

# DRAFT

## BUSINESS RULES OF THE WAPDA EMPLOYEES COOPERATIVE HOUSING SOCIETY LTD ISLAMABAD

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- I. These rules shall be called, business Rules of the wapda employees Cooperative Housing Society Limited Islamabad.
- II. These business Rules shall come into force at once.
- III. In future, the business of the society shall be carried out as per procedure laid down in these business Rules.

### DEFINITIONS

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In these rules, unless there is anything repugnant in the subject or context the expression:-

- i. "Bye-Laws" mean the Bye-Laws of the Society registered under the provision of Cooperatives Societies Act, 1925 and Co-operative Societies Rules, 1927.
- ii. "Convener" means Convener of the Sub Committee.
- iii. "Defaulter Member" means a member of the Society who has been declared as defaulter on account of non-payment of dues of the society in accordance with Cooperative Societies Act, 1925 and Cooperative Societies Rules, 1927.
- iv. "Department" means the Cooperatives Department, Government of Pakistan ICT Islamabad.
- v. "Managing Committee" means an elected Managing Committee of the society or Care Taker Committee or Administrator as the case may be.
- vi. "Member" means a member as defined under section 3 (e) of the Cooperative Societies Act, 1925.
- vii. "President" means a member of the society elected by the majority votes of the voters of the society under the Bye-Laws and Election Rules of the Society.
- viii. "Registrar" means a person appointed as Registrar Cooperative Societies ICT Islamabad under the Cooperative Societies Act, 1925.
- ix. "Rules" means business Rules of the Society.
- x. "Vice President" means a member of the society elected by the majority votes of the voters of the society under the Bye-Laws and Rules of the Society.

# BUSINESS PROCEDURES

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To achieve the objects of the society as laid down in the BY - LAWS and to carry out functions of the society smoothly, following rules have been framed and shall stand promulgated after approval by the General Body and Registrar Co-operative department ICT Islamabad.

## LAND PURCHASE/SALE PROCEDURE

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The process for purchase/acquisition of land shall be started/ undertaken only after approval of the General body and Registrar ICT, Islamabad as per Bye-Laws.

The Management Committee or sub-committee constituted for purchase of land may either directly negotiate land price with the land owners or can appoint any estate consultant for this purpose.

The purchase of land shall be made only for adjacent/contiguous land or for small left over pockets within the project area.

The whole procedure for purchase of land shall be transparent and payment shall be made through cheque after verifying land ownership from revenue record. The token money to be paid shall not exceed 10% of the land price.

The payment of land price shall be made as per terms agreed and after signing of agreement with the estate consultant who possesses irrevocable Power of Attorney from land owners.

The direct payment to land owners shall be made through cheque only after Bayan before revenue authority at the time of mutation.

The President of the Society shall approve/release of payment after completion of documentation.

The Management Committee may hire the services of any revenue expert individual to assist them in purchase of land.

The Registrar shall be informed about each purchase of land by the Society management.

The proceedings of the committee and all relevant record of land purchases shall be kept in safe custody.

The land situated within the project area and owned by private parties can also be exchanged with that land area of Society which is not included in the planning either within boundary or outside the boundary after approval of general body and Registrar.

The Society can also get land from private owners against allotment of developed plots to them as compensation for their land for which managing committee can fix size and number of plots to be allotted to the land owners according to the situation of each case.

Any land surplus to the requirement of Society can be sold through auction after wide publication. Prior approval of AGM and Registrar shall be obtained for such auction.

The society management can also decide and launch separate phase if need arises and in that case approval of AGM and registrar cooperatives shall be obtained in advance.

## **DESIGN, CONSTRUCTION AND DEVELOPMENT WORKS PROCEDURE AND COMPETENCY FOR APPROVAL.**

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The planning and designing of housing scheme shall be got prepared from a qualified and registered town planner after fair competition and open tenders. The town planner shall abide by all local Govt. rules and rules of the development authorities at planning stage of housing scheme.

The consultant or the engineering staff of the Society shall prepare the estimate of works as per procedures laid down by Wapda or basing on market value through personal survey whichever is more beneficial for the Society.

The estimate shall be vetted by the management committee before inviting tenders through press.

The works of small nature up to Rs. 5, 00,000/- shall be carried out through calling quotations. President of the Society shall be competent to approve and award such works. All major works exceeding the amount of Rs. 5, 00,000/- and above shall be awarded through inviting tenders. Only registered with PEC and enlisted contractors of good repute shall be allowed to participate IN TENDERS. The managing committee shall be competent to evaluate tenders either itself or through sub-committee before according technical sanction.

The required and valid bank guarantee shall be obtained from the contractor before award of contract.

The tender submitted without prescribed earnest money shall be cancelled.

