in Pay Scale-19 and above, and by the Secretary in other cases.

22. Procedure for promotion.

1. Promotion to posts in Pay Scale -19 and above shall be made by appointing authority on the recommendation of the Selection Board.

Workers' Welfare Fund (Employees Service) Rules, 1997.

2. Promotion to posts in Pay Scale-18 and below shall be made, by the appointing authority, on the recommendations of the Selection Committee concerned.

3. Only such persons as possess the qualifications and meet the conditions, laid down for promotion in rules 18, 20 and 21 and Part-III of Appendix-2, shall be considered by the Selection Board or by the Selection Committee as the case may be.

4. The Selection Board or, as the case may be, the Selection Committee shall consider the cases of eligible employees for promotion to higher posts in order of seniority and either.

a) Recommend an employee for promotion to the next higher post; or

b) Recommend an employee, being on deputation outside the Fund, whether in Pakistan or abroad, for promotion, and if he is approved for promotion he shall be appointed formally (not actually) to the post in the higher scale so as enable him to occupy on his return the position which he would have occupied, had he not proceeded on deputation. He shall be allowed to count seniority and increment from the date of such promotion but the actual pay of the higher post should be given to him only when he assumes the duties of the higher post on his return, and the following shall be further guide-lines for Selection Committee/ Selection Board, namely:-

i) Annual performance evaluation reports shall be given due importance for promotion to selection posts;

ii) Performance evaluation as reflected in the annual performance evaluation reports will be quantified according to formula enunciated in the enclosed guidelines and weightage shall be given to more recent appointment;

iii) An employee once superseded for promotion shall be eligible for reconsideration only after he earns one more confidential report;

iv) The pane for promotion should comprise a minimum of two officers for each vacancy in grade 19 and of three officers for each vacancy in grade 20 or 21;

v) The minimum length of service required for promotion for various grade will continue to apply;

vi) An employee on deputation to a foreign government, international agency or a private organization abroad will be considered for promotion only his return to Pakistan. He shall be given intimation and asked to return to Pakistan before his case comes up for consideration for promotion in accordance with his seniority position. If he fails to return he will not be considered for promotion. Such an officer will have to earn at least one performance evaluation report after his return to Pakistan before he is considered for promotion. The clearance / approval already accorded in the past to promote a deputationist would lapse automatically if he fails to return on expiry of the deputation period already approved by the Competent Authority;

c) recommend an employee for supersession on the ground of his being unfit, for the time being, for such promotion; or

d) defer consideration, of the case of an employee, for promotion, for good and sufficient reasons, for instance, non-availability of one or more performance evaluation reports or other documents or information considered necessary for determining, his fitness for promotion, or deficiency in required length of service for promotion.

Workers' Welfare Fund (Employees Service) Rules, 1997.

5. An employee who has been superseded shall not be considered again unless he has earned one more performance evaluation report for full one year. An employee, whose case for promotion has been deferred, will be considered as soon as the reason, on the basis of which deferment took place, ceases to exist.

6. An employee shall be promoted to a post within his own cadre, and an employee who is posted outside his cadre will be considered for promotion on his turn and, if selected, he will be appointed formally (not actually) to the post in only when he resumes duty in his post, in the higher scale. However, the actual pay of the higher post will be given to him only when he resumes duty in his post, in the cadre to which he belongs or, as the case may be in the higher post in his cadre, to which his promotion has been approved, by the appointing authority.

PART IV APPOINTMENT ON DEPUTATION .

23. Procedure for appointment by deputation to the Fund.

1. Appointment on deputation to posts in the Fund may be made by the appointing authority in the interest of the Fund.

2. Civil servants. Federal or Provincial, and employees of the corporations or other autonomous bodies set up, managed or controlled by the Federal Government or, as the case may be, any Provincial Government or, as the case may be, any Provincial Government, holding appointment on regular basis, may, with the consent of the Federal Government or, as the case may be, of the Provincial Government or other authority concerned, here in after called the lending authority, be appointed by the appointing authority concerned an deputation to appropriate posts in the Fund for such periods and on such terms and conditions, as may be determined by appointing authority in consultation with the concurrence of the lending authority.

24. Procedure for appointment on deputation outside the Fund.

1. Appointment of an employee of the Fund on deputation to Federal or a Provincial Government, autonomous body, corporation or an organization may be allowed by the appointing authority subject to his satisfaction.

2. Employee will be relieved from his duty only when the terms and conditions regarding his deputation are settled between the Fund and the borrowing agency.

3. Promotion of an employee, during on deputation outside the Fund shall be governed under sub-rule 4 (b) of rule 22.

4. Employee shall continue to hold a lien during the period outside the Fund unless it is terminated due to his induction or absorption with the prior approval of the appointing authority in the borrowing agency.

5. The period of deputation shall be three years, extendible up to another period, the total period not to exceed five years. After expiry of this period, the employee shall either join back or shall forfeit his lien on his post in Fund.

PART V. ABSORPTION OF PERSONS ON DEPUTATION TO THE FUND.

25. Conditions for absorption of deputationist to the Fund.

1. A person serving on deputation to the Fund may be appointed to an equivalent Post or above, if competent authority so desires, on regular basis subject to the following conditions, namely

- i) the person, serving on deputation, applies in writing for or gives his consent to such absorption;
- ii) his parent office agrees to such absorption;
- iii) he possess the qualification laid down for initial appointment to the post in Part-II of Appendix 2 to these rules;
- iv) he, in the opinion of the appointing authority, is suitable for such absorption and is recommended by the Selection Board or, as the case may be, by the appropriate Selection Committee constituted in accordance with rule 12;
- v) for the purpose of absorption, he seeks retirement from his parent office, if he has completed the required service for retirement benefits, or, otherwise, fulfills such conditions as the competent authority may require to join the Fund; and
- vi) save as may otherwise be provided by rules, no benefit of his previous service shall be admissible for any purpose in the Fund as a right.

2. The appointment made in accordance with sub-rule (1) shall be treated as initial appointment and shall be made against a post reserved for initial appointment.

3. Nothing contained in this rule shall be construed to confer any right on such a person on deputation to the Fund to claim absorption in the Fund.

PART VI. PROBATION.

26. Appointment to be on probation.

1. Person appointed by initial appointment or by promotion shall be on probation for a period of one year.

2. The period of probation may be extended for a further period not exceeding one year.

27. Termination of probation period.

1. On successful completion of probation period, the appointing authority shall, by specific order, terminate the probation.

2. If no orders are issued under sub-rule (1) on the expiry of the first year of probation, the probation shall be deemed to have been extended for another one year under sub-rule (2) of rule 26.

3. In the absence of any order under sub-rule (1) but subject to the provision or rules 28 and 29 the period of probation shall, on the expiry of the extended period under sub-rule (2) of rule 26, be deemed to have been successfully completed.

28. Termination of service for unsatisfactory performance or failure.

Where in the opinion of the appointing authority conduct or performance of a person on probation has not been satisfactory, or where in respect of a post the satisfactory completion of probation includes the passing of a prescribed examination, test or successful completion of any course or training, a person appointed on probation to such a post who, before expiry of the probationary period of at least two years (inclusive the extended period of one year), has failed to pass such examination or test or successfully complete such course or training shall,

- a) If he was appointed to such post by initial appointment, be discharged ; or
- b) If he was appointed to such post by promotion, by reverted to the post from which he was promoted and arrangement made to fill his post form which he was promoted shall be consequently reversed.

29. Termination of probation in case of initial appointment subject to satisfactory character and antecedent.

Subject to rule to rule 26 in the case of initial appointment to a post, an employee shall not be deemed to have completed his period of probation satisfactory, until his character and antecedent have been verified as satisfactory in the opinion of the appointing authority.

PART VII. APPOINTMENT ON CONTRACT

30. Appointment on contract.

A person may be appointed on contract in Fund subject to such terms and conditions as specified in rule 31.

31. Terms and conditions of contract appointment.

i) Terms and conditions required for initial appointment on contract basis shall be as follow :-

- ii) Post . _____;
- iii) Place of posting . _____ or anywhere within or outside Pakistan as the competent authority may decide;
- iv) Period of contract.. .. (not exceeding two years) from the date of Assumption of charge;
- v) Pay Minimum of the relevant scale of pay, Annual increment shall be admissible as under the normal rules;
- vi) Allowances As admissible to corresponding civil servants. However, Qualification, Pay / Allowances, Senior Post Allowance and Orderly Allowance shall not be admissible in case these allowances were taken into account while calculating pension after retirement from previous service;
- vii) Traveling Allowance: As admissible to civil servants of the corresponding pay scale under the rules;

Workers' Welfare Fund (Employees Service) Rules, 1997.

- viii) Seniority: This contract appointment does not confer any right for being placed in the gradation / seniority list of the cadre / group to which the subject post belongs;
- ix) Leave As admissible under the Revised leave Rules, 1980 but provisions contained in rules 5 ©, 8, 11, 14, 16, 17, 18, 18A, 19, 27, 33, 34, 35, 36, and 39, shall not apply; All leave at credit will lapse on the termination of this contract;
- x) Medical Facilities As admissible to officers of the Federal Government, under the relevant rules;
- xi) Pension Service rendered under this contract shall not qualify for a pension or gratuity;
- Pension in respect of previous service, if any, shall continue to be drawn in addition to pay;
- xii) Contributory Provident Fund No contribution towards fund shall be required;
- xiii) Conduct and Discipline Rules made and instruction issued by the Government or competent authority as for civil servants under section 15 and 16 of the Civil Servants Act, 1973(LXXI of 1973), as amended from time to time, shall apply;
- xiv) Appeal Civil Servants (Appeal) Rules, 1977, as amended, from time to time shall apply;
- xv) Termination of contract The appointment during the period of contract shall be liable to termination on thirty days notice on either side, or payment of basic pay in lieu thereof, without assigning any reason;
- xvi) Whole time employment Posting and transfer Whole time of the contract appointee would be at the disposal of the Fund. He may be employed in any manner required by appropriate authority without claim for additional remuneration. He shall at all times obey the rules applicable for the time being for the regulation of the service or cadre to which the post in which he has been employed belongs;

Workers' Welfare Fund (Employees Service) Rules, 1997.

- xvii) Other matters in respect other matters not specified in the contract, the rules or regulations as applicable to Federal civil servant shall apply.

CHAPTER 4
SENIORITY

32. Seniority list.

For proper administration of a cadre or post, the appointing authority shall cause a seniority list of the members for the time being, of such cadre or post, to be prepared, but nothing here in contained shall be construed to confer any vested right to a particular seniority in such cadre or post.

33. Seniority on initial appointment.

Subject to rule 36, seniority of a person appointed by initial appointment, shall be reckoned from the date of regular appointment to the post;

Provided that

- i. Persons appointed on the basis of an earlier selection, shall rank senior to those appointed on the basis of a later selection; and
- ii. Persons appointed to a post on the basis of the same selection, shall take seniority in the order of merit and if no order of merit was determined, persons older in age shall be senior to those younger in age.

34. Seniority on promotion.

Subject to rule 36, seniority of a post, to which an employee is promoted, shall take effect from the date of regular appointment by promotion to the higher post;

Provided that an employee

- a) Selected for promotion to a higher post, on an earlier date shall be senior to those selected for promotion on a later date;
- b) Who is inadvertently omitted from consideration in the original reference to the Selection Board or Committee, when he is subsequently considered and approved, without being superseded he will take his seniority with the original batch ; and
- c) When in a single reference, the Selection Board or the Selection Committee, as the case may be, is asked to recommend more than one person and the recommendations of the Board or the Selection Committee are held up, in respect of one or more such persons, for want of complete papers or for reasons beyond the control of the person concerned, the recommendations of the Board or the Selection Committee, when subsequently made, will be deemed to have been made on the date when the recommendations in respect of the original batch were made;

Provided further that employees who are selected for selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

35. Inter-se seniority of employees appointed in a calendar year.

Subject to rule 36, employees appointed by promotion to posts, in a calendar year shall be senior as class to those appointed by initial appointment to such posts in that year.

36. Date of regular appointment of persons of one batch.

If two or more persons are selected for initial appointment or, as the case may be, for promotion in one batch, the earliest date on which a person of that batch assumes charge of the

Workers' Welfare Fund (Employees Service) Rules, 1997.

post, after approval of such appointment, by the appointing authority shall be deemed to be the date of regular appointment of all persons of that batch, for purpose of seniority only.

37. Seniority on the grant of Selection Grade.

Employees, who are granted Selection Grade, of post held by them, shall as a class, be senior to those in the ordinary grade of that post;

Provided, that employees selected for the grant of Selection Grade, on an earlier date shall be senior to those selected for the grant of Selection Grade on a later date and employees who are selected for the grant of Selection Grade in one batch shall on the grant of Selection Grade retain their inter se seniority, as in the ordinary grade.

Explanation. Ordinary grade of a post means the Pay Scale in which the post is classified, as specified in column 1 of the table given in Appendix 2 to these rules relating to cadre concerned.

CHAPTER 5

CONDUCT

38. Employee to abide by rules of the Fund.

An employee shall abide by rules of the Fund and obey the orders issued by the proper authority including the authority under whose jurisdiction and supervision he is for the time being placed.

39. Employee to inform if involved or convicted in a criminal case.

If an employee is involved in a criminal case or is convicted, he shall bring the fact of such involvement or conviction, as the case may be, to the notice of Secretary immediately or as soon as possible.

40. Un-authorized communication of official documents of information.

No employee shall, except in accordance with any special or general order of the Secretary, communicate directly or indirectly any official document or information to an employee not authorized to receive it, or to a non-official person, or to the press.

41. Member of the Parliament or Assembly not to be approached.

No employee shall directly or indirectly, approach any member of the National Assembly or Senate or a Provincial Assembly, or any other non-official person to intervene on his behalf in any matter relating to the terms and condition of service.

42. Radio broadcast or television programme and communications to the press.

No employee shall, except with the previous sanction of the Secretary, or in the bona fide discharge of his duties, participate in a radio broadcast or television programme or contribute any article or write any letter, either anonymously or in his own name or in the name of any other person, to any newspaper or periodical;

Provided that such sanction shall generally be granted if such broadcast or television programme or such contribution or lesson is not, or may not be considered, likely to jeopardize the integrity of the employee, the security of Pakistan or its friendly relations with foreign states, or to offend public order, decency or morality, or to amount to contempt of court. Defamation or incitement to an offence:

Provided further that no such sanction shall be required, if such broadcast or television programme or such contribution or letter is of a purely literary, artistic or scientific character.

43. Employee not to take part in politics or election.

1. No employee shall take part in, subscribe in aid of or assist in any way, any political movement in Pakistan or relating to the affairs of Pakistan.

2. No employee shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body, whether in Pakistan or elsewhere:

Provided that an employee, who is qualified to vote at an election, may exercise his right to vote; but if he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

44. Employees not to express view against ideology of Pakistan.

No employee shall express views detrimental to the ideology or integrity of Pakistan.

45. Use of political or other influence.

Workers' Welfare Fund (Employees Service) Rules, 1997.

No employee shall bring or attempt to bring political or other outside influence, directly or indirectly to bear on the Governing Body or any employee or on Government or any government servant, in support of any claim arising in connection with his employment as such or in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of an employee.

46. Employees not to keep contact with foreign missions.

An employee shall not approach or keep contact with a foreign mission in Pakistan except for reason related to official work with prior permission of the Secretary.

47. Employees not to approach a higher authority without permission.

An employee shall not approach, either in person or in writing, any higher authority outside the Fund without obtaining prior permission of the Secretary.

48. Employee not be absent from the place of duty without permission.

An employee shall not be absent from the place of his duty without prior permission of the authority competent to grant him leave.

49. Employee to promote interest of the Fund.

An employee shall make utmost endeavour to promote the interests of the Fund and shall not do any thing to detrimental to its image.

CHAPTER 6

DISCIPLINE, CRIMINAL CHARGES

PART I. DISCIPLINE

50. Authority and Authorized officer.

1. Authority means the Governing Body or an officer designated by the Governing Body to exercise the powers of the authority under these rules.
2. Authorized officer, means an officer, authorized by the authority to perform function of an authorized officer, under these rules or if no officer is so authorized the authority.

51. Authority.

The following officers are designated as 'authority' in terms of sub-rule (1) of rule 51 for employees of the Fund, namely:-

- i. For officers in pay-scale-19 **Chairman.**
- ii. For employees in pay-scale -18 and below **Secretary.**

52. Grounds of penalty.

1. When an employee in the opinion of the authority or, as the case may be, the authorized officer.

- i) is guilty of misconduct; or
- ii) is corrupt or may reasonably be considered corrupt because.
 - a) he is or any of his dependents, or any other person through him or on his behalf, is in possession of pecuniary resources or property disproportionate to his known sources of income and for which he cannot reasonably account for ;
 - b) he has assumed a style of living beyond his ostensible means of income;
 - c) he has committed theft, fraud, misappropriation or dishonesty in connection with official business or property; and
 - d) of accepting or offering bribes or any illegal gratification; and
- iii) is engaged, or is reasonably suspected of being engaged, in subversive activities, or is guilty of disclosure of official secrets to any un-authorized person and his retention in service is, therefore, prejudicial to the national security or the security of the Fund the authority or, as the case may be, the authorized officer, may impose on him one or more penalties in accordance with these rules.

2. For purposes of sub-rule (1) misconduct means conduct prejudicial to good order or service discipline or contrary to rules in Chapter 5 (Conduct) or unbecoming of an officer without prejudice to the foregoing, includes.

- i) Willful in subordination or disobedience of a reasonable or official order of his superior;
- ii) Willful damage or loss to office property;
- iii) Habitual late attendance and unauthorized absence;
- iv) Absence without leave which the employee is unable to explain to the satisfaction of the authority competent to grant him leave;
- v) Striking work or inciting other to strike work in contravention of the law;
- vi) Disorderly behavior, within office premises;

Workers' Welfare Fund (Employees Service) Rules, 1997.

- vii) Misleading the management or the officer concerned with the matter by providing wrong information to gain some advantage in service;
- viii) Favoritisms or nepotism in discharge of official work or responsibility; and
- ix) Indiscipline, breach of any order, and violation of any rule, rule or procedure of the Fund.

53. Penalties.

1. The following are the minor and major penalties, namely

a) Minor penalties.

- i) Censure;
- ii) Withholding, for a specified period, promotion or increment, otherwise than for unfitness for promotion or financial advancement;
- iii) Recovery from pay, of the whole or any part of any pecuniary loss, caused to the Fund by negligence or breach of orders;

b) Major penalties.

- i) reduction to a lower post or pay scale or to a lower stage in a pay Scale;
- ii) compulsory retirement from service;
- iii) removal from service; and
- iv) dismissal from service;

3. Compulsory retirement or removal from service does not but dismissal from service does disqualify for future employment.

1. In this rule, compulsory retirement, removal or dismissal from service does not include the discharge of a person.

- i) Appointed on probation, during the period of probation or in accordance with the probation or training rules and rules applicable to him;
- ii) Appointed to hold a temporary appointment or a post otherwise than under a contract, on the expiry of the period of such appointment; or
- iii) Appointed on contract, in accordance with the terms of the contract.

54. Circumstances in which an employee may be suspended or required to proceed on leave.

In case an employee is accused of misconduct, corruption or subversion, the authorized officer may require him to proceed on leave or, with the approval of the authority, suspend him:

Provided that any continuation of such leave or suspension beyond three months on each occasion shall require approval of the authority.

55. Subsistence grant, allowances and facilities during suspension.

An employee under suspension shall be entitled to full amount of his salary and all other benefits and facilities, provided to him immediately before suspension, during the period of his suspension.

56. Rejoining of an employee required to proceed on leave and reinstatement of a suspended employee.

Workers' Welfare Fund (Employees Service) Rules, 1997.

1. If an employee who proceeded on leave in pursuance of an order under rule 54 is not compulsorily retired. Removed or dismissed from service, he shall be required to rejoin duty under the order of the competent authority and the period of such leave shall be treated as duty on full pay.

2. If an employee who was suspended in pursuance on an order passed under rule 54 is not compulsorily retired, removed or dismissed from service or is not reduced to a lower post or pay scale, he shall be reinstated by the order of the competent authority. If the employee is not found guilty of any charge. The period of suspension shall be treated as duty on full pay plus such allowances, other than the allowances paid to him during suspension in accordance with rule 55 of which he was in receipt of immediately before suspension. If the employee is found guilty of any charge, but is not compulsorily retired, removed or dismissed from service, the competent authority may grant to him such proportion of such pay and allowances , other than the allowances paid to him during suspension in accordance with rule 55, which he was in receipt of immediately before his suspension, as may be specified by the competent authority and in such a case, the period of suspension shall not be treated as duty unless the competent authority so directs.

Explanation. In this rule, competent authority means the authority or, as the case may be, the authorised officer, who passes the final order in the case.

57. Procedure for disciplinary action.

1. The authorized officer shall decide whether in the light of facts of the case or the interests of justice and inquiry should be conducted through an inquiry officer or an inquiry committee, and if he so decides the procedure indicated in sub-rules (3) and (4) shall apply.

2. If the authorized officer decides that it is not necessary to have an inquiry conducted through an inquiry officer or an inquiry committee, he shall by order in writing inform the accused of the action proposed to be taken in regard to him and the grounds of the action and give him a reasonable opportunity at showing cause against that action:

Provided that no such opportunity shall be given where the authorized officer is satisfied that in the interest of the security of Pakistan or any part there of it is not expedient to give such opportunity.

3. Where the authorized officer decides that an inquiry should be conducted he shall;

- a) Appoint an inquiry officer, senior in rank to the accused or an inquiry committee consisting of members senior in rank to the accused.
- b) Frame a charge and communicate it to the accused together with statement of allegations under his signature, explaining the charge and stating any other relevant circumstances which are proposed to be taken into consideration and supply a copy at the same time to the inquiry officer or , as the case may be, to the inquiry committee.
- c) Require the accused to put in a written defence within a reasonable time which shall not be less than seven days form the day the charge has been communicated to him and state at the same time whether he desires to be heard in person.

4. The inquiry officer or, as the case may be, the inquiry committee shall inquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and the accused shall be entitled to cross examine the witnesses against him. The inquiry officer or, as the case may be, the committee shall hear than case form day to day and no adjournment shall be granted except for reasons to be recorded in writing and for a period not exceeding seven days, where the inquiry officer or, as the case may be the inquiry committee is satisfied that the accused is hampering or attempting to

Workers' Welfare Fund (Employees Service) Rules, 1997.

hamper the progress of the inquiry, he or it shall administer a warning and if there after he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the inquiry in such manner as he, or it thinks best suited to do substantial justice. The inquiry officer or, as the case may be the inquiry committee shall, on conclusion of inquiry submit his, or its, finding and the grounds thereof to the authorized officer.

5. On receipt of the report of the inquiry officer or the inquiry committee or, where no such officer or committee is appointed, on receipt of the explanation of the accused, if any, the authorized officer shall give a personal hearing to the accused, if he asked to be heard in person. After the hearing, if any, the authorized officer shall determine whether the charge has been proved. If an inquiry was held, the authorized officer, after he has considered the report and arrived at a provisional conclusion as to the penalty to be imposed supply to the accused a copy of the inquiry report and ask him to show cause within a specified time which shall not ordinarily exceed fourteen days against the particular penalty to be imposed and any representation, submitted by the accused in this behalf, shall be taken into consideration, before final orders are passed. If the charge is proved, and it is proposed to impose a minor penalty, the authorized officer shall pass order accordingly. If it is proposed to impose a major penalty, he shall, forward the case to the authority along the charge and statement of allegations served on the accused, the findings of the inquiry officer or the inquiry committee, if appointed, and his own recommendations regarding the penalty to be imposed. The authority shall pass such orders, as it may deem proper.

6. A copy of the final order passed by the authority or, as the case may be, the authorized officer shall be delivered to the employee concerned and also kept in his personal file.

Explanation The 'accused' means an employee against whom action is taken under these rules.

58. Power of the inquiry officer and inquiry committee.

For the purpose of an inquiry, under these rules, the inquiry officer and the inquiry committee shall have the powers of a Civil Court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters, namely:-

- i. Summoning and enforcing the attendance of any person and examining, him on oath;
- ii. Requiring the discovery and production of documents; and
- iii. Issuing commission for the examination of witnesses and documents.

59. Rule 57 not to apply in certain cases.

Nothing in rule 57 shall apply to a case

- a) Where the accused is compulsorily retired, removed or dismissed from service or reduced to a lower post or pay scale on the ground of conduct which has led to a sentence or fine or imprisonment; or
- b) Where the authority is satisfied that, for reasons to be recorded in writing, it is not reasonably practicable to give the accused an opportunity of showing cause.

PART II. COMMITTAL TO PRISON AND PENDENCY OF A CRIMINAL CHARGE.

60. Suspension on committal to prison,

1. An employee committed to prison, either for debt or on a criminal charge, shall be considered under suspension from the date of his arrest, and not allowed to draw any pay until the termination of the proceedings against him, when an adjustment of his pay and allowance shall be made, with the approval of the competent authority according to the circumstances of the case.

Workers' Welfare Fund (Employees Service) Rules, 1997.

2. The full amount being given only in the event of the officer being acquitted of the blame or, if the imprisonment was for debt, of its being proved that the employee's liability arose from circumstances beyond his control.

61. Pendency of a criminal charge.

1. An employee, including an employee released on bail, against whom a criminal charge or a proceeding for arrest for debt is pending, shall also be placed under suspension by the competent authority by the issue of specific order to this effect, during the period or periods, when he is not actually detained in custody or imprisoned, if the charge made or proceeding taken against him, is connected with his position as an employee, or is likely to embarrass him, in the discharge of his duties or involves moral turpitude.

2. In regard to his pay and allowances, the provisions in rules 61 shall apply.

62. Competent authority.

For purposes of rules in this chapter, the competent authority shall be

- a) The Chairman in case of employees in pay Scale-19 and above; and
- b) The Secretary, in the case of employees in pay Scale-18 and below.

CHAPTER 7

RECORD OF SERVICE

63. Record of service of each employee to be maintained.

A record of service of each employee shall be kept in such form as the Secretary may determine, every step in an employee's official life should be recorded in his record be service and attested by the Secretary or an officer authorized by him in his behalf, and the entries shall contain no erasures or over-writings .

64. Personal files to be maintained.

1. A personal file for each employee shall be maintained in which all papers relating to his service including verification of antecedents form, duly verified and authenticated pay, leave record, orders and notifications shall be kept.

2. The personal file shall be page-numbered in ink and kept in safe custody.

3. The Secretary shall be responsible for the maintenance of personal files of all the employees.

65. Date of birth.

1. Every person newly appointed to a post in the Fund, at the time of his appointment shall declare the date of his birth, by the Christian era, with, as far as possible, confirmatory documentary evidence such as matriculation certificate or municipal birth certificate.

2. If an employee is unable to state his exact date of birth, but can state the year or the year and month of his birth first July or the sixteenth day of the month, respectively, may be treated as his date of birth.

3. If the employee is only able to state his approximate age, his date of birth may be assumed to be the corresponding date arrived at, by deducting the number of years representing his age, from the date of appointment.

4. The actual date or the assumed dated of the employee determined under sub-rule (2) or (3), as the case may be, shall be recorded in his service record and properly attested.

5. Once entered, the date of birth shall be altered without the prior approval of the Secretary.

CHAPTER 8.

LEAVE, CASUAL LEAVE

PART I. LEAVE

66. When leave earned.

All service rendered by an employee qualifies to earn leave in accordance with these rules, but shall not be earned during the period of leave.

67. Earning and accumulation of leave.

1. An employee shall earn leave only on full pay, which shall be calculated at the rate of four days for every calendar month of the period of duty rendered and credited to the leave account as "Leave on Full Pay" and duty period of fifteen days or less in a calendar month being ignored and those of more than fifteen days being treated as a full calendar month for the purpose.

2. If an employee proceeds on leave during a calendar month and the period of duty in either month is more than fifteen days, the leave to be credited for both the incomplete months shall be restricted to that, admissible for one full calendar month only.

3. There shall be no maximum limit, on the accumulation of such leaves.

68. Leave on full pay.

The maximum period of leave on full pay, that may be granted at one time shall be as follows:-

i.	Without medical Certificate	...	..	120 days;
ii.	With medical certificate	...	..	180 days; and
iii.	On medical certificate from leave account in entire service.			
		..	..	365 days.

69. Leave on half pay.

1. Leave on half pay may, at the option of the employee, be converted into leave on half pay, the debit to the leave account, shall be at the rate of one day of the former, for every two days of the latter, fraction of one half counting as one full day's leave on full pay.

2. The request for conversion of leave, referred to in sub-rule (1), shall be specified by the employee in his application for the grant of leave.

3. There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.

70. Leave to be applied in terms of days.

Leave shall be applied for expressed and sanctioned, in terms of days.

71. Extraordinary leave (leave without pay).

1. Extraordinary leave, without pay may be granted to a maximum period of five years at a time provided that the employee to whom such leave is granted has been in continuous service for a period of not less than ten years, and up to the maximum of two years in case an employee has not completed ten years of continuous service but has been in continuous service more than five years, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the Secretary.

2. Extraordinary leave up to maximum period specified under sub-rule (1), may be granted, subject to the conditions stated therein, irrespective of the fact whether an employee is a permanent or temporary employee.

72. Recreation leave.

Recreation leave may be granted for fifteen days once in a calendar year, the debit to the leave account shall be for ten days leave on full pay.

73. Leave not due.

1. Leave not due may be granted on full pay, to be off-set against leave to be earned in future, for a maximum period of three hundred and sixty five days in the entire period of service subject to the condition that during the first years of service it shall not exceed ninety days in all.

2. Such leave may be converted into leave on half pay.

3. Such leave shall be granted only when there are reasonable chances of the employee's resuming duty on the expiry of the leave.

4. Such leave shall be granted sparingly and to be satisfaction of the sanctioning authority but it shall not be admissible to temporary employees.

74. Idaat leave.

1. A female employee, on the death of her husband, shall be granted idaat leave on full pay, when applied, for a period not exceeding one hundred and thirty days.

2. Such leave shall not be debited to her leave account.

3. Such leave shall commence from the date of death of her husband and for this purpose she will have to produce death certificate issued by the competent authority either along with her application for idaat leave or, if that is not possible, the said certificate may be furnished to the leave sanctioning authority separately.

75. Maternity leave.

1. Maternity leave may be granted on full pay, outside the leave account, to a female employee to the extent of ninety days in all from the date of its commencement of forty-five days from the date of her confinement, whichever is earlier.

2. Such leave may not be granted for more than three times in the entire service of a female employee.

3. For confinements beyond the third one, the female employee would have to take leave her normal leave account.

4. Maternity leave may be granted in continuation of, or in combination with, another kind of leave including extraordinary leave as may be due and admissible to a female employee.

5. Leave salary shall be paid during maternity leave, and it shall remain unaffected even if an increment occurs during such leave and the effect of such an increment shall be given after the expiry of maternity leave.

76. Disability leave.

1. Disability leave may be granted, outside the leave account on each occasion, up to a maximum of seven hundred and twenty days on such medical advice as the Secretary may consider necessary, to an employee other than an employee in part-time or contract or adhoc service or a probationer, disabled by injury, ailment or disease contracted in course or in consequence of duty or official position.

2. The leave salary during disability leave shall be equal to full pay for the first one hundred and eighty days and on half pay of the balance period.

77. Leave ex-Pakistan.

Workers' Welfare Fund (Employees Service) Rules, 1997.

1. Leave ex-Pakistan may be granted on full pay to an employee who applies for such leave or who proceeds abroad during leave, or takes leave while posted abroad, or is otherwise on duty abroad, and makes a specific request to that effect.

2. Such leave salary shall be payable for the actual period of leave spent abroad subject to maximum of one hundred and twenty days at a time.

3. Leave salary shall be drawn in Pakistan irrespective of the country where leave is spent.

4. Leave ex-Pakistan shall not be allowed to an employee suspended or against whom disciplinary action has been initiated or any inquiries have been ordered.

5. Leave ex-Pakistan shall be subject to the same limits and conditions as are specified in rules 68, 69, 70 and 72.

6. Leave ex-Pakistan shall only be granted by the Chairman.

78. Special leave.

1. Special Leave may be granted on full pay to an employee who remain away from his duty to work as Khuddam during Hajj in Saudi Arabia.

2. Such leave shall not be debited to the leave account of the employee.

3. Special leave may be allowed to such employee who applied for employment as Khuddam through proper channel.

4. Special leave may be allowed for such a period for which the employee has been employed as Khuddam.

5. Special leave shall be allowed subject to production of employment order as Khuddam with the application for such leave.

6. Special leave may be taken with or in combination with other leaves mentioned in this chapter except mentioned in rules 74, 75, 76, and 79.

7. Special leave shall only be granted by the secretary.

79. Leave preparatory to retirement.

1. The maximum period up to which an employee may be granted leave preparatory to retirement shall be three hundred and sixty-five days.

2. Such leave may be taken, subject to availability, either on full pay, or partly on full pay and party on half pay, or entirely on half pay at the discretion of the employee.

80. Encashment of refused leave preparatory to retirement.

1. If in case of retirement on superannuation or voluntary retirement on completion of thirty years qualifying service an employee cannot for, reasons of public service, be granted leave preparatory to retirement duly applied for in sufficient time, he shall in lieu there of be granted lump sum leave pay for the leave refused to him subject to a maximum of one hundred and eighty days leave on full pay.

2. Such leave can be refused partly and sanctioned partly but the cash compensation shall be admissible for the actual period of such leave so refused not exceeding one hundred and eighty days.

3. Thee payment of leave pay in lieu of such refused leave, may be made to the employee either in lump sum at the time of retirement, or may, at his option, be drawn by him month-wise for the period of leave so refused.

4. For the purpose of lump sum payment, in lieu of such leave, only the "Senior Post Allowance" shall be included in "leave pay" so admissible.

Workers' Welfare Fund (Employees Service) Rules, 1997.

5. In case an employee on leave preparatory to retirement dies before completion of one hundred and eighty days of such leave, his family shall be entitled to lump sum payment equal to the period falling short of one hundred and eighty days.

81. Power to refuse leave preparatory to retirement.

1. Ordinarily, leave preparatory to retirement shall not be refused.

2. All orders refusing leave preparatory to retirement to an employee and recalling employee from leave preparatory to retirement shall be passed only by the following authorities, namely:-

- | | | |
|-----|--------------------------------|---------------|
| i) | For employees BPS-19 and above | Chairman; and |
| ii) | For employees BPS-18 and below | Secretary. |

82. Encashment of leave preparatory to retirement.

1. An employee may fifteen months before the date of superannuation or on thirty years qualifying service, at his option, be allowed to encash his leave preparatory to retirement if he undertakes in writing to perform duty in lieu of the whole period of three hundred and sixty five days or lesser period which is due and admissible.

2. If an employee does not exercise his option subject to sub-rule (1) then it shall automatically be understood that he has exercised his option for encashment.

3. In lieu of such leave, leave pay may be claimed for the actual period of such leave subject to a maximum of one hundred and eighty days.

4. If at any time, during such period, leave is granted on account of ill health, supported by medical certificate or for performance of Hajj, the amount of cash compensation on account of leave pay shall be reduced by an amount equal to the leave pay for half the period of leave so granted, for example, if an employee who has opted for encashment of such leave, has taken sixty days leave, his cash compensation equal to thirty days leave shall be forfeited.

5. The employee shall submit the option to the authority competent to sanction leave preparatory to retirement, which shall accept the option and issue formal sanction for the payment of cash compensation.

6. For the purpose of payment in lieu of such leave:

- i) The rate of leave pay shall be the rate admissible at the time the leave pay is drawn;
- ii) The leave pay may be drawn at any time for the period for which duty has already been rendered; and
- iii) Only the "Senior Post allowance" shall be included in the leave pay as admissible.

83. In-service death, etc.

1. In case an employee dies, or is declared permanently incapacitated for further service, a lump sum payment equal to leave pay up to one hundred and eighty days, out of leave at his credit, shall be made to his family, or, as the case may be, to the employee.

Explanation. For sub-rule (1), "Family" means widow or widows, real sons and daughters amongst whom the lump sum payment shall be distributed according to the religion or fiqh of the deceased employee as declared in his nomination paper placed in his personal file or record at the time of his employment.

2. For the purpose of lump sum payment under sub-rule (1), only the "Senior Post Allowance" shall be included in the "leave Pay" as admissible.

84. Reasons need not be specified, etc.

Workers' Welfare Fund (Employees Service) Rules, 1997.

1. It shall not be necessary to specify the reasons for which leave has been applied so long as that leave is due and admissible to an employee.

2. Leave applied for, on medical certificate, shall not be refused provided that the authority competent to sanction leave may, at its discretion secure a second medical opinion, by requesting the Medical Officer or Medical Board, as the case may be, to have the applicant medically examined.

Explanation. For the purpose of sub-rule (2), Medical Officer or Medical Board, as the case may be, shall be as is appointed by the Secretary.

85. Leave when starts and ends.

Leave may commence from the day following that on which an employee hands over the charge of his post and may end on the day preceding that on which he resumes duty.

86. Recall from leave etc.

1. If an employee is recalled to duty compulsorily with the prior approval of the Secretary from leave of any kind, that he is spending away from his headquarters, he may be granted a single return fare plus daily allowance as admissible on tour from the station where he is spending his leave to the place where he is required to report for duty.

2. In case the employee is recalled to duty at headquarters and his remaining leave is cancelled, the fare then admissible shall be for one way journey only.

87. Overstay after sanctioned leave, etc.

1. Unless the leave of an employee is extended, by the authority competent to sanction the same, an employee, who remains absent after the end of his leave shall not be entitled to any remuneration for the period of such absence and without prejudice to any disciplinary action that may be taken against him, double the period of such absence shall be, if debited, against his leave account.

2. Such debit shall, if there is insufficient credit in the leave account, be adjusted against future earning.

88. Any type of leave may be applied.

An employee may apply for any type of leave which is due and admissible to him and it, shall not be refused on the ground that another type of leave should be taken in the particular circumstances, for example, an employee may apply for extra-ordinary leave or leave on half pay, even if leave on full pay is otherwise due and admissible to him, or he may proceed on extra-ordinary leave followed by leave on half pay and full pay rather than on full pay, half pay, and without pay.

89. Combination of different types of leave etc.

One type of leave may be combined with joining time or with any other type of leave otherwise admissible to the employee:

Provided that leave preparatory to retirement shall not be combined with any other kind of leave. Provided further that special leave shall be combined with any other kind of leave subject to sub-rule (6) of rule 78.

90. Employee on leave not to join duty without permission before its expiry.

Unless he is permitted to do so by the authority which sanctioned his leave, an employee on leave may not return to duty before the expiry of the period of leave granted to him.

91. Leave due may be granted on abolition of post, etc.

1. When a post is abolished, leave due to the employee, whose services are terminated in consequence thereof, shall be granted without regard to the availability of a post for the period of leave.

Workers' Welfare Fund (Employees Service) Rules, 1997.

2. The grant of leave in such cases shall, so long as he does not attain the age of superannuation, be deemed automatically to have also extended the duration of the post and the tenure of its incumbent.

92. Manner of handing-over charge when proceeding on leave etc.

1. An employee proceeding on leave shall hand-over the charge of his post and if he is in **BPS-16** or above, he shall, while handing over charge of the post, sign the charge relinquishment report.

2. If leave ex-Pakistan has been sanctioned on medical grounds, the employee shall take abroad with him a copy of the medical statement of his case.

93. Assumption of charge on return from leave, etc.

1. An employee, on return from leave, shall report for duty to the authority that sanctioned the leave and assume charge of the post to which he is directed by that authority unless such direction has been given to him in advance.

2. In case he is directed to take charge of a post at a station other than that from where he proceeded on leave, travel expenses as on transfer shall be payable to him.

94. Leave to lapse when employee quits service.

All leave at the credit of an employee shall lapse when he quits service.

95. Pay during leave.

1. An employee is entitled of leave pay during leave on full pay equal to his pay drawn by him before proceeding on leave.

2. When leave on half pay is taken, the amount calculated under sub-rule (1) shall be halved.

3. An employee shall be entitled to the leave pay at the revised rate of pay if a general revision of pay of employee takes place or an annual increment occurs during the period of leave of the employee.

96. Leave cannot be claimed as of right.

Leave cannot be claimed as a right, when the exigencies of service or official business or interests so require, the discretion to refuse is reserved to the authority empowered to grant it.

97. Authorities competent to grant leave.

The authorities competent to grant leave shall be:-

- a) For employees BPS-19 and above Chairman; and
- b) For employees BPS-18 and below Secretary.

98. Application and sanction for leave.

1. An application for leave or for an extension of leave must be made in writing to the authority competent to sanction leave and should be submitted through the immediate officer-in-charge.

2. A report on the admissibility of leave shall be obtained before leave is sanctioned.

3. An employee shall not proceed on leave until it has been formally sanctioned and communicated to him:

Provided that if, in circumstances beyond his control, it was not possible to obtain previous sanction, the leave may be sanctioned if the authority competent to sanction leave is satisfied that it was not possible for the employee to obtain previous sanction.

99. Leave not admissible during suspension.

Leave shall not be granted to an employee under suspension

PART II. CASUAL LEAVE

100. Casual leave technically not absence from duty.

Casual leave is not recognized and is not subject to any rule and technically, therefore, an employee on casual leave is not treated as absent from duty, and his pay is not intermitted and casual leave must not be given so as to cause evasion of the rules or orders regarding:-

- i) Date or reckoning pay and allowances;
- ii) Charge of office;
- iii) Commencement and end of leave; and
- iv) Return to duty.

So as to extend the term of leave beyond the time admissible by rules.

101. Maximum amount of casual leave in a year.

1. Casual leave shall be admissible for the maximum period of twenty days in a calendar year.
2. Casual leave at one time shall not ordinarily exceed fifteen days except with the approval of the Secretary.
3. In the case of appointment to a post in the second half of the calendar year, the maximum limit of twenty days shall be reduced to ten days.
4. Casual leave not taken during the year shall lapse at the end of the year.
5. Casual leave may be taken with, or in combination with any other kind of leave as mentioned in this chapter except with the leave mentioned in the rule 73.
6. Recreation leave may be granted for fifteen days from casual leave account by debiting ten days to it once in year.

102. Casual leave ex-Pakistan.

The Secretary may permit an employee to avail himself of casual leave ex-Pakistan in special circumstances subject to the condition that the maximum limit of twenty days is not exceeded.

103. Authorities competent to sanction casual leave.

The casual leave shall be sanctioned by the authorities specified in rule 97.

CHAPTER 9

PAY AND ALLOWANCES.

104. Grades.

1. The pay scales, named grades, applicable to posts in the Fund or as the case may be, are given in Appendix-3 to these rules.

2. The Governing Body may adopt the pay scales of the Federal Government, or revised by the Federal Government, from time to time for its employees.

105. Classification of posts.

Each sanctioned post, in the Fund, shall be classified into one of the pay scales.

106. Authority competent to fix pay.

The fixation of pay shall be within the competence of the appointing authority or an officer authorized by it in this behalf.

107. Fixation of pay on initial appointment.

Pay on initial appointment of a person to a post shall be fixed at the minimum of the pay scale:

Provided that premature increments, up to six may be granted by the appointing authority on the recommendations of the Selection Board or, as the case may be, the appropriate Selection Committee for good and sufficient reasons including exceptional qualification and experience relevant to the job, and the reason or reason, for which premature increments are granted, shall be recorded by that authority.

108. Fixation of pay on promotion.

If an employee is appointed by promotion to a higher post, or if he is granted selection grade of the post held by him, his pay shall be fixed, at the stage next above his pay in respect of the lower post or the pay scale:

Provided that if such a stage gives a pay increase equal to or less than a full increment in the higher pay scale, the pay shall be fixed after allowing a premature increment in the pay scale of the higher post;

Provided further that in the case of an employee who is promoted to a higher post carrying same pay scale which he has already reached by way of move-over or by the selection grade, the pay shall be fixed at the next stage and after allowing one premature increment over the stage which he had reached by way of move-over or by selection grade but not beyond the maximum of the pay scale of the higher post to which he has been promoted.

109. Annual increment.

1. An increment shall be drawn as a matter of course unless it is withheld as a penalty under these rules.

2. The annual increment in the pay scale shall accrue on the first day of the month of December following the completion of at least six months of such service, at the relevant stage as counts for increment.

110. Move-over to the next higher scale.

1. An employee in grade -19 and below who has reached the maximum of his pay scale, and cannot be promoted for want of vacant post in the higher scale, shall be considered for move-over to the next higher scale from the first day of the month of December of the year following the year following the year in which he completes one year of such service at the maximum of the scale as counts for increment in accordance with and subject to the conditions laid down in this rule.