The President of the Society shall be competent to approve award of contract for major works after approval of the managing committee.

The Managing Committee shall supervise the development works through sub-committee and engineering staff appointed for this purpose to ensure quality and slandered. The procedure of monitoring shall be strictly observed at all stages of construction works.

The payment of completed works shall be released only when works are measured, entered in the measurement book and signed and countersigned by the authorized engineers.

The Finance Manager /Treasurer shall also ensure application of contract clauses before passing the bills.

The President shall approve/release of payment for passed bills. The cheque shall be signed by the authorized functionaries after satisfying themselves that all procedure has been followed and documents are complete.

The security of the contractor shall not be released until completion of prescribed maintenance period and removal of defects by the contractor noticed during the maintenance period to the entire satisfaction of society management.

## **HUMAN RESOURCE PROCEDURES INCLUDING CREATION OF POSTS, HIRING, DISCIPLINE, TERMINATION OF STAFF, OUTSOURCING CERTAIN WORKS.**

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The hiring of staff for the smooth functioning of Society shall be processed only against bare minimum positions. The number of posts shall be fixed and created by the General Body.

The hiring process shall be transparent after advertising posts. The selection shall be made on merit by the selection committee constituted by the managing committee.

No relative of managing committee members shall be employed in the Society. Relatives of Society employees shall also not be employed for administrative reasons.

The rules governing employment and termination framed by the Society for its employees shall be applicable as amended from time to time.

The proceedings of the selection committee shall be approved by the President of the Society.

All staff shall be hired on contract basis to be renewed on annual basis.

The managing committee may approve special remuneration or pay package for any position on need basis subject to ratification by the general body in annual meeting.

The MC may on need basis approve creation of any new post and fix salary for that post and shall seek approval of general body in next meeting.

The staff of Society shall be controlled and managed through the Secretary/President.

To initiate disciplinary action and to finalize case approval of MC shall be required.

Action against officers of the Society shall be initiated by the President of the Society and final decision shall be taken with the concurrence of MC.

Major penalty for termination/removal from service shall be imposed after conduct of enquiry through sub-committee constituted by the MC.

The Society management may hire the services of any functionary on deputation from Wapda or other Govt. department at any time in the interest of the Society for a specified period.

The Society management may outsource certain works/jobs if existing staff is not sufficient or professionally not competent to handle that work.

The outsourcing shall be decided by the MC after meticulously examining financial impact as compared with the hiring of workers for that task.

All appeals against major penalties shall be decided by the MC or sub-committee constituted by the MC.

The appeal can be filed by the aggrieved employee/ex-employee within one month of the final decision announced.

## **PROCEDURE FOR ALLOTMENT AND TRANSFER OF RESIDENTIAL PLOTS.**

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1. The price for each size of residential plot shall be fixed by the MC before every allotment.
2. The allotment shall be made after inviting applications through press and circulars to Wapda offices and discos.
3. Percentage/quotas can be fixed by the MC for employees, public and Govt. departments.
4. The payment procedure and schedule shall also be decided before inviting applications.

5. Only those applicants shall be included in the balloting list that will make payments fixed by the MC along with the applications before the fixed date.
6. The deposited amount of unsuccessful applicants shall be refunded after balloting as per fixed date.
7. Allotment shall be confirmed subject to payment of all Society dues levied from time to time.
8. Allottee can sell /transfer his/her plot to any person possessing the eligibility criteria for becoming member of the RIWECHS Society as laid down in the by-laws of the Society.
9. The presence of both seller and purchaser shall be required at the time of transfer before designated officer /functionary, MC members of the Society.
10. All up to date dues of the Society shall be paid before transfer of plot.
11. Photograph of seller/purchaser shall be taken while signing documents and be placed in the file.
12. The list of documents required to verify genuineness and procedure in detail shall be finalized by the MC and notified to all concerned.
13. The new member shall abide by all rules procedures and by laws of the Society.
14. The purchaser of plot from the third party cannot claim refund of any amount from Society.
15. The Society management can cancel allotment of plot, if cost of plot (land cost and development charges) i.e. legitimate dues are not paid by any member/allottees within fixed time period as per Bye-laws.
16. If plot is cancelled due to default in payment, the paid amount can be refunded after deduction of 5% service charges.
17. Normally no refund of allotted plots shall be given. If such a decision is taken on some valid reasons or on the direction of Registrar/court then service charges shall be deducted @7% and no mark up shall be paid for the deposited amount.
18. The management committee shall decide such refund cases.
19. If allotment letter is lost and duplicate letter is required to be issued, the allottee shall arrange publication of notice in the newspapers and society may issue duplicate allotment letter after satisfying itself and charging prescribed fee as per law of land.
20. If the allottee dies, the plot can be transferred to the legal heirs on production of succession certificate from the court of law. Only one successor can become member in such cases as per by laws.