Workers' Welfare Fund (Employees Service) Rules, 1997.

2. The move-over shall be granted with the approval of the Chairman on the recommendations of the Selection Board in the case of move –over to grade 19 and grade 20, the move-over to grade-18 and below shall be granted with the approval of the Secretary on the recommendations of the Selection committee.

3. An employee shall fulfill the following conditions for move-over to the higher grade, namely:

- i) He should be holding the post on regular basis;
- ii) The annual performance evaluation reports of the employee for the last five years, inclusive of the year preceding and first December on which move-over is due, are free from adverse remarks, and for move-over to grade 17 are good for at least one year, for move-over to grade 18 and 19 are good for at least two years and for move-over to grade 20 are good for at least three years.
- iii) No penalty has been imposed on him during the aforesaid period of five years;
- iv) He has not reached his the present pay scale by move-over;

4.

- a) Employee of the Fund on deputation will be considered for move-over to next grade on the recommendation of the Selection Board, or, as the case ma be, the Selection Committee; and
- b) The borrowing Government or the organization shall be informed that the employee on deputation with them may be allowed move-over from the date as recommended by the Selection Board or the Selection Committee, as the case may be.

5. The committee may defer the consideration of a case:-

- a) If the employee is on long leave or is under suspension or a disciplinary action is pending against him; or
- b) His annual confidential report dossier is incomplete or some other information required for the case is wanting.

Where a case is deferred, it shall be considered as soon as the reason for which deferment took place ceases to exist, if the employee is subsequently allowed move-over it shall be allowed with immediate effect in cases covered by clause (a) of sub-rule (4) and the qualifying period from the date the move-over was due shall count towards increment in fixation of pay and if the case was postponed under clause (b) of sub-rule (4), and the employee is subsequently allowed move-over it shall be allowed from the date the move-over was due.

6. The move-over shall not be construed to be promotion to the higher grade but the higher grade shall be treated as an extension of his existing grade and the allowances and the fringe benefits attached to the post carrying the higher grade shall not be admissible.

7. The pay of an employee who is allowed move-over shall be fixed at the stage next above his existing pay in the lower grade, and no premature increment shall be admissible.

8. The house rent allowance shall be admissible on the basis of the grade to which the post originally belongs and there shall be no change in the rental ceiling either.

9. Two successive move-overs shall not be allowed in the same post.

10. In matters not covered by preceding sub-rules, the orders add instruction issued by the Federal Government for Civil servants and approved by the Chairman for adoption shall be followed.

111. Additional pay.

1. where the additional charge of a vacant post is entrusted in its entirety, with the approval of the appointing authority, to another employee holding an equivalent post, the employee may be granted a special pay of twenty percent of his pay subject to the maximum of one thousand and one hundred rupees for the actual period of additional charge for the period not exceeding six months.

2. An employee, who is given with the approval of the Secretary, current charge of a higher post in addition to his own duties, shall be allowed pa in his own grade plus a special pay equal to twenty percent of his pay subject to the maximum of one thousand and one hundred rupees.

3. The additional charge under sub-rule (1) and (2) shall not be allowed for a period of less than thirty days or more than six months, and the vacancy shall be filled before expiry of six months.

112. Grant of honorarium.

The Chairman in the case of employees in grade 20 and above and the Secretary in the case of employees grade 19 and below may grant honorarium to employees from the revenues of Fund as remuneration for work performed which is occasional in character and either so laborious or of such special merit as to justify a special reward.

113. Allowances and perquisites.

The allowances, including overtime allowance and perquisites shall be admissible to employees on the rates and conditions as specified in Appendix-4 to these rules.

114. Selection grade to the next higher scale.

1. Thirty three percent of the total available posts in grade -17 and below shall be kept in the respective next higher grade in the Fund.

2. Procedure for grant of selection grade shall be same as of the procedure for promotion laid down in rule 22.

3. The pay of an employee, who is granted Selection Grade, shall be fixed as in case of promotion from lower pay scale to higher pay scale.

4. An employee, who is granted selection grade shall be allowed move-over to next pay scale subject to rule 111 and his pay shall be fixed according to sub-rule (7) of that rule .

5. The grant of Selection Grade shall not be construed to be a promotion to the higher grade but the higher grade shall be treated as an extension of his existing grade and the allowances, and the fringe benefits attached to the post carrying higher grade shall not be admissible.

CHAPTER -10

Travelling Allowance

PART I. GENERAL PROVISION

115. Travelling allowance to cover expenses on tour and transfer.

Travelling allowance shall be granted to an employee to cover the expenses which he incurs on Travelling on duty in the interest of the Fund and it is not to be treated as a source of income.

116. Journey to be undertaking with approval.

Journey on tour and transfer shall be undertaken with the prior approval of the Secretary.

117. Categories of employees for calculating travelling allowance.

For the purpose of calculating travelling allowance, there shall be following categories of employees namely:-

- | | |
|-----------|--------------------------------------|
| Category. | I, employees in grade-17 and above; |
| Category | II, employees in grade-11 to 16; |
| Category | III, employees in grade-4 to 10; and |
| Category | IV, employees in grade -1 to 3. |

118. Kinds of travelling allowance.

The following the different kinds of travelling allowance may be drawn in different circumstance by the employees namely:-

- a. Kilometreage allowance;
- b. daily allowance; and
- c. the actual cost of travelling.

PART II. KILOMETREAGE ALLOWANCE

119. Kilometreage allowance.

A kilometreage allowance shall be calculated on the distance traveled to meet the cost of a particular journey.

120. Principles of calculation.

1. For the purpose of calculating kilometreage allowance, a journey between two places is held to have been performed by the shortest of two or more practicable routes or by the cheapest of such routes as may be equally short:

Provided that when there are alternative railway routes and the difference between them in point of time and cost is not great kilometreage allowance should be calculated on the route actually used.

2. The shortest route is that by which the traveler can most speedily reach his destination by the ordinary modes of travelling, and the Secretary may, in a case of doubt, decide the shortest of two or more routes.

3. If an employee travels by a route which is not the shortest but is cheaper than the shortest, his kilometreage allowance shall be calculated on the route actually used.

4. The Secretary may for special reasons which shall be recorded, permit kilometreage allowance to be calculated on the route other than the shortest or cheapest, provided that the journey is actually performed by such route in the interest of the Fund.

121. Point of commencement and end of journey.

Kilometreage allowance shall be admissible from the residence of the employee to the railway station or the airport, as the case may be, and when journey is performed by public transport plying for hire on single seat basis, to the bus or taxi-stand at his head quarters and from the railway station or the airport or the bus or taxi-stand to the place of his temporary residence at the outstation and vice versa.

122. Employee to travel by class of accommodation.

An employee shall travel by the class of accommodation for which travelling allowance is admissible to him. The provision regulating kilometreage allowance contained in these rules are subject to the conditions that if an employee travels in a lower class of accommodation he be entitled to the fare of the class of accommodation actually used.

123. Kilometreage allowance to be calculated differently.

Kilometreage allowance shall be differently calculated where the journey is or could be made by railway, by road or by air.

124. Class of railway accommodation to which employees are entitled.

1. For the purpose of calculating kilometreage allowance, an employee when travelling by railway is entitled to the class of entitlement as follows:

- a) An employee of Category-I
Accommodation of the highest class, by whatever name it may be called, provided on the railway by which he travels.
- b) An employee of Category-II
First class (Sleeper) accommodation, or , if travelling on any line which does not provide such accommodation on any train, the next lower;
- c) An employee of Category-III
First class (Sitter) accommodation, or, if travelling on any line which does not provide such accommodation on any train, the next lower; and
- d) An employee of Category -IV
The lowest class, by whatever name it may be called.

2. Except in the case of journey on transfer, the kilometreage allowance admissible to an employee is the fare of the class in which he is entitled to accommodation plus daily allowance as admissible.

125. Kilometreage allowance for journey by road.

1. For journey by road kilometreage allowance shall be admissible at the by road, kilometreage allowance shall be admissible at the following rates, namely:-

<u>Mode of travel</u>	<u>Rate per Kilometer</u>
a) Personal car or by engaging a full taxi	Rs.5.00
b) Motor-Cycle or Scooter.	Rs.2.00
c) Bicycle, animal back or foot.	Rs.1.00
d) Public transport plying for hire on single Seat basis for all employees.	Rs.1.00

Workers' Welfare Fund (Employees Service) Rules, 1997.

Note:- These rates shall stand revised whenever any revision of rates is made by the Federal Government.

Note:- "personal car" means a car registered in the name of the employee claiming the Kilometrage allowance or in the name of any member of his family.

2. When road Kilometrage is claimed for a journey by road between places connected by railway, it shall be open to the controlling officer either to allow full road kilometrage if he is satisfied that the interest of the Fund was served by road journey which would not have been served had the employee traveled by railway, or to limit the Kilometrage allowance to what would have been admissible had the employee traveled by railways.

3. Employees shall be allowed to use the mode of transport as shown below:-

<u>Mode of Transport</u>	<u>Grade of employee</u>
Personal car or by engaging a Full taxi.	Category I employees (in case of others, if situation so demands with the approval of the controlling officer).
Motor –cycle or Scooter.	Category I and II employees.
Bicycle etc. and public transport Plying for hire on single seat basis;	All employees.

126. Fraction to be omitted.

In calculating Kilometrage allowance for road. Fractions of a kilometer shall be omitted from the total of a bill for any one journey but not from the various items which make up the bill.

127. Kilometrage allowance for journey by air.

1. Travel by air means journey per journey performed through the national air-lines regularly plying for hire and shall not include performed by private aero plane or air taxis. Travel by air shall be admissible on tour or on transfer in the following cases, namely:-

- a) in the case of an officer holding a post in grade-17 and above;
- b) in the case an officer to whom clause (a) does not apply, whenever the Secretary authorizes travel by air on the ground that air travel is necessary in the interest of the Fund.

2. All employees shall travel in economy class while undertaking journey on duty by air within Pakistan.

3. An employee entitled to travel by air on tour shall be entitled to one air fare or the actual cost of the return air tickets if such tickets are available.

4. An employee who is not authorized to travel by air but who performs a journey by air on tour may draw only the travelling allowance to which he would have been entitled if he had traveled by rail or road subject to the condition that travelling allowance so drawn shall, in no case, exceed the travelling allowance that would have been admissible to him under sub-rule (4).

Workers' Welfare Fund (Employees Service) Rules, 1997.

128. Daily allowance defined.

A daily allowance means uniform allowance for each day of absence from headquarters intended to cover the ordinary daily charges incurred by an employee in consequence of such absence.

129. Daily allowance to be drawn on tour.

Unless in any case it is other wise expressly provided, a daily allowance may be drawn while on tour by every employee whose duties require that he should travel shall not be brawn except while on tour.

130. Scale of daily allowance.

1. Daily allowance shall be admissible on the following scales:-

Pay Limit	Rate of Special daily allowance per day.	Rate of Ordinary daily allowance Per day.
10001 and above	Rs. 400	Rs. 350
9001 to 10000	Rs. 350	Rs. 300
8001 to 9000	Rs.300	Rs. 280
7001 to 8000	Rs. 260	Rs. 225
6001 to 7000	Rs. 215	Rs. 180
5001 to 6000	Rs. 175	Rs. 150
4001 to 5000	Rs. 145	Rs. 120
3001 to 4000	Rs. 120	Rs. 100
2001 to 3000	Rs. 100	Rs. 85
2000 and below	Rs. 80	Rs. 65

Note:- These rates shall stand revised whenever any revision of rates is made by the Federal Government.

2. The rate of special daily allowance shall be admissible in respect of the following cities, namely:-

1. Bahawalpur.
2. Faisalabad.
3. Gujranwala.
4. Hyderabad.
5. Islamabad.
6. Karachi
7. Lahore.
8. Multan.
9. Northern areas (formally Gilgit and Baltistan agencies).

Workers' Welfare Fund (Employees Service) Rules, 1997.

10. Peshawar.
11. Quetta.
12. Rawalpindi.
13. Sargodha.
14. Sialkot.
15. Sukkur.
16. Larkana.

131. An employee not to be provided with means of conveyance or draw actual cost of travelling.

Unless in any case it is otherwise expressly provided in these rules, no employee is entitled to be provided with means of conveyance by or at the expense of the Fund or to draw as travelling allowance for the actual cost or part of the actual cost of travelling.

132. Travelling allowance calculated with reference to purpose of journey.

1. The travelling allowance admissible to an employee for any journey shall be calculated with reference to the purpose of the journey.

2. Unless in an case it be otherwise provided in these rules an employee making a journey for any purpose, is not entitled to recover from the Fund, the cost of transporting his family or his personal luggage, conveyance, tents and camp equipage.

PART IV JOURNEY ON TOUR

133. Headquarter of an employee.

1. The headquarters of an employee shall be at such place as the Secretary may be order, in writing, specify.

2. As a general rule and subject to any special orders to the contrary in particular case, the headquarters of an employee shall be the headquarters of the office of the Fund where he is employed and where the records of his office are kept.

134. When an employee is on tour.

1. An employee shall be on tour, when absent on duty, from his headquarters either within or, with proper sanction, beyond his sphere of duty.

2. In a case of doubt the Secretary may decide whether a particular absence is absence on duty for the purpose of sub-rule (1).

3. The Chairman may impose such restrictions as he may think fit on the frequency and duration of journey to be made on tour by any employee or class of employees.

135. Travelling allowance on tour drawn in the shape of daily allowance.

Except where otherwise expressly provided in these rules, an employee may draw travelling allowance for journey on tour in the shape of daily allowance.

136. When daily allowance may be drawn.

1. Daily allowance for each calendar day shall be admissible for the period of absence from headquarters involving actual night stop at the place of halt. Where night stop is not involved, and if absence from headquarters exceeds four hours including time spent in transit, half daily allowance shall be admissible. Not more than one daily allowance shall be admissible on any calendar day involving night stop. A fraction of a calendar day shall be reckoned as a calendar day for this purpose. A period of absence from headquarter commences from the time of departure of the employee from his office or residence as the case may be, till the time of his return to his office or residence, as the case may be, till the time of his return to

Workers' Welfare Fund (Employees Service) Rules, 1997.

his office or residence, as the case may be. The period of forced delay in transit may be treated as part of the total transit period.

2. In the case of departure from headquarters, the rate of daily allowance during transit shall be the same as admissible at the station of immediate destination. In the case of return to headquarters, the rate shall be the one admissible at the last station of temporary duty before return to headquarters.

3. Daily allowance may not be drawn for any day on which an employee does not reach a point outside a radius of sixteen kilometer from the headquarters or return to his headquarters from a similar point.

4. Daily allowance may be drawn during a halt on tour or on a Sunday or a holiday occurring during a tour.

5. An employee of grade -18 or below may stay in the government or public sector corporation's guest houses, rest houses and motels or hotels other than five star hotels. In addition to the admissible daily allowance mentioned in rule 131, he may claim actual room rent charges on production of receipts up to three times the amount of daily allowance.

6. An employee in grade -19 and above may stay in hotels and claim actual room rent charges on production of receipts up to three days daily allowance one and half of the paid allowance for specified station and at non-specified station. If the room rent charges are in excess to the maximum of the ceiling aforementioned. Fifty per cent of the additional amount shall be paid by the Fund.

EXPLANATION. The term "actual room rent" includes taxes, duties and service charges relating to the rent of a single room in a hotel.

137. Employee availing casual leave while on tour.

An employee who takes casual leave while on tour, shall not be entitled to daily allowance during such leave, and an employee, who takes casual leave immediately on the conclusion of temporary duty, may draw daily allowance for the day of departure from the outstation to which he would have been entitled had he not proceeded on casual leave.

138. Exchange of daily allowance with Kilometrage allowance.

1. Subject to any conditions which a competent authority may be general or special order impose, an employee may exchange his daily allowance for kilometrage allowance on any day on which,

- a) he travels by railway; or
- b) he travels more than thirty-two kilometers by road; or
- c) he travels by air;

Provided that if a continuous journey extends over more than one day, the exchange must be made for all such days and not for a part of them.

2. When a journey by road is combined with a journey by railway, under clause (a) in sub-rule (1):

- a) Kilometrage allowance may be drawn on account of such kilometrage but such kilometrage shall be limited to the amount of daily allowance unless the journey by road exceeds thirty-two kilometers; and
- b) Unless such journey by road is a journey to, or from, the employee's headquarters or temporary residence at a place of halt, kilometrage allowance shall be calculated on the distance actually traveled without regard to the points specified in rule 122.

PART V. JOURNEY ON TRANSFER.

139. Travelling allowance on transfer admissible if the transfer is in the interest of Fund.

Traveling allowance may not be drawn by an employee on transfer from one station to another unless he is transferred in the interest of the Fund and is entitled to pay during the period taken up by the journey. A transfer at request of the employee shall not be treated as a transfer in the interest of the Fund unless the authority sanctioning the transfer, for special reasons which should be recorded, otherwise directs.

Explanation. Transfer means movement of an employee from one head-quarter or station where he is employee to another such station, either to take up the duties of a new post or in consequence of change of his headquarters.

140. Kilometreage allowance.

An employee may draw kilometreage allowance for a journey on transfer.

141. Entitlement on transfer.

Unless in any case it is otherwise expressly provided in these rules, an employee shall be entitled on transfer to the following allowances, namely:

- a) Transfer grant:
 - i) Employees possessing a family.....One month's pay.
 - ii) Employees not possessing a family.....Half month's pay.

Note:- Transfer grant is admissible in all cases where travelling allowance on transfer is otherwise admissible under these rules.

- b) Actual rail or air fare for the employee and one or half fare, as the case may be, for each member of the family, or if he travels by road, he may draw road kilometreage at twice the rate applicable to him under rule 126 and if two members of family accompany him he may draw additional road kilometreage and if more than two members of family accompany him, twice that rate.
- c) One daily allowance at special rate is payable during journey period for every four hundred eighty kilometers of road distance and in case of journey on transfer by air, one daily allowance for each calendar day of the actual period taken in transit shall be admissible.
- d) One daily allowance at the applicable to the station is payable in respect of the employee and in respect of each member of his family above twelve years and one-half of the rate for every child above the age of twelve years, for the day of arrival at the new place of posting.
- e) The maximum limits up to which personal effects may be transported at Fund expense shall be as follows:-

Category I employees:

Possessing a family	4500 kilograms. (120 Munds)
Not possessing a family	2240 kilograms (60 Munds)

Category II employees:

Possessing a family	3000 kilograms (80 Munds)
Not possessing a family	1500 kilograms. (40 Munds)

Workers' Welfare Fund (Employees Service) Rules, 1997.

Category III employees:

- Possessing a family 1500 kilograms. (40 Munds)
- Not possessing a family 760 kilograms. (20 Munds)

Category IV employee:

- Possessing a family 560 kilograms (15 Munds)
- Not possessing a family 380 kilograms (10 Munds)

- f) Cost of carriage of personal effects up to the maximum number of kilograms, as specified in clause (e), shall be allowed at the rate of paisa 0.148 per kilometer per kilogram (or 2.96 paises per kilometer per unit of twenty kilograms) from the residence of the employee at the old station to his residence at the new station irrespective of the mode by which the personal effects are carried, and charges for the transport of personal effects may be allowed if they do not for good and sufficient reasons accompany him but are carried within a reasonable time before or after the date of his journey on transfer.
- g) The employee claiming the cost of transporting personal effects must support his claim by a certificate that the actual expense incurred was not less than the sum claimed, he shall state in the certificate the weight of the personal effects actually carried out and the amount actually paid for their transport separately by rail, road or other craft, and the controlling officer shall record a certificate that he has scrutinized the details and is satisfied himself that the claim is reasonable, and receipts in support of claim for transportation of personal effects will not be required.

Explanation. The term "personal effects" is not subject to definition but the controlling officer must satisfy himself that a claim for reimbursement is reasonable.

142. Transportation of conveyance.

1. An employee may draw the actual cost of transportation at owner's risk, conveyance on the following scale if the following conditions are fulfilled, namely:-

- a) The distance traveled exceeds one hundred and thirty-two kilometers:
- b) The possession of the conveyance shall be advantageous from the point of view of efficiency of the employee in the post which he is going to join; and
- c) Conveyance is actually transported by railway or other craft.

SCALES OF CONVEYANCE

Category of employee		Scale allowed
1		2
First Category	... ..	A motor-car or motor-cycle/ Scooter.
Second Category	... ..	A motor-car or motor-cycle/ scooter.

Workers' Welfare Fund (Employees Service) Rules, 1997.

Third Category A motor-car /scooter or a bicycle.

Note:- In the case of motor –car, the cost of transporting a chauffeur or cleaner may be drawn.

2. The conveyance may be transported by passenger train but if it is transported by goods train, it is permissible to charge to the authority the packing charges to, and from, the goods shed, provided it does not exceed the cost of transportation of conveyance by the passenger train, and this sub-rule shall, mutatis mutandis, apply to an employee of third category who carries an ordinary bicycle.

3. An employee, who transports his motor-car or motor-cycle or scooter by road between stations connected by rail, may draw two rupees per kilometer for a motor-car and one rupee for a motor-cycle or scooter, if the employee and his family travel in their own car, the may draw actual railway fare for himself and one or, as the case may be half for each member of his family, and in that case transportation charges for motor-car or motor –cycle or scooter shall not be admissible.

4. When an employee is not entitled to carry a motor-car or motor-cycle or scooter at expense of the Fund, there is no objection to their inclusion as a part of personal effects provided these are within the prescribed maximum limit specified in clause (e) of rule 142.

5. There is no objection if the personal effects do not accompany an employee for good and sufficient reasons but are carried within a reasonable time of the date of his journey on transfer, and the controlling officer should also certify on the body of the bill that he has scrutinized the details and satisfied himself that the claim is reasonable.

6. A member of an employee's family, who follows him within six months or precedes him by not more than one month, may be treated as accompanying him, if any member of the family travels from a place other than the old station of the employee, travelling allowance may be allowed to him provided it does not exceed the total kilometreage allowance that would have been admissible had such member proceeded from the old station to the new station, and for the purpose of his rule, the grade of an employee may be determined with reference to the facts on the date of his transfer, while the number of fares admissible shall be determined with reference to the facts on the date of journey in respect of which travelling allowance is claimed, and when travelling allowance is claimed for members of the family, their number, relationship and ages shall be mentioned in the travelling allowance bill.

7. If the family of an employee, in consequence of his transfer, travels to a station other than the new headquarters, travelling allowance for the family may be drawn subject to the condition that it does not exceed the travelling allowance which would have been admissible if the family had proceeded to the new headquarters station direct.

143. Travelling allowance when leave is taken before joining a post.

If an employee proceeds on leave on full pay not exceeding one hundred days after making over charge of the old post and before taking over charges of the new post, he may draw usual travelling allowance irrespective of the fact whether the order of transfer was received before or after the commencement of leave, and where he proceeds on leave exceeding one hundred and twenty days, he shall not be entitled to any travelling allowance.

PART VI. JOURNEY TO JOINT FIRST POST

144. Travelling allowance to join first post not admissible.

1. No Travelling allowance shall be admissible to any person for a journey to join his first post in the Fund.

Workers' Welfare Fund (Employees Service) Rules, 1997.

2. When an employee who was discharged owing to a reduction of establishment or the abolition of his post is reappointed, the appointing authority may permit him to draw travelling allowance for so much of his journey to join his new post as falls within Pakistan, and in such a case, travelling allowance shall be calculated as for a journey on tour but no daily allowance may be drawn for halts on the journey.

PART VII. JOURNEY TO GIVE EVIDENCE OR TO ATTEND A COURT OF LAW.

145. Travelling allowance to give evidence of facts of which the employee has official knowledge.

1. If an employee is summoned to give evidence in a criminal case, a case before a court Martial a civil case to which the Fund or the Federal Governments is a party or a departmental enquiry held by a duly constituted authority in Pakistan or in foreign territory provided that facts as to which he is give evidence have come to his knowledge in the discharge of his duties as an employee of the Fund and the court is situated beyond sixteen kilometers radius of his headquarters, he may draw travelling allowance as for a journey on tour attaching to his bill a certificate of attendance given by the court or other authority which summoned him. The employee who draws such travelling allowance should not accept any payment of expenses from the court or the other authority and shall obtain and attach to the bill a non-payment certificate from the court or the other authority. Any fees which may be deposited in the court or with the other authority for the travelling and subsistence allowance of the witness must be credited to the Fund.

2. If the court is situated within sixteen kilometers of his headquarters and then the employee is not entitled to any travelling allowance, he may accept the actual travelling expenses from the court.

3. When an employee is on leave and is summoned to give evidence in the circumstance stated in rule 146 he may be paid travelling allowance to and from the place where he is spending leave.

4. In case an employee is summoned to give evidence in his private capacity, he is not entitled to any travelling allowance except that which he is paid by the court under its own rules. If the court pays him any sum as subsistence allowance or compensation apart from payment for travelling expenses he must credit that sum to the Fund before drawing full pay for the day or days of absence.

PART VIII. JOURNEY TO PLACES OUTSIDE PAKISTAN.

146. Travelling allowance for journey on duty to places outside Pakistan.

When an employee is required to proceed to places outside Pakistan on official duty, the Secretary shall decide the scale on which he shall draw the travelling allowance keeping in view the scale admissible to civil servants on similar duty and subject to the condition that the scale so fixed shall not exceed that admissible to a civil servant.

PART IX. CONTROLLING OFFICER

147. Controlling officer.

1. The Secretary shall be the controlling officer for travelling allowance purposes for all employees of Fund.

2. No bill for the travelling allowance shall be paid unless it is signed by the employees and countersigned by the controlling officer.

148. Duties of the controlling officer.

Before signing or countersigning a travelling allowance bill, the controlling officer shall:-

- a) Scrutinize the necessity frequency and duration of journeys and halts for which travelling allowance is claimed and disallow the whole or part of the travelling allowance if he is satisfied that the journey was not necessary or that halt was of excessive duration;
- b) Scrutinize the distance given in the bill:
- c) Satisfy himself Kilometrage allowance for journeys by rail or steamer has been claimed at the rate admissible to him and actually used by him;
- d) When the actual expenses on account of cost of transportation of personal luggage are also claimed see that these are according to the prescribed scale and are reasonable and disallow any claim which in his opinion, does not fulfill that condition;
- e) Check any tendency to abuse the option of exchanging daily allowance for kilometrage allowance; and
- f) Observe any subsidiary rules, rules or orders which a competent authority may frame for his guidance.

CHAPTER 11
JOINING TIME

149. When joining time is granted.

Joining time shall be granted to an employee to enable him to join a new post to which he is appointed while on duty in his old post.

150. Joining time treated as duty.

1. An employee on joining time shall be regarded as on duty and shall be entitled to the pay which he would have drawn if he had not been transferred or the pay which he shall draw on taking charge of the new post, whichever is less.

2. An employee who does not join his new post within his joining time is not entitled to any pay or leave salary after the end of the joining time. Willful absence from duty after the expiry of joining time may be treated as misconduct.

151. Calculation of joining time.

1. Not more than one day may be allowed to an employee to join a new post when the appointment to such post does not necessarily involve a change of residence from one station to the other, and a holiday shall count as a day for his purpose.

2. On transfer from one station to the other, six days may be allowed for preparation and in addition, a period to cover the actual journey calculated as follows:-

- | | | |
|----|--------------------------|---|
| a) | For journey by railway | one day for each four hundred Kilometers of fraction thereof or any longer time actually occupied in the journey. |
| b) | For journey by motor-car | one day for each one hundred fifty Kilometers or fraction thereof or any longer time occupied in the journey. |
| c) | For journey by air. | Number of days actually taken in Air journey. |

3. The joining time is normally calculated by the route which travelers ordinarily use irrespective of the route by which the employee has actually traveled.

4. The maximum joining time is limited to thirty days; a Sunday is not included for the purpose of the calculation under sub-rule (2) but is included in the maximum period of thirty days.

5. The Secretary may, for reasons to be recorded extend the joining time calculated under sub rule (2) which shall not ordinarily be extended beyond thirty days except where he is satisfied that the employee, notwithstanding, due diligence on his part, had to spend more time on the journey that is allowed by the rules or where the employee was prevented from joining his post within the joining time in circumstance beyond his control.

6. The Secretary may, in special circumstance reduce the period of joining time admissible under this rule.

CHAPTER 12

MEDICAL ATTENDANCE AND TREATMENT.

152. Free medical attendance and treatment.

1. Save as otherwise expressly provided in these rules, and excluding the employee covered under the social security schemes, all employees of Fund shall be entitled free of charge medical attendance and treatment.

2. When an employee is entitled under sub-rule (1) to medical attendance and treatment free of charge any amount paid by him on account of such medical attendance and treatment shall be reimbursed to him by the Fund subject to production of a certification in writing by the authorized medical attendant and after necessary verification by him and subject to such other conditions as are specified in these rules in this behalf or are specified by the secretary general, or special, orders.

Explanation. For purposes of rules in this chapter:-

- i) "Authorized medical attendant" means a registered medical practitioner appointed or nominated by the Fund for its employee or a class of its employees for purpose of medical attendance and treatment;
- ii) "family" means parents, husband, wife or wives, legitimate children, step children, sisters and minor brothers of the employees residing with and wholly dependent upon him;
- iii) "medical attendance" means an attendance in a recognized hospital including such pathological, bacteriological, radiological, ultrasonic or other methods of the examination for purpose of diagnosis as are available in such hospital, dispensary or the clinic;
- iv) "recognized hospital" means a hospital or dispensary maintained by the Fund or a Government hospital or a hospital recognized by the Fund for medical attendance and treatment of its employees;
- v) "treatment" means the use of all medical and surgical facilities available at the recognized hospital in which an employee is treated and includes.
 - a) Employment of such pathological, bacteriological, radiological, ultrasonic, or other methods as are considered necessary by the authorized medical attendant;
 - b) The supply of such medicines, sera or other therapeutic substances as are ordinarily available in the hospital;
 - c) The supply of such medicines, vaccines, sera or other therapeutic substances not ordinarily so available as the authorized medical attendant may certify in writing to be essential for the recovery or for prevention of serious deterioration in the condition of the employee;
 - d) Such accommodation as is ordinarily provided in the recognized hospital and is suited to status of the employee as specified below:
 - i. Employee in grades 16 and above ... A private room
 - ii. Employees in grade 15 and below ... General Ward.
 - e) Such nursing as is ordinarily provided to in-door patients by recognized hospital;
 - f) Dental treatment which includes treatment of alveolar (gum and jaw bone) disease, extraction of teeth, and removal of odontomas and impacted wisdom teeth, treatment of dental carries, gingivitis, pyorrhea and filling

Workers' Welfare Fund (Employees Service) Rules, 1997.

(temporary or permanent), of dental carries including root canal treatment and scaling, but does not include dental implants, orthodontic appliances, bridging, crowning and provision of dentures;

- g) Assessment of eye defect, medical and surgical treatment of eye diseases but does not include provision of glasses;
- h) The provision of artificial limbs, joins and implants; and
- i) The facility of circumcision.

Explanation. Free medical treatment does not include diet, private nursing and provision of accommodation superior to that described in clause (d) and the employee shall have to pay such charges.

153. Procedure.

1. Medical attendance and treatment may be obtained from the authorized medical attendant.

2. In case of emergency, the employee may get treatment from the nearest medical centre or the nearest registered medical practitioner, and any expenses incurred on such medical attendance and treatment shall be reimbursed by the Fund on production of emergency certificate by the treating doctor and receipts verified and countersigned by the authorized medical attendant.

3. If a facility is not available in a hospital or dispensary maintained by the Fund or in a recognized hospital then such hospital may refer the patient to another hospital or medical specialist where such facility is available, and travelling allowance will be admissible to the patient and his attendant, if so recommended by the doctor accompanying with him (patient) as per restriction laid down in part-v of Chapter 10 of these rules.

154. Treatment at an outstation.

If an employee on tour or leave outside his headquarter falls ill, he may get medical attendance and treatment from any local registered medical practitioner or at a local government hospital, and any expenses incurred on such medical attendance and treatment shall be reimbursed to him on production of receipts or cash vouchers duly verified by the medical officer from whom the facility is availed.

155. Medical attendance and treatment of members of family.

1. Save as provided otherwise in these rules and subject to sub-rule (2), the family of an employee shall be entitled, free of charge, to medical attendance and treatment by the authorized medical attendant and at recognized hospitals on the scale and under the conditions allowed to the employee himself, and this shall include confinement of an employee's wife in a hospital but not pre-natal or post-natal treatment at the employee's residence.

2. Family of an employee in grade 1 to 10 residing at a station other than his headquarters station, shall be allowed medical attendance and treatment with in an over-all prescribed ceiling subject to rule 154.

3. In the case of a chronic disease, the authorized medical attendant may refer the patient to a government medical officer or to a government hospital or to any other hospital within Pakistan and any expenditure incurred on such medical attendance and treatment shall be reimbursed on production of receipts and cash vouchers, verified and countersigned by the authorized medical attendant, and treatment abroad shall be governed according to Health Division policy for treatment abroad.

4. Maternity charges not exceeding fifteen hundred rupees shall be reimbursed to the employees in the Fund grade 1 to 10 on production of receipts and cash vouchers, countersigned by the authorized medical attendant, if delivery is arranged at home subject to production of birth

Workers' Welfare Fund (Employees Service) Rules, 1997.

certificate from the local municipal committee or councilor, and this facility shall be allowed only for first three births.

156. Re-imburement of the cost incurred on medical treatment and purchase of medicine.

1. Employees of the Fund shall be entitled to re-imburement of the cost incurred by him on out-door medical treatment and purchase of medicines as per ceiling giving below:-

- i) Married 10% of the basic pay; and
- ii) Un-Married 5% of the basic pay.

Provided that claim shall be supported with duly verified prescription and voucher of the medicine by the authorized medical attendant.

2. The competent authority may allow re-imburement of cost of medicines, in case these exceed those given in sub-rule (1), if conditions so justify.

3. Employee is entitled to re-imburement without any limit in case of in door treatment subject to such terms and conditions as specified in this Chapter for this purpose.

157. Treatment abroad.

In case of treatment abroad, the rules and procedure approved by the Federal Government for civil servants shall, mutatis mutandis, apply on the employee for the purpose of these rules and subject to such other conditions as specified in these rules.

CHAPTER 13.

RETIREMENT, RESIGNATION AND TERMINATION OF SERVICE

158. Retirement on attaining the prescribed age.

An employee shall retire from service on completion of the sixtieth year of his age.

159. Retirement on completion of twenty-five years qualifying service.

An employee, other than an employee against whom a disciplinary action is pending, may seek retirement after completing twenty-five years qualifying service, and such an employee shall, at least three months before the date he intends to retire, submit a written intimation to the competent authority indicating the date on which he intends to retire, and such an intimation, once submitted, shall be final and shall not be allowed to be modified or withdrawn after it has been accepted by the competent authority.

160. Resignation subject to previous notice.

1. Subject to sub-rule (3) and (4) an employee may resign from his post by giving one month notice in writing which shall not become effective until it is accepted by the competent authority and till, such time the resignation is accepted, the employee shall continue in service and cannot absent himself from his duties without proper leave. Any violation of this provision shall amount to misconduct for purposes of discipline

2. The appointing authority may, in its discretion, accept pay for one month in lieu of notice or an amount equal to his pay for the un-expired period of the notice period if the employee so requests.

3. Acceptance of resignation shall be subject to recovery of any dues or moneys to be recoverable from the employee.

4. If a disciplinary case is pending against the employee, the resignation may not be considered until the disciplinary case is finalized.

161. Termination of service without notice.

1. The service of an employee may be terminated without notice,

- a) During the initial or extended period of probation in accordance with rule 28; and
- b) On the expiry of the initial or extended period of probation.

2. Where, on the abolition of a post or reduction in the number of posts, the service of an employee is required to be terminated, the person whose service is terminated, shall ordinarily be the one who is the most junior in his cadre or post, and such an employee shall be given one month's notice or pay for one month in lieu of notice.

3. Notwithstanding the provisions of sub-rule (1) but subject to sub-rule (2), the service of a temporary employee shall be liable to termination at any time on one month's notice or pay in lieu thereof.

162. Competent authority.

The competent authority for purpose of this chapter shall be the authority competent to make appointment to the post held by the employee concerned.

CHAPTER 4

APPEAL AND REPRESENTATION

163. Appeal against an order imposing a penalty.

Every employee shall be entitled to appeal to the appellate authority, specifies in rule 166, against an order, passed by the authority or an authorized officer imposing upon him any penalty.

164. Appeal against an order other than an order imposing a penalty.

An employee shall be entitled to prefer appeal to the appellate authority, specified in rule 166, against an order passed by an authority which.

- a) Alters to his disadvantage, the conditions of service, pay allowances or gratuity; or
- b) Interprets to his disadvantage, the provisions of any rules where by his conditions of service, pay allowance or gratuity are regulated; or
- c) Terminates his employment or gives notice of such termination, other wise than
 - i) On his reaching the age of superannuation; and
 - ii) In accordance with the provisions of these rules;

Provided that no appeal or review shall lie on matters relating to the determination of fitness, of a person to hold a particular post or to be promoted to a higher post or grade.

165. Circumstances in which a representation may be submitted.

Where no provision for appeal or review in respect of any order relating to the terms and conditions exist under these rules, and employee aggrieved by any such order may, within thirty days of the communication to him of such order, make a representation to Chairman whose decision there on shall be final;

Provided that no representation shall lie on matters, relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

166. Appellate authority.

1. For purpose of rule 163, the appellate authority shall be the authority next above the authority competent to impose a penalty on the employee.

2. For purpose of rule 164, the appellate authority shall be the authority next above the authority competent to make appointment to the post held by the employee.

Explanation. For purposes of this rule, the authority next above, shall be the Chairman of the Governing Body.

167. Procedure for submission of appeal.

1. Every employee preferring an appeal under rule 161 or 162 shall do so separately in his own name and the appeal shall be authenticated by the signature of the appellant.

2. Every appeal shall be accompanied by the copy of the order appealed against.

3. Every appeal shall contain all material statement and arguments relied upon by the appellant and shall contain no disrespectful, improper or inappropriate language, and shall be complete in itself.

4. Every appeal shall be submitted through proper channel and through the authority from whose orders the appeal is preferred.

Workers' Welfare Fund (Employees Service) Rules, 1997.

5. Every appeal shall be submitted within a period of thirty days of the communication of the order appealed against.

168. Withholding of appeal.

1. An appeal may be withheld by an authority equal or higher than the authority from whose order it is preferred, if:

- a) It is an appeal in a case in which no appeal lies under these rule; or
- b) It does not comply with the provisions of sub-rule (1), (3) AND (4) of rule 167; or
- c) It is not preferred within the time specified in sub-rule (5) of rule 167 and no reasonable cause is shown for the delay; or
- d) It is addressed to an authority to which no appeal lies under these rules; or
- e) It is repetition of a previous appeal already considered and decided by the appellate authority and no new facts or circumstances are adducted which afford a ground for a reconsideration of the case;

Provided that in every case, in which an appeal is withheld, the appellent shall be informed of the fact and the reason for it:

Provided further that an appeal withheld on account only of failure to comply with the provisions of sub-rule (1), (3) or (4) of rule 167 or clause (d) of this sub-rule, may be re-submitted within one month of the date on which the appellent is informed of the withholding of appeal and if re-submitted in a form which complies with these provisions or is addressed to the proper appellate authority, as the case may be, it shall not be withheld.

2. No appeal shall lie against the withholding of an appeal under this rule by an authority competent to do so.

169. Transmission of appeals.

1. Every appeal which is not with held under rule 168 shall be forwarded to the appellate authority with an expression of opinion by the authority from whose orders it is preferred.

2. A list of appeals withheld under sub-rule (1) of rule 168, with reasons for withholding, shall be forwarded quarterly by the withholding authority to the appellate authority.

3. An appellate authority may call for any appeal withheld under sub-rule (1) of rule 168 and may pass such orders as it may consider fit in accordance with rule 171.

170. Pending appeals.

All appeals and representations competently made, under the rules in force immediately before the date on which these rules came into force, and pending on that date shall be deemed to be appeals and representations made under these rules.

171. Orders on appeal by the appellate authority.

1. In the case of an appeal, under rule 163, the appellate authority shall consider;
 - a) Whether the facts, on which the order appealed against was based, have been established;
 - b) Whether the facts established afford ground for taking action; and

Workers' Welfare Fund (Employees Service) Rules, 1997.

- c) Whether the penalty is excessive, adequate or inadequate and after such consideration shall confirm, set aside, vary or modify the order appealed against.

2. In the case of an appeal under rule 164, the appellate authority shall pass such order as, having regard to all circumstances of the case; appear to it just and equitable.

3. The authority from whose order an appeal is preferred shall give effect to any order made by the appellate authority.

CHAPTER 15

CONTRIBUTORY PROVIDENT FUND

172. Emoluments, family and year.

1. For the purpose of this chapter, and unless there is any thing repugnant in the subject or context:-

- a) 'Emolument' means:-
 - i) Pay;
 - ii) Senior post allowance;
 - iii) Special pay of all types;
 - iv) Personal pay;
 - v) Technical pay; and
 - vi) Any other emoluments which may be specially called as such, for the purpose of rules in this chapter and includes leave salary and subsistence grant.
- b) 'Family' means:-
 - i) In case of an male subscriber, the wife or wives and children of the subscriber and widow or widows and children of a deceased son of the subscriber;

Provided that if a subscriber proves, that his wife has been judicially separated from him or has ceased under the customary law of the community, to which the spouse belongs, to be entitled to maintenance, the spouse shall henceforth deemed to be no longer a member of the subscriber's family' in matters to which these rules relate, unless the subscriber subsequently indicates, by express notice in writing, to the Account Officer, that the spouse continue to be so regarded;

- iii) in the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber;

Provided that if a subscriber by notice in writing to the Accounts Officer, expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters, to which the rules in this chapter relate, unless the subscriber subsequently cancels formally in writing her notice excluding him.

Explanation. 'Children' means legitimate children and an adopted child shall be considered to be a child, when the Secretary is satisfied that under the personal law of the subscriber, adoption is legally recognized as conferring the status of a natural child.

- c) 'Fund' means the Contributory provident Fund constituted by the 'Workers' Welfare Fund.

Workers' Welfare Fund (Employees Service) Rules, 1997.

d) 'Year' means a financial year.

2. Words and expressions used defined in these rules shall have the same meaning as in the provident Funds Act, 1925 (XIX of 1925).

173. Constitution and management of the fund.

1. There shall be constituted a Contributory Provident Fund, to which shall be credited subscriptions of subscribers on their individual account and the amounts credited by Fund, by way of addition to such subscriptions.

2. The fund shall be administered by the Secretary and shall be maintained in Pakistan currency.

174. Employees eligible to join the fund.

Employees holding appointment on regular including those on probation shall be eligible to join the fund.

175. Compulsory subscribers to the fund.

All existing and eligible employees, holding post on regular basis and such employee who are appointed to their first post in the Fund on regular basis, on or after the commencement of these rules, shall join the contributory provident fund as compulsory subscribers.

176. Nomination.

1. As soon as may be after joining the fund, every subscriber shall be required by the Accounts Officer to make a nomination conferring on one or more persons the right to receive the amount that may stand to his credit, in the fund in the event of his death before the amount standing to his credit, his become payable, or where the amount has become payable before payment has been made.

2. A subscriber who, at the time of joining the fund, has a family shall send to the Account Officer, a nomination in the Form set forth in Appendix-5 to these rules in favour of one or more members of his family.

3. A subscriber who has no family may similarly nominate a person or person in the form set forth in Appendix-6 to these rule:

Provided that a nomination made under this sub-rule, shall be deemed to have been duly made, in accordance with these rules only for so long as the subscriber has no family.

4. If a subscriber, at any time acquires a family, he shall send to the Account Officer a nomination as provided in sub-rule (2) and, if he has under sub-rule (3) nominated any person other than member of his family, he shall formally cancel the previous nomination.

5. If a subscriber nominates, more than one person, under sub-rules (1) or (2), he shall specify in the nomination, the amount or share payable to each of the nominee, in such manner as to cover the whole of the amount that may stand to his credit, in the fund at any time.

6. A nomination may be cancelled by a subscriber and replaced by any nomination which is permitted to be made under this rule.

7. Every nomination or cancellation shall be effective from the date on which it is received by the Accounts Officer.

177. Subscriber's accounts.

An account shall be maintained in the name of each subscriber comprising of

- i) The subscriber's subscription;
- ii) Contributions made under rule 181 by the fund to his account;

Workers' Welfare Fund (Employees Service) Rules, 1997.