# PROCEDURE FOR AUCTION OF COMMERCIAL PLOTS, BUILDINGS.

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1. The reserve price of each commercial plot shall be fixed according to size and location before decision of auction.
2. The auction shall be made after publications through press /circulars to Wapda offices and discos.
3. The payment procedure and schedule shall also be decided before fixing date of auction and shall be announced before start of auction.
4. Only those individuals shall be allowed to participate in the auction that will make payments of earnest money with the applications before the start of auction process.
5. The amount of unsuccessful bidders shall be refunded after concluding auction process except 1<sup>st</sup> and 2<sup>nd</sup> highest bidders in whose case refund shall be given after approval of auction process by the MC and payment of first instalment by the first highest bidder.
6. If payment is not made within given time the amount of earnest money shall be forfeited.
7. Allotment shall be confirmed subject to payment of all Society dues levied from time to time.
8. Allottee can sell /transfer his/her plot to any person possessing the eligibility criteria for becoming member of the RIWECH Society as laid down in the by-laws of the Society.

## **PERKS, FACILITIES, FOR MANAGING COMMITTEE FUNCTIONARIES AND MEMBERS, FIXING AND REVISING LIMITS.**

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1. The members of MC shall work honorary and no salary shall be paid to them.
2. The MC members shall be entitled for TA/DA, meeting allowance and hotel charges for attending meetings and other assignments as per rates fixed from time to time subject to vetting by the General Body first time.
3. The entitlement limits fixed can be revised by the MC on need basis due to price escalation.
4. The MC members can use Society transport for Society jobs. The MC can decide entitlement and allocation of dedicated vehicles with approval of President including revision of this entitlement.
5. Telephone facility and reimbursement of phone charges, entitlement and revision shall be decided by the MC for committee members.

## **PROCEDURE FOR HANDING OVER POSSESSION TO ALLOT TEES/OWNERS.**

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1. The possession of only developed plots shall be delivered to the allottees /owners on submission of written application.
2. All dues shall be cleared by the member before possession is delivered.
3. The application shall be processed by the engineering department of society and marked to accounts department for a report on dues payment status.
4. Payment of prescribed possession fee shall also be paid by the member.
5. After clearance of dues engineering department shall carry out and confirm demarcation of plot mentioning measurements of each side and indicating adjoining locations.
6. Physical possession shall be given by the engineering staff at site and documents shall be placed in members file.



## **FUND RAISING PROCEDURE AND TEMPORARY INVESTMENT PROCEDURE FOR SURPLUS FUNDS.**

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1. The fund raising shall be on the principle of cooperation and self help basis.
2. The MC can impose charges, taxes, cesses etc for the achievement of objects of the society subject to approval of general body.
3. The surplus funds shall be temporarily invested in scheduled banks after adoption of quotation procedure in the interest of Society.
4. Approval shall be given by the President/committee for investment/re-investment.
5. Members and general public shall be at liberty to voluntarily contribute for welfare projects including mosques, schools, hospitals and other similar projects.
6. All such contributions shall be deposited in the society account and proper record shall be maintained for all receipts and expenditures.

## **PROCEDURE FOR HANDLING LITIGATION CASES, DISPUTES WITH LAND OWNERS, MEMBERS, ALLOT TEES, CONTRACTORS AND OTHER STAKE HOLDERS.**

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1. The management shall follow by laws and all rules and procedures so that litigations could be avoided.
2. However if cases are filed by the society to safeguard its interests or if any case is filed against the society that shall be properly defended through a council of repute.
3. The Society shall depute any well conversant functionary to assist the councils in each case.
4. Dispute resolution committee can be constituted by the MC for out of court settlement of cases. Efforts shall be made to settle all cases in the interest of Society either through court or dispute resolution committee.
5. The recommendations of such dispute resolution committees shall be approved by the MC in the interior of Society.

## **PROCEDURE FOR MAINTENANCE OF RECORDS.**

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1. All record of members, allotment of plots, files, land ownership, employee's personal files, construction contracts, accounts receipts of funds and expenditures etc, shall be managed carefully and duplicate record shall be kept at two separate locations /places.
2. The soft copy of all important records shall be prepared as soon as possible. The services of any expert can be hired for developing software programming etc. and shall be accessible to members.
3. The manager administration and secretary of the society shall be the controller of all records.
4. The record of all meetings, AGMs, and contracts shall also be maintained and decisions shall be implemented by the staff.
5. The sensitive records including land ownership registries etc and bank guarantees shall be kept in chest or bank lockers as deemed necessary.