- iii) Interest as accrued by rule 182 on subscription; and
- iv) Interest as accrued by rule 183 on contributions.

178. Conditions and rates of subscription.

1. Every subscriber shall subscribe monthly to the fund, except during a period of suspension and on restatement, if, the period of suspension is treated as duty, the total amount due to the fund on account to arrears of subscriptions for the period of suspension shall forth with be paid by the subscriber to the fund or, in default, be ordered by the Accounts Officer to be recovered by deduction from the emoluments, or otherwise as may be directed by the Secretary.

2. A subscriber shall subscribe during leave, except extraordinary leave.

3. The amount of subscription by the subscriber shall be 8-1/3 per cent of emoluments in the case of employees.

4. For the purposes of sub-rule (1) the emoluments of a subscriber shall be:-

- a) In the case of a subscriber, who was in the service of the Fund on 30th June of the preceding year, the emoluments to which he was entitled on that date;

Provided that:-

- i) If the subscriber was on leave on the said date or was under suspension is treated as duty, his emoluments, shall be the emoluments, to which he was entitled, had he not proceeded on leave or placed under suspension;
 - ii) If the subscriber was on deputation out of Pakistan on the said date, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in Pakistan; and
 - iii) If the subscriber joined the fund for the first time on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date;
- b) In the case of a subscriber who was not in the service of the Fund on 30th June of the preceding year, the emoluments to which he was entitled, on the first day of his service, or if he joined the fund for the first time, on a date subsequent to the first day of his service, the emoluments to which he was entitled on such subsequent date.

179. When a subscriber is transferred to Foreign Service or sent on deputation out of Pakistan, he shall remain subject to the rules, relating to the fund in the same manner, as if he was not so transferred or sent on deputation.

180. Realization of subscriptions.

1. When emoluments are drawn from the Fund, the recovery of subscriptions on account of these emoluments and of the principal and interest of advances, equal to the rate of interest under rule 182, shall be made from the emoluments themselves.

2. When emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Accounts Officer.

181. Contribution by the Fund.

1. The Fund shall, with effect from the 30th June of each year, make a contribution to the account of each subscriber;

Provided, that if a subscriber quits the service or dies during a year, the contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty.

2. The contribution shall be equal to the amount of subscription in respect of the subscriber;

Provided that contribution by the Fund shall not be payable in respect of any period for which the subscriber has not paid his subscriptions.

3. The amount of any contribution payable in respect of a period of a foreign service shall, unless it is recovered from the foreign employer, be recovered by the Fund from the subscriber.

4. The amount of contribution payable shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee)

182. Interest on the account.

1. Subject to the provision of sub-rule (5) the Fund shall pay to the credit of the account of each subscriber, interest at such rate, as may be announced for each year by the Government in respect of subscriptions to the General Provident Fund under the General Provident Fund (Central Services) Rules plus additional benefit at thirty per cent over and above the normal rate of interest.

Explanation. The annual rate of interest on the fund may vary from year to year. Additional benefit at thirty per cent over and above the normal rate of interest means thirty per cent of the interest announced by the Government from year to year. For example, normal interest declared by the Government for a certain year is 15.4 per cent; the subscribers will get 30 per cent of 15.4 per cent (i.e. 4.62). Additional benefit of 30 per cent as clarified above will apply on closing balances as on the 30th June of that year. In other words, total CP Fund balance (Fund balance including interest brought forward plus subscriptions during that year) thus arrived at on the 30th June of that year will be eligible for additional benefit.

2. Interest shall be credited with effect from the last day in each year in the following manner, namely:-

- a) On the amount at the credit of a subscriber on the last day of the preceding year, less any sum withdrawn during the current year profit for twelve months;
- b) On sums withdrawn during the current year profit, from the beginning of the current year up to last day of the month preceding the month of withdrawal;
- c) On all sums credited to the subscriber's account after the last day of the preceding year profit from the date of deposit up to the end of the current year; and

Workers' Welfare Fund (Employees Service) Rules, 1997.

- d) The total amount of interest shall be rounded to the nearest whole rupee, fifty paise counting as the next higher rupee;

Provided that when the amount standing at the credit of a subscriber has become payable, interest shall thereupon be credited under this sub-rule in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the date on which the amount standing at the credit of the subscriber becomes payable.

3. For the purposes of this rule the date of deposit shall, in the case of a recovery from emoluments and in the case of an amount forwarded by the subscriber, be deemed to be the first day of the month of receipt if it is received by the Accounts Officer before the fifth day of that month, but if it is received on or after the fifth day of that month the first day of the next succeeding month.

4. In addition to any amount to be paid under rule 187 interest thereon up to the end of the month preceding that in which the payment is made or up to the end of the sixth month after the month in which the payment is made or up to the end of the sixth month after the month in which such amount became payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid;

Provided, that no interest shall be paid of any period after the date which the Accounts Officer has intimated to that person, or his agent, as the date on which he is prepared to make payment in cash, or if he pay by cheque, after the date on which the cheque in that person's favour is put in the post;

5. Interest shall not be credited to the account of Muslim subscriber if he informs the Accounts Officer that he does not wish to receive it; but if he subsequently asks for interest it shall be credited with effect from the first day of the year in which he asks for it.

6. The interest on the fund shall be calculated at such rates as may be announced by Government of Pakistan.

183. Advances from the fund.

1. A temporary advance may be granted to a subscriber from the amount standing to his credit in the fund at the discretion of the Secretary subject to the following conditions, namely:-

- a) No advance shall be granted unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justify an advance, and that the amount advanced shall be expended on the following object or objects and not otherwise:-
- i) To pay expenses incurred in connection with the prolonged illness of a subscriber or any person actually dependent on him
 - ii) To pay for the overseas passage for reasons of health or education of s subscriber or any person actually dependent on him ; and
 - iii) To pay obligatory expenses on a scale appropriate to the subscriber's status in connection with marriages, funerals or ceremonies which by his religion it is incumbent on him to perform or in connection with his marriage or any member of his family or of a female relative who is actually dependent on him.
- b) The sanctioning authority shall record in writing its reasons for granting the advance; and
- c) The advance shall not, save in exceptional cases for reasons to be recorded in writing by the sanctioning authority, exceed three months emoluments

Workers' Welfare Fund (Employees Service) Rules, 1997.

and shall, in no case, exceed the amount of subscriptions and interest there on standing to the credit of the subscriber in the fund at the time when the advance is granted.

2. An advance shall not, except for special reasons to be recorded in writing by the sanctioning authority, be granted under sub-rule (1) until at least twelve months after the final repayment of the previous advance together with profits thereon.

3. The subscriber shall be allowed advance in a manner that only one advance shall remain outstanding at one time.

184. Recovery of advances.

1. An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct, but such number shall not be less than twelve unless the subscriber so elects, or in any case more than forty-eight. A subscriber may, at his option, make repayment in a smaller number of instalments than that prescribed and each instalment shall be a number of whole rupees.

2. Recovery shall be made in the manner provided in rule 180 for the realization of subscriptions and shall commence on the first occasion after the advance is made on which the subscriber draws emoluments for a full month, and recovery shall not be made, except with the subscriber's consent, while he is in receipt of subsistence grant.

3. After the principal of the advance has been fully repaid, interest shall be paid thereon at the rate equal to the rate of interest determined under rule 182 including additional benefit for each month or broken portion of a month during the period between the drawl and complete repayment of the principal;

Provided that Muslim subscribers whose deposits in the fund carry no interest shall not be required to pay in the fund any additional instalments on account of interest on advances granted to them from the fund.

4. Recoveries made under this rule shall be credited to the account of the subscriber in the fund.

185. Circumstances in which accumulations are payable.

1. When a subscriber quits the service, the amount standing to his credit in the fund shall subject to any deductions under rule 187, become payable to him;

Provided that a subscriber who has been compulsory retired, removed or dismissed from service and is subsequently re-instated in the service, shall repay any amount paid to him from the fund

2. When a subscriber, while on leave, has been permitted to retire or has been declared by a competent medical authority to be unfit for further service, the amount of subscriptions and interest thereon standing to his credit in the fund shall, upon application and interest thereon standing to his credit in the fund shall, upon application made by him in that behalf to the Secretary, become payable to the subscriber;

Provided that the subscriber, if he returns to duty, shall, if required to do so by the Secretary, repay to the fund, for credit to his account, the whole or part of any amount paid to him from the fund within three months.

3. (i) when the subscriber leaves a family:-

a) if a nomination made by the subscriber in accordance with the provisions of rule 176 in favour of a member or members of his family subsists the amount standing to his credit in the fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination;

Workers' Welfare Fund (Employees Service) Rules, 1997.

- b) if no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family become payable to the members of his family in equal share;

Provided that no share shall be payable to:-

- i) sons who have attained legal majority;
- ii) sons of a deceased son who have attained legal majority;
- iii) married daughters whose husbands are alive; and
- iv) married daughters of a deceased son whose husbands are alive.

If there is any member of the family other than those specified in clause (1), (2), (3) and (4);

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (i) of the first proviso.

Note: Any sum payable under these rules to a member of the family of a subscriber vests in such member under sub-section (2) of section (3) of the Provident Fund Act, 1925 (XIX of 1925).

- (ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of rule 176 in favour of any person or persons subsists, the amount standing to his credit in the fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportions specified in the nomination.

Note 1. When a nominee is dependant of the subscriber as defined in clause (c) of section 2 of the Provident Funds Act, 1925, the amount vests in such nominees under sub-section (2) of section 3 of that Act, nomination made by him in accordance with the provisions of rule 176 subsists, or if such nomination relates only to part of the amount standing to his credit in the fund, the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Fund Act, 1925, shall apply to the whole amount or the part thereof to which the nomination does not relate.

186. Deduction.

Subject to the conditions that no deduction may be made which reduces the credit by more than the amount of any contribution by the Fund with interest thereon credited under rules 181 and 182 before the amount standing to the credit of subscriber in the funds is paid out of the fund, the Secretary may direct the deduction there from and payment to the fund of:-

- a) Any amount, if a subscriber has been dismissed from the service for misconduct:-

Provided that if the order of dismissal is subsequently set aside, the amount so deducted shall, on his reinstatement in the service, be replaced at his credit in the fund;

- b) any amount, if a subscriber resigns his employment under the Fund within five years of the commencement thereof, otherwise than by reason of superannuation or a declaration by competent medical authority that he is unfit for further service;
- c) Any amount due under a liability incurred by the subscriber to the Fund.

187. Payment.

1. When the amount standing to the credit of a subscriber in the fund, or the balance thereof after any deduction under rule 186 becomes payable, it shall be the duty of the Accounts Officer, after satisfying himself, when no such deduction has been directed under that no deduction is to be made, to make payment as provided in section 4 of the Provident Fund Act, 1925 (XIX of 1925).

2. If the person, to whom under these rule any amount is to be paid, is a lunatic for whose estate a manager has been appointed in this behalf under the Lunacy Act, 1912 (IV of 1912), the payment shall be made to such manager and not to the lunatic.

3. Any person who desires to claim payment, under this rule shall send a written application in that behalf to the Account Officer. Payment of amounts withdrawn shall be made in Pakistan only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in Pakistan.

Note. When the amount standing to the credit of a subscriber has becomes payable under sub-rule (1), (2) or (3) of rule 185, the Accounts Officer shall authorize prompt payment of the portion of the amount standing shall authorize prompt payment of the portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

188. Procedure.

All sums paid into the fund under these rules shall be credited in the books of the fund to an account named The Contributory, be credited in the books of the fund to an account named The Contributory Provident Fund Account.

189. Fund number to be quoted.

1. When paying subscription a subscriber shall quote the number of his account in fund, which shall be communicated to him by the Accounts Officer, and any change in the number shall, similarly, be communicated to the subscriber by the Accounts Officer.

2. After the 30th June of each year, the Accounts Officer shall send to each subscriber a statement of his account in the fund, showing the opening balance as on the 1st July of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 30th June of the year and the closing balance on that date, and the Accounts Officer shall attach to the statement of account an enquiry whether the subscriber

- a) Desires to make any alteration in any nomination made under rule 176;
- b) Has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under sub-rule (2) of rule 176.

(2) Subscribers must satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Accounts Officer within three months from the date of receipt of the statement.

CHAPTER 16.

ADVANCES

190. Advances.

The advances made by fund fall under two main heads (i) Advances bearing interest and (ii) Interest-free Advances, in the former category are loans made to employees for building houses and for purchase of conveyances, and under the latter category come advances made to employees on tour and transfer.

191. General conditions.

1. As a general rule, advances are not payable to employees who are not in permanent employment, because their pay does not constitute adequate security for the advances.

2. In special cases and subject to such conditions as may be deemed appropriate temporary employee may also be allowed the advances.

3. Interest at the rate circulated by the Government shall be charged on advance granted to employees for building of houses or purchase of conveyances, if an employee dies before retirement no recovery shall be made on account of interest, and in case recoveries on account of interest were in progress at the time of death, no recovery shall be made for the remaining amount of interest.

4. The following exceptions are permissible namely:-

- a) No interest shall be charged from employees on advances for the purchase of bicycles granted from the fund;
- b) No interest shall be charged from employees in grade 1 to 15 on house building advances;
- c) In case an employee, who was in grade 15 or below at the time when house building advance was sanctioned to him, if promoted to grade 16 or above, no interest shall be charged from his pay in grade 16 or above, interest shall become payable under the normal rules and orders;
- d) In case an employee, who was in grade 16 or above when house building advance was sanctioned to him is reverted to a post in grade 15 or below, interest shall be charged from him under the normal rules and orders: and
- e) The employees, who do not claim interest on contributory provident fund balances, shall be granted house building advance, motor-car advance and motor-cycle advance free of interest.

5. The amount of the advance is recovered from the monthly pay bills in such instalments as may be specified in these rules, this should not be affected by the fact of the borrower being on leave of any kind and drawing leave salary or being under suspension drawing the subsistence grant, during the extraordinary leave without pay and allowance the instalments should be recovered in cash, if the employee fails to pay the instalment in cash, the arrears of instalments should be recovered in lump sum from the first payment of pay and allowances which may become due at the end of leave.

6. For all interest bearing advances, the competent authority shall not issue a sanction unless the Secretary issues a certificate regarding the availability of funds for the purpose in the year in which payment is proposed to be made.

192. House building advance.

1. Competent authority may sanction the grant of advance to an employee for construction of house, purchasing a house, completely reconstructing a house or extending or renovating a house already owned by him for occupation by him self.

Workers' Welfare Fund (Employees Service) Rules, 1997.

2. Two advances may be granted in service for the construction of new houses and for the bona fide residential requirements of the employee himself, subject to the condition that the first advance drawn by him has been repaid in full together with the interest.

3. House building advance for the purchase of flats in multi-storey buildings may be granted to employees to the extent and subject to usual conditions prescribed for the admissibility of house building advance, and this shall be subject to following further provision namely:

- a) Before receiving the amount of the advance, or payment of the amount to the construction agency direct, the employee concerned shall be required to execute an agreement in the prescribed Form; and, after the purchase of the flat is completed, execute and register the mortgage deed in the prescribed form as security for repayment of the amount of advances with interest;
- b) Satisfactory evidence shall have to be produced within three months of the drawl of the advance to show that the amount has been spent on the purchase of flat by showing the valid legal receipt issued by the construction agency concerned in token of the purchase deed:

Provided that an employee who wants that the payment of the advance sanctioned under the above orders be made direct to the construction agency, he may indicate it in his application for the grant of advance and, in such a case, the Drawing and Disbursing Officer shall arrange for the direct payment of the sanctioned amount to the agency concerned and obtain a valid receipt in the name of the employee from that agency and hand over the same to him.

4. The advance should not exceed thirty-six months pay of an employee.

5. The repayment of advance shall be subject to the following conditions namely:-

- a) The repayment of advance commences from the pay of the month following that in which advance has been drawn;
- b) The repayment schedule shall be
 - i) For employee in grade 3 and Above. 120 equal instalments; and
 - ii) For employees in grade 1 And 2. 240 equal installments;
- c) The interest shall be recovered in one or more installments from the month following in which the recovery of the principal amount is completed, each such instalment being not more than the amount of instalment by which the principal amount was recovered.
- d) The monthly rate of recovery shall be fixed in whole rupee except in the case of last instalment when the remaining balance including the fraction of a rupee shall be recovered.

6. Those employees who are likely to retire from service within ten years and are paid the house building advance, the instalments of recovery in their case shall be so fixed that the recovery of principal together with the interest accrued thereon is completed before the date of retirement, and the rate of instalment shall not exceed one fourth of the pay of an employee and if the rate of recovery exceeds that limit due to earlier anticipated retirement of the employee amount of advance may be so reduced that it is recovered together with the interest before retirement.

Workers' Welfare Fund (Employees Service) Rules, 1997.

7. In case of grade 1 to 3 employees the grant of advance shall be regulated by the age limits in the following manner, namely:-

- a) Full amount of house building advance equivalent to thirty-six months pay recoverable in 240 instalments may be granted up to the age of forty years;
- b) Full amount may also be granted between the ages of forty to forty-eight subject to the written undertaking being furnished by the employee to the effect that recovery of the advance may be made from his pay at such a uniform rate not exceeding one-fourth of pay so that amount of the advance is repaid in full before attaining the age of sixty years: and
- c) In the case of employees who are above the age of forty-eight years, the amount of the advance shall be reduced so much as would enable the recovery of the advance at a rate not exceeding one-fourth of pay in any one month, being made possible before attaining the age of sixty years.

8. In order to secure the Fund from loss consequent on an employee dying or quitting service before the repayment of advance together with the interest is completed. the house so built and the land on which it stands, should be mortgaged to the Chairman, which shall be released only when the entire amount of advance and interest is liquidated, the mortgage deed should be executed in Form No.I.II.III or IV given in Appendix-7 to these rules, as the case may be and the sanctioning authority shall scrutinize the deed and record a certificate regarding its correctness, the mortgage deed should be registered within four months of payment of the advance, and the deed shall be kept in the safe custody of the sanctioning authority, until the advance with interest is fully repaid.

9. The officer or official applying for the advance shall satisfy the sanctioning authority regarding his title to the land upon which the house is proposed to be built. It should be seen that the officer or official concerned has undisputed title to land and there is no legal obstacle to the property being mortgaged to the Fund and right of foreclosing on the conditions mentioned in the mortgage bond. There shall be no objection to grant of advance to employee who has a lease on a plot of land, of which the unexpired portion is of a term and value sufficient to justify the grant of the advance and that is no danger of the lease lapsing or of Government being unable to dispose of it, should it become necessary to fore-close the mortgage.

10. The house advance may be granted to temporary employees also on the following conditions, namely:-

- a) The temporary employee has completed at least ten years continuous service in the Fund and grade 1 and 2 temporary employees are eligible irrespective of the length of service;
- b) Secretary certifies that the services of the employee concerned are not likely to be terminated within the prescribed period for the repayment of advance; and
- c) Security of two permanent employees, who are not likely to retire before the house is built and mortgaged, is furnished which shall be released when the house has been built and mortgaged to the Fund.

11. The revision of house building advance is admissible if the following conditions are fulfilled, namely:-

- i) The increase in pay otherwise than by accrual of time scale increments is not less than twenty per cent;
- ii) The net amount payable against the revised sanction be arrived at after the adjustment of any amount drawn against the original sanction, whether that amount, or any part thereof has been repaid or not;

Workers' Welfare Fund (Employees Service) Rules, 1997.

- iii) The instalments of recovery shall be refixed so as to recover the total amount minus the amount already repaid within the maximum period originally fixed;
- iv) The revision shall be admissible only if the event entitling the employee for the revision of the advance takes place within a period of twelve months prescribed for the completion of house from the date of the drawl of the first instalment of advance for construction as distinct from the instalment for development charges;
- v) The revision shall not be allowed if the house has been completed and occupied by any one; and
- vi) If the mortgage deed already executed and registered for the advance originally sanctioned, the mortgagor may be required to execute a new separate deed in Form No.V given in Appendix 7 to these rules. The new deed should also be registered under the Registration Act, 1908 (XIV of 1908).

193. Advance for purchase of conveyance.

The employees may be granted advances for purchase of conveyances which may be sanctioned by the Secretary.

194. Advances for purchase of motor-car.

1. An employee drawing pay of Rs. 5085 per month or above may be granted advance for the purchase of motor-car.

2. The motor-car advance shall be one hundred thousand rupees.

3. The recovery of the advance shall start from the first issue of pay after the drawl of the advance, in sixty equal installments, the interest shall be recovered in one or more installments, the amount of installment not being higher than that of the principal, and the recovery of interest shall commence from the month following the month in which the recovery of the principal is completed.

4. if the recovery of the advance has not been completed and an employee wants to sell the car purchased with the aid of advance, he should obtain the permission of the competent authority and, in such case where a car is proposed to be sold before the complete recovery of the advance together with the interest, the sale proceeds must be utilized towards the repayment thereof, and if the car is sold in order to purchase another car, the competent authority may allow the sale proceeds to be applied for the purchase of another car on the conditions, namely:-

- a) the amount outstanding should not be permitted to exceed the cost of new car;
- b) the amount outstanding shall be continued to be repaid at the rate already fixed; and
- c) The new car should be mortgaged and insured as usual.

5. When an employee has drawn the advance, he is expected to complete the negotiations for purchase of car and pay finally within one month of the date of drawl of advance, and if this is not done, the entire amount together with the interest should be refunded to the Fund immediately except in such cases where competent authority has granted him an extension.

6. At the time of drawl of advance, the employee should execute an agreement in Form No.VI given in Appendix-7 to these rules. The controlling officer should scrutinize the agreement and record a certificate on the bill that the agreement is in order and when the purchase has been finalized the employee shall execute a mortgage deed in Form No.VII given in

Workers' Welfare Fund (Employees Service) Rules, 1997.

Appendix-7 hypothecating the car to the Chairman as security for the advance, the cost price of the car should be entered in the schedule of specification attached to the mortgage deed, and the mortgage bond should be kept in the safe custody of the sanctioning authority until the recovery of the advance is completed and then it may be cancelled and returned to the employee concerned after the Accounts Officer has given a clearance certificate.

7. The car must be insured against full loss by fire, theft or accident by way of a comprehensive insurance policy, and not a 'Third Party Insurance' and in case of purchase of second-hand cars third party insurance is permissible, provided the employee furnishes the following undertaking, namely:-

- a) He shall not seek any abatement, relief or waiver of the outstanding amount of advance in case of damage to or loss of vehicle; and
- b) In the event of the employee's demise the balance shall be recovered from the gratuity or other dues payable to the heirs;

The insurance should be effected within one month of the date of purchase.

8. As soon as the purchase is final, mortgage deed executed and insurance effected, the following documents shall be submitted to the Accounts Officer, namely:-

- i. Vendor's receipt;
- ii. Mortgage bond;
- iii. Insurance policy; and
- iv. A letter in Form No. VIII given in Appendix-7 to these rules.

9. A second advance for the purchase of motor-car is admissible if the previous advance together with the interest accrued thereon has been fully repaid.

195. Advance for the purchase of motor-cycle.

1. An advance for the purchase of motor-cycle may be granted to an employee drawing pay @ Rs.1951 per month and above but not more than Rs.5084 per month.

2. Motor- cycle advance shall be allowed to maximum of thirty-five thousand rupees.

3. Other conditions shall be the same as in the case of motor-car advance.

196. Advance for the purchase of bicycle.

1. Advance for purchase of bicycle may be granted to employee who are temporary or permanent and are in receipt of pay not exceeding Rs.1950 per month subject to the following conditions, namely:-

- i) The amount of advance shall not exceed two thousand rupees;
- ii) Recovery to be made in forty-eight instalments from permanent employees and in thirty instalments from those who are not permanent;
- iii) Temporary employees shall produce a surety from a permanent employee and in case of temporary grade 1 to 3 employees advances is admissible to those only who have at least three years service at their credit;
- iv) The sanctioning authority shall satisfy it self that the employee shall continue in service till the completion of the recovery of advance and if the employee quits the service earlier, the advance shall be recovered in lump sum;
- v) The sanctioning authority shall also satisfy itself the advance has actually been utilized towards purchase of a bicycle; and

Workers' Welfare Fund (Employees Service) Rules, 1997.

- vi) A second advance is admissible if the previous advance has been fully repaid.

197. Interest-free Loans

No interest shall be charged on the house building and conveyance advances drawn by employees whose deposits in the contributory provident fund account carry no interest;

Provided that the employee has not received interest on his contributory provident fund accumulations prior to the drawl of the advance from the fund and shall claim no interest in future.

198. Advances for journeys on tour.

1. Advance of travelling allowance on tour may be granted to employees by the Secretary and the amount of advance shall be sufficient to cover their personal travelling expenses for a month.

2. The authority competent to grant advance may sanction advance for itself also.

3. The advance shall be adjusted through travelling allowance bill immediately on return to headquarters or on the 30th June. Whichever is earlier.

4. Second advance cannot be allowed until the previous advance has been adjusted and if an employee has been paid an advance for a particular journey the travelling allowance bill for that journey shall not be admitted unless the advance drawn for the purpose is properly adjusted.

CHAPTER 17

GRATUITY

199. General Provision.

1. On retirement from service, an employee shall be entitled to receive such gratuity as is specified in these rules.

2. In the event of the death of an employee, whether before or after retirement, his family shall be entitled to receive such gratuity, as is specified in these rules.

3. No gratuity shall be admissible to an employee who is dismissed or removed from service for reasons of discipline.

200. Claim not admissible.

In the following cases no claim to gratuity is admitted, namely:-

- a) When an employee is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged;
- b) When an employee serves under a covenant or a contract; and
- c) When an employee is paid from contingencies.

201. Service qualifying for gratuity.

Unless otherwise specifically provided, the service of an employee begins to qualify for gratuity from the date he takes charges of the post to which he is first appointed on regular basis.

202. Conditions of qualifying service.

Except as otherwise provided in these rules, the service of an employee does not qualify for gratuity unless it is under the Fund, is on regular basis and is paid from the Fund.

203. The following periods shall count as service qualifying for gratuity, namely:-

- a) All period of leave, other than extraordinary leave;
- b) Time spent under suspension following by reinstatement, or if the officer dies or retires on attaining the age of superannuation while under suspension and before final orders are passed on the disciplinary case; and
- c) Initial or extended period of deputation of an employee to any government of autonomous body or any other organization in or out of Pakistan.

204. Resignations, dismissal and removals.

Resignation of service or removal or dismissal from service entails forfeiture of past service.

Provided that of the appellate authority on appeal sets aside the order of removal or dismissal, as the case may be, the employee's past service shall count

205. Interruptions.

1. An interruption in the service of an employee entails forfeiture of his past service except in the case of –

- a) Authorized leave of absence;
- b) Suspension immediately followed by reinstatement or where the employee dies or is permitted to retire or is retired while under suspension;
- c) Loss of appointment owing to abolition of office or reduction establishment;
- d) Time occupied in transit from one appointment to another; and

Workers' Welfare Fund (Employees Service) Rules, 1997.

- e) Subject to the approval of the Secretary, an interruption due to any other reason provided the interruption is due to any fault or wilful act of an employee such as unauthorized absence, resignation, removal etc.

2. The authority which sanctions the gratuity may commute retrospectively period of absence without leave into extraordinary leave.

206. Condonation of interruption.

Upon such conditions as he may think fit in each case to impose, the Chairman in the case of employees in grade 20 and above and equivalent, and the Secretary in other cases may, on application for condonation made by the employee concerned, condone all interruptions in service

207. Calculation of gratuity.

1. After a service of five years or more, the retiring employee shall be entitled to a gratuity not exceeding one month's the rate shall be one and half month's emoluments for each completed year of service and for the purpose of the rule of service of six months or more shall be treated as full one year.

2. In case an employee dies while in service, a lump sum payment equal to his pay drawn immediately before the death shall be paid to his family provided the deceased has served in the Fund for a minimum period of ten years.

208. Family gratuity in the case of death of an employee with more than five year service.

1. In case of death of an employee while in service that has rendered five years qualify service or more, gratuity not exceeding one and a half month's emoluments for each completed year of service shall be payable to his family in accordance with rules 209 and 210 as the case may be.

2. The 'Family' for the purpose of payment of death-cum-retirement gratuity shall include the following relatives of the employee, namely:-

- i) Wife of wives, in case of a male employee;
- ii) Husband, in case of a female employee;
- iii) Children of an employee; and
- iv) Widow or widows of a deceased son of the employee.

Note.1.An "adopted child" shall be considered to be a child when the Accounts Officer, the law officer of the Fund or the Solicitor, Law Division, Government of Pakistan is satisfied that under the personal law of the employee concerned, adoption is legally recognized as conferring the status of natural child, but in this case only.

Note.2.If it is proved that the wife has been judicially separated from the employee or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall no longer be deemed to be a member of the family unless the employee has himself intimated in writing to the Accounts Officer that she shall continue to be so regarded.

Note.3.In the case of female employee if she intimates in writing to the Account Officer that her husband shall not be included as a member of the family then the he shall no longer be considered a member of the family unless she subsequently cancels in writing her intimation excluding him;

Provided that if a subscriber by notice in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in

Workers' Welfare Fund (Employees Service) Rules, 1997.

matters of which the rule in this chapter relate, unless subscriber subsequently cancels formally in writing her notice excluding him.

2. Employee shall, as soon as he completed five years qualifying service, make a nomination, conferring on one or more persons the right to receive any gratuity that may be sanctioned under sub-rule (1) of rule 207.

3. If an employee nominates more than one person under sub-rule (2) above he shall specify in the nomination the amount or share payable to each nominee in such manner as to dispose of the whole amount of the gratuity mentioned there in.

4. An employee may provide in nomination.

a) In respect of any specified nominee, that in the event of his predeceasing the employee the right conferred upon that nominee in sub-rule (2) above shall pass to such other member or members of the employee's family as may be specified in the nomination.

b) That the nomination shall become void in the event of the happening of a contingency specified therein.

5. Every nomination shall be in such one of the forms set forth in Appendix 8 and 9 to these rules as may be appropriate in the circumstances of the case.

6. An employee may at any time cancel a nomination by sending a notice in writing to Accounts Officer Provided that the employee shall, alongwith such notice, send a fresh nomination made in accordance with this rule.

7. Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (4) above or on the occurrence of any event by reason of which the nomination becomes so void by reason of clause (b) of sub-rule (4) above, the employee shall send to the Account Officer a notice in writing formally canceling the nomination together with a fresh nomination made in accordance with this rule.

8. Every nomination made, and every notice of cancellation given by an employee under this rule shall be sent by the employee to the Accounts Officer, and immediately on receipt of a nomination from an employee the Accounts Officer and shall get it countersigned by the Secretary who shall countersign it indicating the date of receipt and keep it in his custody.

9. Every nomination made, and every notice of cancellation given by an employee shall, to the extent that it is valid, take effect on the date on which it is received by the authority mentioned in sub-rule (8).

10. When the amount of gratuity has become payable to the family it shall be the duty of the Accounts Officer to make payment to the family according to the following procedure; namely:-

(A) When the employee leaves a family,

a) The amount of gratuity or any part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination.

b) If no nomination in favour of a member or member of a family subsists, or if a nomination relates only to a part of the amount of the gratuity, the whole amount of the gratuity or part thereof to which the nomination does not relate, shall become payable to the member of his family in equal shares:

Provided that no share shall be payable to

i) Sons who have attained the age of twenty-one years.

Workers' Welfare Fund (Employees Service) Rules, 1997.

- ii) Sons of deceased son who have attained the age of twenty-one years.
- iii) Married daughters whose husbands are alive;
- iv) Married daughters of a deceased son whose husband are alive if there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv) above.

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he survived that employee and had been exempted from the operation of the first proviso.

Note.1. When the beneficiary is a minor, and has no regularly appointed manager or guardian, the sanctioning authority may allow the payment of gratuity or shares of gratuity of minor children of a deceased employee to their mother, and in case the mother is not alive or was judicially separated from the employee in his life time, the sanctioning authority may nominate any suitable person to be the guardian of such minor children for the purpose of receiving payment of pension and share of gratuity on their behalf.

Note.2. In a case when the deceased employee was a female, the sanctioning authority may, under the circumstances stated above, allow the payment of pension or shares of gratuity or minor children of the deceased to their father, and

- (B) When the employee leaves no family the amount of gratuity shall be payable to the following surviving relatives, if any of the employees in equal shares, namely:-
 - a) Mother;
 - b) Father;
 - c) Un-married sisters, widowed or divorced sisters, wholly dependent upon him ; and
 - d) Brother below the age of twenty –one years.

Explanation. Judicially separated or divorced mother who has re-married does not fall in this category .

11. No gratuity shall be payable by the Fund after the death of an employee if he does not leave a family as defined in sub-rule (2) of rule 208 above or an eligible dependent relative or relatives specified in clause (B) of rule 208.s

209. Emoluments of gratuity

The term “emoluments” for the purpose of gratuity means the emoluments which the employee was receiving immediately before retirement and shall include

- a) Pay;
- b) Senior Post Allowance;
- c) Special Pay of all types and nature;
- d) Personal pay;
- e) Technical Pay;
- f) Dearness Allowance; and

Workers' Welfare Fund (Employees Service) Rules, 1997.

- g) Any other additions to pay which may be specifically declared by the Board as emoluments reckoning for pension

210. Authorities competent to sanction gratuity

Gratuity shall be sanctioned

- a) In the case of employees holding posts
In grade-20 and above. By the Chairman ; and
- b) In the case of employees in grade-19 and
below By the Secretary.

CHAPTER 18

DENEVOLENT FUND AND GROUP INSURANCE

211. Fund specified as an organization under Act No. II of 1969.

The Fund has been specified by the Federal Government to be a body corporate or an organization whose officer and servants, other than those paid from contingency or employed as work-charged staff, shall be 'employees' within the meaning of clause (e) of sub-section (4) of section 2 of the Federal Employees Benevolent Fund and Group Insurance Act, 1969 (II of 1969).

212. Employees governed by Act No. II of 1969.and rules made there-under.

For purpose of benevolent fund and group insurance, the employees shall be governed by the Federal Employees Benevolent Fund and Group Insurance Act, 1969 (II of 1969), as amended from time to time, the Federal Employees Benevolent Fund and Group Insurance Rules, 1972, as amended from time to time and by such other subsidiary orders and instructions as are issued, by the Federal Government or by the Board of Trustee, Benevolent and Group Insurance Fund, from time to time.

213. Medical authority to determine capacity of an employee.

The medical authority for the purpose of determining incapacity of an employee shall be a Board constituted by the Ministry of Health and consisting of three medical officers, one of whom shall be a specialist in the field to which the incapacity of the employee to be examined relates.

214. Nomination to be made by every employee.

(1) Every employee shall make a nomination in form A, specified in sub-rule (3) or rule 10 of the Federal Employees Benevolent Fund and Group Insurance Rules,1972, conferring on one or more members of his family, the right to receive a specified share of the benevolent grant or the sum assured and shall also provide in the nomination

- a) That in the event of any one of the nominee predeceasing the employee, the right conferred upon that nominee shall pass to such other member or member of the employee's family as he may specify in nomination; and
- b) The nomination in respect of all or any of the nominees shall become void in the event of happening of any contingency specified therein.

(2) Nothing in sub-rule (1) shall invalidate, or to require the replacement of a nomination made under that sub-rule that sub-rule (1) or a nomination duly made before and subsisting on the date of commencement of these rules.

(3) An employee may at any time cancel a nomination made under sub-rule (1) or as the case may be, sub-rule (2), and make a fresh nomination.

CHAPTER 19

RELAXATION

215. Relaxation.

Notwithstanding anything contained in these rules, in relation to terms and conditions of service of employees, the Governing Body with the previous approval of the Federal Government may, if it is satisfied for reasons to be recorded in writing, that strict application of an such rule causes undue hardship in any case, by order relax the requirement of such rule, as it may deem fit, for ensuring just and equitable treatment to the person concerned without affecting the rights or adversely affecting the conditions of service of other employees.

APPENDIX 1

[See rule 9]

LIST OF CADRES

S.NO. Nomenclature

1. Administrative and Ministerial Cadre.
2. Engineering Cadre.
3. Finance and Account Cadre.

APPENDIX 2

[See sub-rule (2) of rule 10 and rule 13 (5)]

**METHODS OF APPOINTMENT, QUALIFICATION, EXPERIENCE AND OTHER
CONDITIONS RELATING TO POST**

PART-I

1. Method of Appointment

Appointment to the posts indicated in column (1) of table below shall be made by initial appointment or promotion in the ratio specified against each post in column (2)

TABLE

Post with Grade	Ratio of appointment	
	Initial Appointment	Appointment by Promotion.
1	2	
Grade-20		
1. Secretary - - - - -	50%	50%
Grade-19		
1. Director - - - - -	50%	50%
Grade-18		
1. Deputy Director - - - - -	50%	50%
2. Computer Programmer - - - - -	50%	50%
3. Deputy Director (Tech/Works) - - - - -	50%	50%
Grade -17		
1. P.S. to the Secretary - - - - -	20%	80%
2. Assistant Director - - - - -	50%	50%
3. Assistant Computer Programmer - - - - -	50%	50%
4. Assistant Director (Tech /Works) - - - - -	80%	20%
Grade-16		
1. Superintendent - - - - -	_____	100%
2. Junior Computer Programmer - - - - -	100%	_____
3. Accountant - - - - -	100%	_____
1		
2		

Workers' Welfare Fund (Employees Service) Rules, 1997.

Grade-15

1. Stenographer	-	-	-	-	-	50%	50%
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Grade-12

1. Stenotypist	-	-	-	-	-	100%	_____
----------------	---	---	---	---	---	------	-------

Grade-11

1. Senior Assistant	-	-	-	-	-	50%	50%
---------------------	---	---	---	---	---	-----	-----

2. Draftsman	-	-	-	-	-	100%	_____
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3. Sub Engineer	-	-	-	-	-	100%	_____
-----------------	---	---	---	---	---	------	-------

Grade-10

1. Date Entry Operator	-	-	-	-	-	100%	_____
------------------------	---	---	---	---	---	------	-------

Grade-7

1. Assistant (U.D.C)	-	-	-	-	-	50%	50%
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2. Tracer	-	-	-	-	-	100%	_____
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Grade -5

1. Junior Assistant (L.D.C)	-	-	-	-	-	80%	20%
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2. Urdu Typist	-	-	-	-	-	100%	_____
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Grade-4

1. Driver	-	-	-	-	-	100%	_____
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2. Despatch Rider	-	-	-	-	-	100%	_____
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3. Duplicating Machine Operator	-	-	-	-	-	80%	20%
---------------------------------	---	---	---	---	---	-----	-----

Grade-2

1. Qasid/Sr. Lift-operator	-	-	-	-	-	_____	100%
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Grade-1

1. Naib Qasid / Chowkidar / lift-operator / Mali/ sweeper	-	-	-	-	-	100%	_____
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PART-II

2. Initial appointment.

A candidate for initial appointment to a post specified in column (1) must possess the qualification and experience specified in column (3) and must be within age-limit specified in column (2) in the table below, the competent authority may relax the conditions if so required, and the reasons for relaxation would however be indicated in writing.

Workers' Welfare Fund (Employees Service) Rules, 1997.

TABLE

Post with Grade	Age limit. (Min-Max)	Minimum qualification, experience and other condition.
1	2	3

Grade-20

1. Secretary - - 37-50
- (i) A second class Master's Degree in commerce or Business Administration or public Administration or Law Graduate.
 - (ii) Seventeen years experience in the relevant field in a responsible position under Government or in an organization or a firm of repute in public or private section.

Grade-19

2. Director (Admn) - 32-45
- (i) A second class Master's Degree in commerce or Business Administration or Public Administration or Law Graduate.
 - (ii) Twelve years experience in the relevant field in a responsible position under Government or in an organization or a firm of repute in public or private sector.

3. Director

- (Finance and Accounts). 32-45
- (i) A second class Master's Degree in Commerce or Business Administration with Finance as a subject, or FCA or ICMA or Chartered Accountancy or M.A Economics with minimum of ten years experience in Finance .

OR

Graduate, S.A.S. Accountant of Pakistan Audit Department having experiences of Commercial & Cost Accounting.

- (ii) Twelve years experience in the relevant field in a responsible position under Government or in an organization or a firm of repute in public or private sector (5 year in the case of C.A and fifteen years for S.A.S Accountants of PAD).

4. Director

- (Resource and Recovery). 32-45
- Same as above.

5. Director (Monitoring and Technical), (Works) and Superintendent Engineer. 32-45
- (i) A second class Bachelor's Degree in Civil Engineering. Preference will be given to holders of Master's Degree in Civil Engineering, or Ist class Diploma in Civil Engineering.

Workers' Welfare Fund (Employees Service) Rules, 1997.

Post with Grade	Age limit. (Min-Max)	Minimum qualification, experience and other condition.
1	2	3

- (ii) Twelve years experience in the relevant field in a responsible position under Government or in an organization or a firm of repute in public or private sector, Ten years experience in case of Master's Degree.
- (iii) Twenty five years experience in case of Diploma holders.

Grade-18

1. Deputy Director
(Administration)

25-35

- (i) A second class Master's Degree or law Graduate.
- (ii) Five years experience in the relevant field in a responsible position under Government or in an organization or a firm of repute in public or private sector.

2. Deputy Director
(a) Finance & Accounts;
(b) Reconciliation & Budget;
And
(c) Resource and Recovery.

25-35

- (i) Master's Degree in Business Administration or in Public Administration or in Commerce or ICMA or C.A or M.A. Economics with 7 years experience in Finance. OR Graduate, S.A.S. Accountant of Pakistan Audit Department having Experience of Commercial & Cost Accounting.
- (ii) Five years experience in the relevant field in a responsible position under Government or in an organization or a firm of repute in public or private sector. Three year's in the case of C.A. ten years experience in case of SAS Accountant.

3. Deputy Director
(Tech/Works) or
Executive Engineer.

25-35

- (i) A second class Bachelor's Degree in Civil Engineering. Preference will be given to holders of Master's Degree in Civil Engineering. OR Ist class Diploma in Civil Engineering.
- (ii) Five years experience in the relevant field in a responsible position under Government or in an organization or a firm of repute in public or private sector.
- (iii) Twenty years experience in case of Diploma holders.

Workers' Welfare Fund (Employees Service) Rules, 1997.

Post with Grade	Age limit. (Min-Max)	Minimum qualification, experience and other condition.
1	2	3
4. Computer Programmer	25-35	(i) A second class Master's Degree in Computer Science, Economics, Statistics. Physics or Mathematics. (ii) Computer Programming Course in at least two computer languages. (iii) Training in System analysis and design, Ability to operate Windows/Lotus/Symphony. (iv) Five years experience in the relevant field.
Grade-17		
1. P.S. to the Secretary	22-30	(i) A second class Bachelor Degree. (ii) Shorthand speed one hundred twenty words per minute. (iii) Typing speed fifty words per minute. (iv) Computer Knowledge is essential. (v) Five years experience as a private secretary. Personal assistant or a stenographer.
2. Assistant Director (Admn)	22-30	(i) A second class Master's Degree or law Graduate. (ii) Person having experience in the relevant field will be preferred.
3. Assistant Director (a) Investment; (b) Accounts; (c) Budget; (d) Reconciliation; and (g) Recovery & Resources relevant	22-30	(i) A second class Master's Degree in Commerce, Business or M.A. Economics with experience in Finance or Graduate SAS Accountant of Pakistan Audit Department. (ii) person having experience in the field will be preferred. (3 years of experience required in case of SAS Accountant).
4. Assistant Director (Tech/Works) or Asstt Executive Engineer/ Asstt Engineer.	22-30	(i) A second class Bachelor's Degree in Civil Engineering.
OR		
Ist Class Diploma in Civil Engineering.		

Workers' Welfare Fund (Employees Service) Rules, 1997.

Post with Grade	Age limit. (Min-Max)	Minimum qualification, experience and other condition.
1	2	3

(ii) Person having experience in the relevant field will be preferred. (7 years experience required in case of Diploma holders).

5. Assistant Computer Programmer 22-30

- (i) A second class Master's Degree in computer Science, Economics, Statistics, Physics or Mathematics.
- (ii) Computer Programming Course in at least two computer languages.
- (iii) Training in System analysis and design. Ability to operate Windows/Lotus/DOS etc.
- (iv) Person having experience in the relevant field will be preferred.

Grade-16

1. Accountant 20-28

- (i) A second class Bachelor Degree or Graduate SAS Accountant of PAD.
- (ii) Five years experience in a supervisory capacity in financial management or administration in Government or in an organization or firm of repute in public or private sector. Experience relaxable by three years in case of Master's Degree. (No experience for SAS Accountant).

2. Junior Computer Programmer. 20-28 (i)

- A second Bachelor's Degree with Economics, Statistics, Physics or Mathematics.
- (ii) Computer Programming Course in at least two computer languages.
- (iii) Training in system analysis and design. Ability to operate Windows/Lotus/DOS etc.
- (iv) Three years experience in the relevant field.

Grade -15

1. Stenographer 18-25 (i)

- Second class Intermediate in Commerce Diploma in Commerce.
- (ii) Shorthand speed hundred words per minutes.
- (iii) Typing speed fifty words per minute.
- (iv) Computer knowledge is essential.
- (v) Five years experience in the relevant field.

Workers' Welfare Fund (Employees Service) Rules, 1997.

Post with Grade	Age limit. (Min-Max)	Minimum qualification, experience and other condition.
1	2	3

Grade-12

1. Stenotypist. 18-25 (i) second class Intermediate in Commerce
Diploma in Commerce.
- (ii) Shorthand speed eighty words per minutes.
 - (iii) Typing speed forty words per minute.
 - (iv) Computer knowledge is essential.
 - (v) Two years experience in the relevant field.

Grade-11

1. Senior Assistant 18-25 A second class Bachelor Degree
Preferably with two years experience in
the relevant field.
2. Draftsman 18-25 (i) Second class Diploma in Civil Drafts man
ship.
- (ii) Two years experience in the relevant fields.
3. Sub Engineer 18-25 (i) Second class Diploma in Civil Engineering.
- (ii) Two years experience in the relevant fields.

Grade-10

1. Date Entry Operator 18-25 (i) Intermediate (2nd division).
- (ii) Minimum speed of 10,000 key depressions per hour for Data entry /verification.

Grade-7

1. Assistant (U.D.C) 18-25 (i) Intermediate (II division).
- (ii) Typing speed 20 words per minute.
 - (iii) Person having computer knowledge and experience of two years will be preferred.
2. Tracer 18-25 (i) Intermediate (II division).
- (ii) Two years experience in the relevant field.

Workers' Welfare Fund (Employees Service) Rules, 1997.

Post with Grade	Age limit. (Min-Max)	Minimum qualification, experience and other condition.
1	2	3

Grade-5

1. Junior Assistant (J.D.C.) 18-25 (i) Matric (second division).
(ii) Typing speed 30 words per minute.
(iii) Person having computer knowledge and experience of two years in office works will be preferred.
2. Typist (Urdu) 18-25 same as above.

Grade-4

1. Duplicating Machine Operator 18-25 (i) Matric second class or five years service as Naib Qasid.
(ii) Should have working knowledge of Duplicating Machine/Photo Copier, its maintenance and up-keep.
2. Driver 18-25 (i) Middle passed.
(ii) Should possess a valid LTV/HTV driving License.
(iii) Three years experience as Driver.
3. Despatch Rider 18-25 (i) Middle Passed.
(ii) Should Posses a valid driving license for Motor Cycle/Scooter and a valid LTV license.
(iii) Three years experience as Driving of motor cycle/scooter.

Grade -1

- Naib Qasid/Chowkidar/Mali/ lift-Operator/Sweeper 18-25 Middle Passed.

PART –III

3. Appointment by promotion.

An employee may be promoted against post reserved for departmental quota specified in column (1) subject to fulfillment of terms and conditions specified in column (3) from the person specified in column (2) of the table below:-

TABLE

Name of the Post	Person eligible	Condition of eligibility
1	2	3
Secretary	Director	Seventeen years service (as Assistant Director /Assistant Director Works) in pay Sclae-17 and above of which at least five years should be in pay Scale -19 or equivalent position .
Director	Deputy Director	Twelve years service (as Assistant Director) in pay Scale-17 and above of which at least seven years should be in pay Scale -18 or equivalent position.
Deputy Director	Assistant Director	Five years service (as Assistant Director) in Pay Scale-17.
Assistant Director	Superintendent	Five years service as superintendent.
Director Works	Deputy Director Works	Twelve years service (as Assistant Director Works) in Pay Scale-17 and above of which at least seven year should be in Pay Scale-18 or equivalent position.
Deputy Director Works	Assistant Director	Five years service (as Assistant Director Works in Pay Scale-17.
Assistant Director Works	Sub Engineer	Fifteen years service (as Sub-Engineer) in pay Scale-11.
Computer Programmer	Assistant Computer Programme Computer Programmer	Five years service (as Assistant Programmer) in Pay Scale-17.

Workers' Welfare Fund (Employees Service) Rules, 1997.

1	2	3
Assistant Computer Programmer.		Junior Computer Programmer Five years service as junior Computer Programmer.
PS to the Secretary		Stenographer Stenographer. Five years service as Stenographer.
Stenographer (selection Grade)		Stenographer Seniority-cum-fitness.
Stenographer		Stenotypist Three years service as Stenotypist.
Superintendent (Selection Grade).		Superintendent cum-fitness Seniority-
Superintendent		Senior Assistant Senior Assistant (Selection Grade)/ Senior Assistant. Senior Assistant. Five years service as Senior Assistant (Selection Grade)
Senior Assistant (Selection Grade)		Senior Assistant Seniority-cum-fitness.
Senior Assistant (Selection Grade)		Senior Assistant Seniority-cum-fitness.
Senior Assistant		Assistant (UDC) Assistant (UDC). Three years service as Assistant (UDC).
Assistant (UDC) (Selection Grade)		Assistant (UDC) Seniority-cum-fitness.
Assistant (UDC)		Junior Assistant junior Assistant (LDC) (LDC) Three years service as junior Assistant

Workers' Welfare Fund (Employees Service) Rules, 1997.

Junior Assistant (LDC) (Selection Grade)	Junior Assistant (LDC).	Seniority-cum-fitness.
Junior Assistant (LDC)	Qasid, N/Qasid, typing speed Daftry, Record Sorter, D.M.O. & Other employee holding lower posts.	Matriculate with 30 W.P.M.
Senior Lift Operator	Lift Operator	Seniority-cum-fitness.
Qasid	Naib Qasid	Seniority-cum-fitness.

APPENDIX 3

[See rule 105 (1)]

WORKERS WELFARE FUND GRADES

Grade-1 -----	Rs.1245-35-1770
Grade-2 -----	Rs.1275-44-1935
Grade-3 -----	Rs.1320-50-2070
Grade-4 -----	Rs.1360-58-2230
Grade-5 -----	Rs.1400-66-2390
Grade-6 -----	Rs.1440-73-2535
Grade-7 -----	Rs.1480-81-2696
Grade-8 -----	Rs.1540-88-2860
Grade-9 -----	Rs.1605-97-3060
Grade-10 -----	Rs.1660-107-3265
Grade-11 -----	Rs.1725-116-3465
Grade-12 -----	Rs.1830-130-3780
Grade-13 -----	Rs.1950-144-4110
Grade-14 -----	Rs.2065-161-4480
Grade-15 -----	Rs.2190-177-4845
Grade-16 -----	Rs.2535-197-5490
Grade-17 -----	Rs.3880-290-7360
Grade-18 -----	Rs.5085-366-8745
Grade-19 -----	Rs.7750-385-11600
Grade-20 -----	Rs.9195-440-13595
Grade-21 -----	Rs.10190-545-15640
Grade-22 -----	Rs.10900-610-17000

Note: These Grades/ Scales shall stand revised wherever a revision or Grades/ Scales is made by the Federal Government.

APPENDIX-4

[See rule (114)]

ALLOWANCES AND PERQUISITES.

1. Cash allowance.

Employee notified as cashier and wholly dealing with cash shall receive a cash allowance at the rate of Rs.200 P.m.

2. Computer allowance.

1. Computer Programmer, Assistant Computer Programmer, and Junior Computer Programmer in Grade 18,17 and 16 respectively who are actually employed on whole time basis on computer work shall be entitled to a computer allowance @ Rs.1000 per month provided they possess the minimum education qualification and training mentioned below:-

Computer personnel in Grade 17 or 18.	Master's degree in Computer Science or in Mathematics or Statistics or Economics from a Recognized University and have undergone recognized computer training.
Computer personnel in Grade 16.	Second class Bachelor's degree in Mathematics or Physics or Statistics or Economics from a recognized University and have undergone computer training.

2. Computer Allowance at the rate of Rs.300 p.m. will also be admissible to Date Entry Operator who is actually employed on whole time basis on computer work.

3. Conveyance allowance.

A conveyance allowance at the following rates shall be admissible to employees in Grade 1 to grade 19

- i) Employees in Grade 1 to 16
 - (a) Employees possessing a motor Cycle/Scooter Rs.350 p.m.
 - (b) Other employees Rs.300 P.m.
- ii) Employees in Grade 17, 18 and 19
 - (a) Employees possessing a motor car Rs.1000 p.m.
 - (b) Other employees Rs.550 p.m.

Explanation. The conveyance allowance at (a) in (i) and (ii) in this paragraph shall be admissible to an employee who possesses a motor cycle / scooter or car, as the case may be registered in his name or in the name of his spouse provided that the allowance shall be admissible only to one of the spouse and not to both, in the respect of the same vehicle.

Workers' Welfare Fund (Employees Service) Rules, 1997.

4. Dearness allowance.

Employees in Grade 1 to 15 shall be paid a dearness allowance at Rs.200 p.m.

5. Entertainment allowance.

Entertainment allowance shall be admissible at the following rates.

- | | | |
|-----|------------------------------|------------|
| i) | Employees in Grade 19 | Rs.300p.m. |
| ii) | Employees in Grade 20 and 21 | Rs.600p.m. |

6. Firewood allowance.

Firewood allowance at Rs.200 p.m. shall be admissible for the month of October, November, December, January, February and March to employees in Grade 1 to 6 working at Quetta.

7. House Rent allowance.

1. A house rent allowance at the following rates shall be paid to employees in Grades specified below:-

Grade 1-2	Rs.960
Grade3-6	Rs.1500
Grade7-10	Rs.2250
Grade11-13	Rs.3390
Grade 14-16	Rs.4260
Grade 17-18	Rs.5640
Grade 19	Rs.7500
Grade 20	Rs.9420
Grade 21	Rs.11280
Grade 22	Rs.13500

Note: - These rates shall stand revised whenever a revision is made by the Federal Government.

2. If an employee desires to hire a house, Fund will arrange the payment of advance rent at the rates specified at (1) above for one year to the owner, subject to such terms and conditions, as laid down by the Federal Government for civil servants for this purpose from time to time.

3. Self – hiring by employees owning house at the station of their duty, is allowed at the rates specified at (1) with one year advance rent, to the employee subject to such terms and conditions, as laid down by the Federal Government for civil servants, for this purpose from time to time.

4. Secretary is empowered to allow one year additional advance rent in cases at (2) and (3) in addition to one year advance rent already allowed vide (2) and (3) on the written request of the owner or as the case may be, employee in case of self-hiring.

Explanation. Advance rent shall be allowed subject to maximum period of 2 years.

5. Recovery of House rent charges shall not be made from the employee who will prefer to hire a house vide (2) and (3) above.

8. Over-time allowance.

1. Drivers of official vehicles and despatch rider, detained on duty, beyond two hours of normal closing time or on close holidays including Fridays and Saturdays shall be allowed over-time allowance at the rate of Rs.6 per hour subject to the maximum of Rs.36 per day. This bill shall contain a certificate of the officer in charge of transport in the following form;

- i) Employees for whom over-time allowance is claimed in this bill have actually earned by working over-time; and that
- ii) The period for which over-time allowance is claimed in this bill have been checked with the initial records and found correct.

2. The over-time allowance to employees in Grade 1 and Grade2 other than such employees covered by sub-paragraph (1) detained on duty beyond normal closing time shall be allowed overtime allowance calculated according to the formula given below:-

$$\text{Number of actual overtime hours} \times \text{double the basic pay working hours} \times 30$$

If the number of over-time hours exceeds forty hours in a week or in the case of gazetted holidays, as the case may be, the over-time allowance will be admissible at double the rate calculated according to the above formula. In calculating 40 hours in a week, the number of hours of over-time in the case of gazetted holidays shall be excluded.

9. Personal Assistant's allowance

Stenographer/ Steno-typists working as personal assistant with employees holding the posts of Grade 19 to 21 shall be entitled to a personal assistant's allowance at the following rates:-

- i) Stenographer Rs.200 Per Month.
- ii) Stenotypist Rs.150 Per Month.

10. Senior Post allowance:-

- i) Employees in grade 20 Rs.800 Per Month.
- ii) Employees in grade 21 Rs.1000 Per Month.

11. Orderly allowance.

Orderly allowance at Rs.1000 P.M. in the case of employees in Grade 20 and Rs.1600 P.M. in the case of employees in Grade 21.

12. Telephone/ Transport Facility.

a) Telephone ceiling for office and residence admissible to officers in Grade 17 and above will be the same as admissible to the Federal Government officers in compatible grades from time to time which as per Cabinet Secretariat letter No.1/2/91-GC dated 30th June, 1992 are the following.

CALL-WISE CEILINGS

	Office Telephone	Residential Telephone
i) Secretary	No Limit	No Limit
ii) Director	4500 calls per month.	900 calls Per month
iii) Deputy Director	3500 calls per month.	800 calls per month
iv) Asstt Director/ Accounts Officers	3500 calls per month.	800 calls per month

Note:- These rates shall stand revised whenever a revision is made by the Federal Government.

b) Transport will be provided as follows:

- i. Secretary Free Chauffeur driven car with petrol ceiling of 275 liters per month.
- ii. Director Car with petrol ceiling of 200 liters per month
- iii. Officers/Staff Other than (i) and (ii) above. Staff Car will be provided with prior permission of the Competent Authority.

13. Washing allowance.

Employees holding the following posts shall be paid a washing allowance of Rs.100 per month:

- i) Driver.
- ii) Despatch Rider.
- iii) Duplicating Machine Operator.
- iv) Sr. Lift Operator.
- v) Qasid.
- vi) Naib Qasid.
- vii) Chowkidar.
- viii) Sweeper.
- ix) Mali.
- x) Lift-Operator.

14. Governing Body may revise the rates of allowance and perquisites mentioned in this Appendix at any time except the rates given under rules 7 and 12 (a).

APPENDIX 5

[See sub-rule (2) of rule (176)]

FORM OF NOMINATION WHEN SUBSCRIBER HAS A FAMILY

I hereby direct that the amount at my credit in the Contributory Provident Fund at the time of my death shall be distributed among the members of my family mentioned below in the manner shown against their names.

Name and address of Relationship with the Nominee or nominees subscriber	Age of the Nominee	Amount or share of Accumulations
---	-----------------------	-------------------------------------

Two Witnesses to signature

1......

2......

Station......

Date......

.....
Signature of subscriber

Note:- Column 4 shall be filled in so as to cover the whole amount of credit.

APPENDIX 6

[See sub-rule (3) of rule (176)]

FORM OF NOMINATION WHEN SUBSCRIBER HAS NO FAMILY

I hereby declare that I have no family and direct that the amount at my credit in the Contributory Provident Fund at the time of my death shall, in the event of my having no family, be distributed among the members of my family mentioned below in the manner shown against their names.

Name and address of Relationship with the Nominee of nominees subscriber	Age of the Nominee	Amount or share of accumulations
---	-----------------------	-------------------------------------

Two Witnesses to signature

1.....

2.....

Station.....

Date.....

.....
Signature of subscriber

Note:- Column 4 shall be filled in so as to cover the whole amount at credit.

APPENDIX 7

FORM –I

[See sub-rule (8) of rule (192)]

FORM OF MORTGAGE

THIS INDENTURE made this day of one thousand nine hundred and**BETWEEN**..... of an Officer/official hundred and(hereinafter referred to as the mortgagor which term shall where the context so admits include his heirs, executors, administrators and assigns) of the one part and the Chairman (hereinafter referred to as mortgage which term shall where the context so admits include his successors and assigns of the other part.

WHEREAS the mortgagor is absolutely seized and possessed of or other wise well entitled to the land hereditaments and premises hereinafter described and expressed to be hereby conveyed transferred and assured (herein after referred to as said hereditament.

AND WHEREAS the mortgagor has applied to the mortgagee for an advance of the sum of Rs..... for the purpose of enabling him to defray the expenses of building a house on the said hereditaments as a suitable residence for his own use.

AND WHEREAS under the provisions contained in the Workers Welfare Fund, Employees (Service) Rules, 1997 (hereinafter referred to as the said Rules which expression shall where the context so admits include any amendment thereof or addition thereto for the time being in force) the mortgagee has agreed to advance to the mortgagor the said sum of Rs..... payable as follows that is to say the sum of Rs..... on or before the execution of these presents and the balance (unless and until the power of sale applicable hereto shall have become exercisable) by equal instalments payable quarterly, the first of such instalments to be payable on theday of

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the sum of Rs. paid on or before the execution of these presents to the mortgagor by mortgagee (the receipt whereof the mortgagor doth hereby acknowledge) for the purpose of enabling the mortgagor to defray the herein before recited expenses the mortgagor hereby covenants with the mortgagee to repay to the mortgagee the sum of Rs..... [and such further sums as shall hereafter be paid by him to the mortgagor pursuant to here-in before recited agreement in that behalf] and interest thereon calculated according to the Rules on the day of next and if the loan shall not be repaid on that date will pay interest in accordance with the said Rules. AND THIS INDENTURE ALSO WITNESSETH that for the consideration aforesaid the mortgagor doth hereby convey transfer and assure into the mortgage ALL that piece of land situate in the District a registration district of sub-registration district of containing more or less now in occupation of the mortgagor and bounded on North by on the South byon the East by and on the West by together with the dwelling-house and the out-offices, stables, cook-rooms and out-buildings now erected on the said piece of land together with all rights, easements and appurtenances to the said hereditaments or any of them belonging TO HOLD the said hereditaments will their appurtenances including all erections and building hereafter erected and built on the said piece of land unto and to the use of the mortgagee absolutely subject to the proviso for redemption herein after contained PROVIDED ALWAYS that if and as soon as the said advance of rupees[and of such further sums as may have been paid as aforesaid] made upon the security of these presents shall have been repaid and interest thereon calculated according to the said Rules by the deduction of monthly instalments of the salary of the mortgagor as in the said Rules mentioned

Workers' Welfare Fund (Employees Service) Rules, 1997.

or by any other means whatsoever then and in such case the mortgagee will upon the request and the cost of the mortgagor re-convey, re-transfer or re-assure the said hereditaments unto and to the use of the mortgagor or as he may direct AND it is hereby agreed and declared that if there shall be any breach by the mortgagor covenants on his part herein contained or if he shall die or quit the service before the said sum of rupees.....[and any further sum as may have been paid as aforesaid] and interest thereon calculated according to the said Rules shall have been fully paid off then and in any of such cases it shall be lawful for the mortgagee to sell the said hereditaments or any part thereof either together or in parcels and either by public auction or by private contract with power to buy in or rescind any contract for sale and to re-sell without being responsible for any loss which may be occasioned thereby AND to do and execute all such acts and assurances for effectuating any such sale as the mortgagee shall think fit AND it hereby declared that the receipt of the mortgagee for the purchase money of the premises sold or any part thereof shall effectually discharge the purchaser or purchasers there from AND it is hereby declared that the mortgagee shall hold the moneys to arise from any sale in pursuance of the aforesaid power UPON TRUST in the first place there out to pay all the expenses incurred on such sale and in the next place to apply such moneys in or towards satisfaction of moneys for the time being owing on the security of these presents and then to pay the surplus (if any) to the mortgagor AND is hereby agreed and declared that the said Rules shall be deemed and taken to be part of these presents .

The mortgagor hereby covenants with the mortgagee that he the mortgagor will during the continuance of this security observe and perform all the provisions and conditions of the said Rules on his part to be observed and performed in respect of these presents and the said hereditaments.

IN WITNESS Whereof the mortgagor, has hereto sets his hand the day and year first above written.

Signed by the said (Mortgagor)

In presence of

Witness 1 _____

Witness 2 _____

Address Occupation Address Occupation

Signature Chairman

APPENDIX 7

FORM – II

[See sub-rule (8) of Rule (192)]

FORM OF RE-CONVEYANCE FOR HOUSE BUILDING ADVANCES

THIS INDENTURE made this day of one thousand nine hundred and BETWEEN the Chairman of Workers Welfare Fund and an Officer /official of (hereinafter called the mortgagor) the other part is supplemental to and indenture of mortgage dated the day of19 and made BETWEEN the mortgagor of the one part and the Chairman of the other part and registered at in Book Volume Pages..... to as No for herein after called the PRINCIPAL INDENTURE) WHEREAS all moneys due and owing on the security of the PRINCIPAL INDENTURE have been fully paid and satisfied and the Chairman has accordingly at the request of the mortgagor agreed to execute such re-conveyance of the mortgaged premises in the within written INDENTURE comprised as in herein after contained. NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the premises the Chairman doth here granted assign and recovery unto the mortgagor, his heirs, executors, administrators and assign ALL that piece of land situate in the containing..... more or less now in occupation of the mortgagor and bounded on the North by on the South by on the East byand on the West by together with the dwelling – house and the out-offices, stables, cook-rooms and out-buildings thereon AND ALL singular other the premises in the PEINCIPAL INDENTURE comprised or expressed to be thereby assured or which now by any means vested in the Chairman subject to redemption under or by virtue of the PRINCIPAL INDENTURE with their rights easements and appurtenances as in the PRINCIPAL INDENTURE expressed and all the estates right title interest property claim and demand whatsoever of the Chairman into out of or upon them same premises by virtue of the PRINCIPAL INDENTURE to have and to hold the premises herein before expressed to the hereby granted assigned and reconvened unto and to the use of the mortgagor his heirs, executors, administrators and assigns for ever freed and discharged from all moneys intended to be secured by the PRINCIPAL INDENTURE and from all actions, suits accounts, claims, and demands for, or in respect of, the said moneys or an part there of or, for or, in respect of, the PRINCIPAL INDENTURE or of anything relating to the premises AND the Chairman hereby covenants with the mortgagor his heir singly suffered or been part thereof are, is or can be impeached, in cumbered or affected in title estate or otherwise, howsoever.

INWITNESS whereof the parties here to have hereunto sets their hands and seals the day and year first above written.

Signed Sealed and Delivered by –

For and on behalf of the Chairman Workers Welfare Fund.

In presence of

APPENDIX -7

FORM -III

[See sub-rule (9) of Rule (192)]

FORM OF MORTGAGE

**FOR HOUSE BUILDING ADVANCE GRANTED TO EMPLOYEES WHO DO NOT
POSSESS FULL PROPRIETARY RIGHTS IN THE LAND UPON WHICH THEY
INTENDS TO BUILD A HOUSE.**

THIS INDENTURE made this..... day of one thousand nine hundred and**BETWEEN** of an Officer/official of (herein after referred to as the mortgagor which term shall where the context so admits include his heirs, executors, administrators and assigns) of the one part and the Chairman (herein after referred to as mortgage which term shall where the context so admits include his successors and assigns) of the other part.

WHEREAS the mortgagor is absolutely seized and possessed of or otherwise well entitled to the land hereditaments and premises herein after described and expressed and expressed to be hereby conveyed transferred and assured (hereinafter referred to as the said hereditament.

AND WHEREAS the mortgagor has applied to the mortgagee for an advance of the sum of Rs..... for the purpose of enabling him to defray the expenses of building a house on the said hereditaments as a suitable residence for his own use.

AND WHEREAS under the provisions contained in Workers Welfare Fund Employees (Service) Rules,1997 (hereinafter referred to as the said Rules which expression shall where the context so admits include any amendment thereof or addition thereto for the time being in force) the mortgagee has agreed to advance to the mortgagor the said sum of Rs..... (out of which the mortgagor hereby acknowledges the receipt of Rs..... which have already been paid to the mortgagor in pursuance of an agreement executed on 19.

Between the mortgagor as borrower and the mortgagee and the remainder viz. Rupees.....) being payable as follows or as entered and receipted from time to time in the schedule hereto.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the sum of Rs..... Paid on or before the execution of these presents to the mortgagor by mortgagee (the receipt where of the mortgagor doth hereby acknowledge) for the purpose of enabling the mortgagor to defray the herein before recited expenses the mortgagor hereby covenants with the mortgagee to repay to the mortgagee the sum of Rs..... [and such further sums as shall hereafter be paid by him to the mortgagor pursuant to herein before recited agreement in that behalf] and interest thereon calculated according to the Rules on the day of next (2) and if the loan shall not be repaid on that date will pay interest in accordance with the said Rules. **AND THIS INDENTURE ALSO WITNESSETH** that for the consideration aforesaid the mortgagor doth hereby convey transfer and assure into the mortgagee ALL that piece of land situate in the district a registration district of sub-registration district of containing more or less now in occupation of the mortgagor and bounded on the North by on the South by

Workers' Welfare Fund (Employees Service) Rules, 1997.

..... on the East by and on the West by together with the dwelling –house and the out-offices, stables, cook-rooms and out-buildings now erected on the said piece of land together with all rights, easements and appurtenances to the said hereditaments or any of them belonging TO HOLD the said hereditaments will their appurtenances including all erections and buildings hereafter erected and built on the said piece of land unto and to the use of the mortgagee absolutely subject to the proviso for redemption hereinafter contained PROVIDED ALWAYS that if and as soon as the said advance of rupees and of such further sums as may have been paid as aforesaid] made upon the security of these presents shall have been repaid and interest thereon calculated according to the said Rules by the deduction of monthly instalments of the salary of the mortgagor as in the said Rules mentioned or by any other means whatsoever then and in such case the mortgagee will upon the request and the cost of the mortgagor re-convey, re-transfer or re-assure the said hereditaments unto and to the use of the mortgagor or as he may direct AND it is hereby agreed and declared that if there shall be any breach by the mortgagor covenants on his part herein contained or if he shall die or quit the service before the said sum of rupees[and any further sum as may have been paid as aforesaid] and interest thereon calculated according to the said Rules shall have been fully paid off then and in any of such cases it shall be lawful for the mortgagee to sell the said hereditaments or any part thereof either together or in parcels and either by public auction or by private contract with power to buy in or rescind any contract for sale and to re-sell without being responsible for any loss which may be occasioned thereby AND to do and execute all such acts and assurances for effectuating any such sale as the mortgagee shall think fit AND it hereby declared that the receipt of the mortgagee for the purchase money of the premises sold or an part thereof shall effectually discharge the purchaser or purchasers there from AND it is hereby declared that the mortgagee shall hold the moneys to arise from any sale in pursuance of the aforesaid power UPON TRUST in the first place there out to pay all the expenses incurred on such sale and in the next place to apply such moneys in or towards satisfaction of moneys for the time being owing on the security of these presents and then to pay the surplus (if any) to the mortgagor AND is hereby agreed and declared that the said Rules shall be deemed and taken to be part of these presents.

The mortgagor hereby covenants with the mortgagee that he the mortgagor will during the continuance of this security observe and perform all the provisions and conditions of the said Rules on his part to be observed and performed in respect of these presents and the said hereditaments.

IN WITNESS Whereof the mortgagor, has hereto sets his hand the day and year first above written.

Signed by the said (Mortgagor)

In presence of

Witness 1 _____

Witness 2 _____

Address Occupation Address Occupation

Signature Chairman

APPENDIX-7

FORM –IV

[See sub –rule (8) of Rules (192)]

**FROM OF MORTGAGE DEED TO BE EXECUTED IN CONNECTION WITH ON
ADVANCE FOR THE PURCHASE OF LAND ON WHICH TO CONSTRUCT A HOUSE**

THIS INDENTURE made this day of one thousand nine hundred and BETWEEN ofan Officer/official of(herein after referred to as the mortgagor which term shall where repugnant to the context include his heirs, executors, administrators and assigns) of the one part and the Chairman (hereinafter referred to as mortgagee which term shall where not repugnant to the context include his successors and assigns) of the other part.

WHEREAS by and Agreement dated the day of 19 and made between the mortgagor of the one part and the mortgagee of the other part. The mortgagee advanced and lent to the mortgagor the sum of rupees..... for the purpose of purchasing the piece of land here in after described and intended to be hereby transferred and assured and as security for such loan the mortgagor agreed to execute a mortgage in favour of the mortgagee in the form of these presents AND WHEREAS the mortgagor on the day of 19 duly purchased the said piece of land and is now absolutely seized and possessed of or otherwise well entitled to the said piece of land AND WHEREAS the mortgagor has applied to the mortgagee for a further advance of sum of rupees for the purpose of enabling him to defray the expenses of erecting on the said piece of land a suitable residence for his own use.

AND WHEREAS under the provisions contained in Workers Welfare Fund Employees (Service) Rules, 1997 (herein after referred to as the said Rules which expression shall where the context so admits include any amendment thereof or addition thereto for the time being in force) the mortgagee has agreed to advance to the mortgagor the said sum of Rs. (Payable as follows that is to say the sum of rupees on or before the execution of these Presents) and the balance (unless and until the power of sale applicable hereto shall have become exercisable) by equal instalments payable quarterly the first of such instalments to be payable on the day of NOW THIS INDENTURE WITNESSETH that in consideration of the said advance of Rupees and Rupees making a total of Rupees so advanced as aforesaid and in pursuance of the said agreement the mortgagor doth hereby covenant with the mortgagee to pay to mortgagee the said sum of Rupees (and such further sums as shall hereafter be paid by him to the mortgagor pursuant to herein before recited agreement in that behalf) and interest thereon calculated according to the Rules on the day of next (2) and if the loan shall not be repaid on that date will pay interest in accordance with the said Rules.

AND THIS INDENTURE ALSO WITNESSETH that for the consideration aforesaid the mortgagor doth hereby transfer assign and assure unto the mortgagee ALL that piece of land situate in the districta registration district of Sub-registration district of Containing more or less now in occupation of the mortgagor and bounded on the North by on the South by on the East by and on the West by together with the dwelling – house and the out-offices, stables, cook-rooms and out-buildings and all Kinds used or intended to be used with the said dwelling –house (erected or hereafter to be erected on the said piece of

Workers' Welfare Fund (Employees Service) Rules, 1997.

Land) together with all rights, easements and appurtenances to the same or any of them belonging TO HOLD the said premises including all erections and buildings hereafter erected on the said land (herein after referred to as the said premises) unto and to the use of the mortgagee absolutely subject to the proviso for redemption hereinafter contained PROVIDED ALWAYS that if and as soon as the said advance of rupees [and of such further sums as may have been paid as aforesaid] made upon the security of these presents shall have been repaid and interest thereon calculated according to the said Rules by the deduction of monthly installments of the salary of the mortgagor as in the said Rules mentioned or by any other means whatsoever then and in such case the mortgagee will upon the request and the cost of the mortgagor recovery, re-transfer or re-assure the said premises unto and to the use of the mortgagor and the mortgagor hereby covenants with the mortgagee that he the mortgagor now have good right to transfer the said premises unto the mortgagee free from encumbrance AND FURTHER that he the mortgagor and all other persons having a lawfully claiming any estate or interest in the said premises or any part thereof shall and will from time to the time and all times hereafter at his or their own cost do and things for further and more perfectly assuring the said premises unto the mortgagee in manner aforesaid as shall or may be reasonably required PROVIDED ALWAYS and it is hereby agreed and declared that if there shall be any breach by the mortgagor of the covenants on his part herein contained or if he shall die or quit the service before all same sums due or payable to the mortgagee on the security of these presents shall have been fully paid off then and in any of such cases it shall be lawful for the mortgagee to sell the said premises or building standing thereon any part thereof either together or in parcels and either by public auction or by private contract with power to buy in or rescind any contract for sale and to re-sell without being responsible for any loss which may be occasioned thereby or to let the same for any term or period and to do and execute all such acts and assurances for effectuating any such sale or letting as the mortgagee shall think fit AND IT HEREBY DECLARED that the mortgagee shall hold rents, profits, premiums, salami or money arising from the premises or from any such letting or sale as aforesaid UPON trust in the first place there out to pay all expenses attending such sale or otherwise incurred in relation to this security and in the next place to apply such moneys in or towards satisfaction of moneys for the time being owing on the security of these presents and then to pay the surplus (if any) to the mortgagor AND IS HEREBY DECLARED that of lease made by the mortgagor of the said premises or any part thereof during the continuance of this security shall have effect unless the mortgagee shall consent thereto in written.

IN WITNESS whereof the mortgagor, has hereto sets his hand the day and year first above written.

Signed by the said (Mortgagor) in presence of

Witness 1 IN WITNESS whereof the mortgagor, has hereto sets his hand the day and year first above written.

Signed by the said (Mortgagor) in presence of

Witness 1 _____

Witness 2 _____

Signature Chairman.

APPENDIX 7

FORM –V

[See clause (vi) of sub-rule (11) rule (192)]

FORM OF MORTGAGE TO BE EXECUTED AFTER THE PURCHASE OF HOUSE BY UTILIZING LOAN ADVANCED BY THE GOVERNMENT.

THIS INDENTURE made this day of one thousand nine hundred andBETWEEN an officer or official in the (hereinafter referred to as “mortgagor” which term shall where repugnant to the context include his heirs, executors, administrators and assigns) of the one part and the Chairman (hereinafter referred to as mortgagee which term shall where not repugnant to the context include his successors and assigns) of the other part.

WHEREAS in pursuance of the provisions of Workers Welfare Fund Employees (Service) Rules, 1997 (herein after referred to as “ the said Rules” which expression shall where the context so admits include any amendment thereof or addition thereto for the time being in force), the mortgagee advance a loan of Rs..... to the mortgagor to enable him to purchase for his residence a house constructed by the and the mortgagor by an agreement dated (herein after called the said agreement) undertook to mortgage the house in favour of the mortgagee to secure the repayment of said loan to the mortgagee together with interest thereon.

AND WHEREAS the mortgagor has by means of registered deed dated purchased a house with all that piece of land situated in district of measuring approximately..... and bounded on the North by on the South by on the East by and on the West by together appurtenances to the house herein after called hereditaments.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the said sum of Rs..... paid to him, the mortgagor does hereby transfer and assure upto the mortgagee the said here determents together with alights and easements. To hold the hereditaments including all erections and building hereafter erected and built thereon unto and to the use of the mortgagee absolutely subject to the proviso for redemption herein after contain; PROVIDED ALWAYS that if the said advance of Rs..... and interest calculated according to the said Rules shall have been repaid by the deduction on monthly instalments from the salary of the mortgagor as provided in the said Rules or by any other means whatsoever then and in such case the mortgagee will upon the request and the cost of the mortgagor re- convey, re-transfer or re-assure the hereditaments unto and to the use of the mortgagor or he may direct. AND it is hereby agreed declared that if there shall be any breach by the mortgagee of the covenants on his part herein contained or if he shall die or quit or be removed from services before the said sum of rupees and interest thereon calculated according to the said Rules shall have been fully paid off then and in any of such cases it shall be lawful for the mortgagee to sell he said hereditaments or any part thereof either together or in parcel and either by public auction or by private contract with power to buy in or rescind any contract for sale and to re-sell without being responsible for any loss which may be occasioned thereby AND to do and executed all such acts and assurances for effectuating any such sale as the mortgagee shall think fit AND it is hereby declared that the receipt of the mortgagee for the purchase money of the premises or any part thereof sold by him shall effectually discharge the purchases thereof AND it is hereby declared that mortgagee shall hold the moneys to arise from any sale in pursuance of the aforesaid power UPON TRUST in the first place there out to pay all the expenses incurred on such sale and in the next place to apply

Workers' Welfare Fund (Employees Service) Rules, 1997.

such moneys in or towards satisfaction of moneys for the time being owing on the security of these presents and then to pay the surplus (if any) to the mortgagor AND is hereby agreed and declared that the said Rules shall be deemed and taken to be part of these presents.

The mortgagor hereby covenants with the mortgagee that he the mortgagor will during the continuance of this security observe and perform all the provisions and conditions of the said Rules on his part to be observed and performed in respect of these presents and the said hereditaments.

IN WITNESS whereof the mortgagor, has hereto sets his hand the day and year first above written.

Signed by the said (Mortgagor).

In presence of

Witness 1. _____

Address.

Occupation.

Witness 2. _____

Address.

Occupation.

APPENDIX 7

FORM –VI

[See sub-rule (6) of rule (194)]

**FORM OF AGREEMENT TO BE EXECUTED AT THE TIME OF DRAWING AN
ADVANCE FOR THE PURCHASE OF MOTOR VEHICLE.**

AN AGREEMENT made day of one thousand nine hundred andBETWEEN of (hereinafter called the Borrower, Which expression shall include his legal representatives and assignees) of the one part and the Chairman of the other part WHEREAS the Borrower has under the provisions of the General Financial Rules (hereinafter referred to as the said Rules which expression shall include any amendments thereof for the time being in force) applied to the Chairman for the loan of Rs.....for the purchase of a motor vehicle and Chairman has agreed to lend the said amount to the Borrower on the terms and conditions hereinafter contained NOW IT IS HEREBY AGREED between the parties hereto that in consideration of the sum of Rs..... paid by the Chairman to Borrower (the receipt of which the Borrower hereby acknowledges) the Borrower hereby agrees with the Chairman (1) to pay the Chairman the said amount with interest calculated according to the said Rules by monthly deductions from his salary as provided for by the said Rules and hereby authorizes the Chairman to make such deductions and (2) within one month from the date of these presents to expend the full amount of the said loan in the purchase of a motor vehicle or if the actual price paid is less than the loan to repay the difference to the Chairman forth with and (3) to execute a document hypothecating the said motor vehicle to the Chairman as security for the amount lent to the Borrower as aforesaid and interest in the form provided by the said Rules AND IT IS HEREBY LASTLY AGREED AND DECLARED that if the motor vehicle has not been purchased and hypothecated as aforesaid within one month from the date of these presents or if the Borrower within that period becomes insolent or quits the service of Government or dies the whole amount of loan and interest accrued thereon shall immediately become due and payable.

IN WITNESS whereof the Borrower has hereunto set his hand the day and year first before written.

Signed by the said

In the presence of

In presence of

Witness 1. _____

Address

Occupation

Witness 2. _____

Address

Occupation

APPENDIX 7

FORM –VII

[See sub –rule (6) of rule (194)]

FORM OF MORTGAGE BOND FOR MOTOR VEHICLE ADVANCE

THIS INDENTURE made this day ofone thousand nine hundred and BETWEEN(hereinafter called “ the Borrower” of the one part and the Chairman of the other part,

WHEREAS the Borrower has applied for and has been granted an advance of Rupees to purchase a Motor vehicle on the terms as mentioned in Workers Welfare Fund Employees (Service) Rules, 1997 (hereinafter referred to as “ the said Rules” which expression shall include any amendment thereof or addition thereto for the time being in force) AND WHEREAS one of the conditions upon which the said advance has been /was granted to the Borrower is /was that the Borrower will /would hypothecate the said Motor vehicle to the Chairman as security for the amount lent to the Borrower AND WHEREAS the Borrower has purchased with or party with the amount so advanced as aforesaid the Motor vehicle particulars whereof are set out in the Schedule hereunder written.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and for the consideration aforesaid the Borrower doth hereby covenant to pay to the Chairman the sum of Rs..... aforesaid or the balance thereof remaining unpaid at the date of these presents by equal payments of Rs..... each on the first day of every month and will pay interest on the sum for the time being remaining due and owing calculated according to the said Rules and the Borrower doth agree that such payments may be recovered by monthly deductions from his salary in manner provided by the said Rules, and further pursuance of the said agreement the Borrower doth hereby assign and transfer unto the Chairman the Motor vehicle the particulars whereof are set out in the Schedule hereunto written by way of security for the said advance and interest thereon as required by the said Rules.

And the Borrower doth hereby agree and declare that he has paid in full the purchase price of the said Motor vehicle and that the same is his absolute property and that he has not pledged and so long as any money remain payable to the Chairman in respect of the paid advance will not sell, pledge or part with the property in or possession of the said Motor vehicle. PROVIDED ALWAYS and it is hereby agreed and declared that if any of the said instalments of principal or interest shall not be paid or recovered in manner aforesaid within ten days after the same are due or if the Borrower shall die or at any time cease to be in Government service or if the Borrower shall sell or pledge or part with the property in or possession of the said Motor vehicle or become insolvent or make any composition or arrangement with his creditors or if any person shall take proceeding in execution of any decree or judgment against the Borrower the whole of the said principal sum which shall than be remaining due and unpaid together with interest thereon calculated as aforesaid shall forth with become payable AND IT IS HEREBY AGREED and declared that the chairman may on the happening of any of the events hereinbefore mentioned seize and take possession of the said Motor vehicle and either remain in possession thereof without removing the same or else may remove and sell the said Motor vehicle either by public auction or private contract and may out of the sale money retain the balance of the said advance than remaining unpaid and any interest due thereon calculated as aforesaid and all costs, charges, expenses and payment property incurred or made in maintaining, defending or realizing his rights hereunder and shall pay over the surplus if any, to the Borrower, his executors, administrators or personal representative PROVIDED FURTHER that the aforesaid power of taking possession or selling of the said Motor vehicle shall not prejudice the

Workers' Welfare Fund (Employees Service) Rules, 1997.

right of the Chairman, to use the Borrower or his personal representative for the said balance remaining due and interest or in the case of the Motor vehicle being sold the amount be which the net sale proceeds fall short of the amount owing AND the Borrower hereby further agrees that so long as any moneys are remaining due and owing to the Chairman he, the Borrower will insure and keep insured the said Motor vehicle against loss or damage by fire, theft, or accident with an Insurance Company to be approved by the Accountant –General concerned and will produce evidence to the satisfaction of the Accountant –General, that the Motor Insurance Company will whom the said Motor vehicle is insured have received notice that the Chairman is interested in the policy AND the Borrower thereby further agrees that he will not permit of suffer the said Motor vehicle to be destroyed or injured or to deteriorate in a degree than it would deteriorate by reasonable wear and tear thereof AND further that in the event of damage or accident happening to the said Motor vehicle the Borrower will forthwith have the same repaired and made good.

IN WITNESS whereof the said..... (Borrower) hath hereunto set his hand the day and the year first above written.

THE SCHEDULE

Description of Motor vehicle.

Maker's Name.

Description.

No. of Cylinders.

Engine Number.

Chassis No.

Cost Price.

SIGNED by the Borrower.

In presence of.....

APPENDIX 7

FORM –VIII

[See sub – rule (8) of rule (194)]

**LETTER INTIMATING TO THE INSURANCE COMPANY GOVERNMENT
INTEREST IN INSURANCE POLICIES OF MOTOR CARS, ETC.**

From

To

Dear Sir,

I wish to inform you that the Chairman is interested in the Motor Car /Boat / Cycle, Insurance Policy No. _____ secured in your Company and to request that you will kindly make a note of the fact in the records of the Company.

Place

Date

Yours faithfully,

Forwarded. The receipt of the letter may kindly be acknowledged. It is also requested that the undersigned may kindly be informed whenever claim is paid under the policy and also if the premium is not periodically for renewal.

Place

Date

Signature.....

Designation.....

APPENDIX 8

[See sub-rule (2) and (5) of rule (208)]

NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY/ ENCASHMENT OF LEAVE PREPARATORY TO RETIREMENT.

When the employee has a family and wishes nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family, and confer on them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the Workers Welfare Fund, in the event of my death while in service and the right to receive on my death, to the extent specified, any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Name and Address of The nominee	Relationship with the employee	Age	Contingencies on the happening of which the nomination shall be - Come invalid.	Name and relationship of the person if any to whom the right conferred on the nominee Shall pass in the event Of the nominee predeceasing the employee
---------------------------------	--------------------------------	-----	---	--

N.B.- The employee should draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Date this day of19 at

Witnesses to signature

1.....

2.....

(To be filled in by the head office in the case of employees in Grade 15 and below).

Nomination by Signature of head of Office.....

Designation Designation.....

Office..... Date.....

APPENDIX 9

[See sub-rule (2) and (5) of rule (208)]

NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY/ ENCASHMENT OF LEAVE PREPARATORY TO RETIREMENT.

When the employee has a family and wishes nominate more than one member thereof.

I hereby nominate the persons mentioned below, who is a member of my family, and confer on him the right to receive any gratuity that may be sanctioned by the Workers Welfare Fund, in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Name and Address of The nominee	Relationship with the employee	Age	Contingencies on the happening of which the nomination shall be - Come invalid.	Name and relationship of the person if any to whom the right conferred on the nominee Shall pass in the event Of the nominee predeceasing the employee
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Date this day of19 at

Witnesses to signature

Signature of the employee

1.....

2.....

(To be filled in by the head office in the case of employees in Grade 15 and below).

Nomination by

Signature of head of Office.....

Designation

Designation.....

Office.....

Date.....