



NOTIFICATION

No. L-II-2-7/2019:- In exercise of the powers conferred by section 15(1) of the Sindh Home-Based Workers' Act, 2018, the Government of Sindh are pleased to make the following rules, namely:-

1. **Short title and commencement.**— (1) These rules may be called the Sindh Home Based Workers' Rules, 2019.

(2) They shall come into force at once.

2. **Definitions.**- (1) In these rules, unless the context otherwise requires -

- (a) "Act" means the Sindh Home-Based Workers' Act, 2018 (Sindh Act No.XXXVII of 2019);
- (b) "Department" means the Labour & Human Resource Department Government of Sindh;
- (c) "Director General Sindh" means the Director General Labour Sindh and Chief Inspector of Factories as defined in Sindh Factories Act, 2015;
- (d) "Governing Body" means the Governing Body constituted under section 9;
- (e) "Chairperson" means the Chairperson of the Governing Body;
- (f) "Member" means a member of the Governing Body;
- (g) "section" means a section of the Act;
- (h) "SESSI" means Institution as defined under Sindh Employees' Social Security Act, 2016 (Act No.VI of 2016);
- (i) "SEOBI" means Institution as defined under the Sindh Employees' Old-Age Benefits Act, 2014 (Sindh Act No. X of 2015);

- (j) "SWWF" means the Fund as defined under the Sindh Workers Welfare Fund Act, 2014 (Sindh Act No. XXXIII of 2015).

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

3. **Establishment of Provincial Council.** (1) Government shall establish a Provincial Council as provided under section 3, consisting of the following:-

1.	Secretary, Labour & Human Resources Department, Sindh.	Chairperson
2.	Secretary Social Welfare Department, Sindh	Member
3.	Secretary, Women Development Department, Sindh	Member
4.	Commissioner, Sindh Social Security Institution	Member
5.	Secretary, Sindh Workers Welfare Board	Member
6.	Director General, Sindh Employees Old Age Institution	Member
7.	Five Representatives of employers	Member
8.	Five Representatives of Home-Based Workers Union/Federations, registered in Sindh	Member
9.	One Prominent Lawyer (to be nominated by the Department)	Member
10.	Director General Labour	Member/ Secretary

(2) The Council may associate such other experts, as it may consider necessary but shall person shall not have right to vote.

(3) A Member other than ex-officio Member shall be appointed or nominated for a period of three years unless he/she ceases to hold office; provided that non-official Member shall be eligible for reappointment or re-nomination for such term as the Department may determine.

(4) A Member other than ex-officio Member may resign his/her office in writing addressed to the Council and thereupon he/she shall cease to hold office.

(5) A Member other than ex-officio Member, shall cease to hold office if he/she does not attend three consecutive meetings of the Board without any valid reason.

(6) A casual vacancy shall be filled by a member who shall hold office for residue of the term of the member ceased to hold office.

4. Functions of Council.- (1) The Council shall perform the functions as assigned to it under section 4 and shall perform such other functions as may be assigned to it by Government.

5. Subject to the provisions of section 4, the Council shall monitor and oversee the following functions to be performed by the Directorate of Labour, Sindh: -

- (1) Mapping of Home-based workers in different sectors;
- (2) Classification of home-based workers (self-employed-piece rate-contractual)
- (3) Classification of trade to which home-based workers engaged
- (4) Classification of service provider.
- (5) Identification of workplaces of home-based workers.
- (6) Determination of Wages for Home Based Workers based on recommendation by the Minimum wage board under section 4 and 5 of Sindh Minimum Wages Act 2015; and
- (7) Registration process of home-based workers.

6. Every Home-Based worker shall be eligible for registration subject to the fulfilment of the following conditions, namely: -

- (a) he or she or transgender shall have completed fourteen years of age; and in case of Piece rate or contractual workers shall provide details of employer and a copy of contract in Form-I;
- (b) Where a Contract of work for a home based worker is not available the verification shall be done on the basis of information provided in Form-I.
- (c) In case of self-employed a self-declaration by him or her in Form -II confirming that he/she or she is a self-employed Home-Based worker.

(2) Every eligible Home-Based worker shall make an application in the prescribed form to the Director General Labour Sindh for registration, through Regional Director or Additional Director or Joint Director Labour, or Assistant Director or Labour Officer or any other Officer Authorized by Director General Labour Sindh.

(3) Every Home-Based worker shall be registered and issued with an identity card by the Director General Labour Sindh in the prescribed form "IV".

7. Registration Desks for Home Based Workers.- (1) The Director General Labour shall set up such registration desks as

may be considered necessary from time to time to perform the following functions, namely:-

- (a) disseminate information on available schemes for the Home-Based workers;
- (b) facilitate the filling, processing and forwarding of application forms for registration of Home-Based workers;
- (c) assist the Home Based worker to obtain registration;
- (d) facilitate the enrollment of the registered Home-Based workers in schemes.

8. **Registration of Employer.-** Every employer shall get himself registered with the Director General in the prescribed form "V" subject to fulfillment of the requirement by the Director General Labour.

9. **Social Benefits and Grants.-** The registered Home-Based workers shall be entitled for all benefits, reliefs, privileges as allowed to other industrial workers.

10. **Social Protection of Home-Based Workers.** SEOBI, SWWF, SESSI and other Authorities concerned shall devise a detailed mechanism within ninety (90) days of the publications of these rules and send it to the Department for issue of Notification in this regard.

11. **Fund.** (1) The Fund constituted under the Act shall be applied for the purposes as mentioned under section 7; provided that the Governing Body may under section 9 with majority votes decide to apply the funds exclusively utilized for the welfare of the home based workers.

(2) The profit from Fund shall be managed by the Governing Body.

(3) The Director General Labour Sindh shall act as Secretary of the Fund.

(4) The Governing Body shall be indemnified out of the Fund, in respect of any loss arising from or contingent upon any investment made of any of the monies of the Fund, unless such loss shall have been occasioned by their own willful negligence, theft or fraud.

(5) The existing system of accounting, procedures, policies, internal audit and all other checks as applicable, shall be

applicable mutatis mutandis for accounting and reporting of the Fund.

(6) The accounts of the Fund shall be scrutinized by the auditors to ensure that the profit is being spent in accordance with the aims and objectives of Fund.

(7) The accounts and balance sheet of the Fund shall be prepared at the end of each financial year and audited by a firm of Chartered Accountants appointed by the Governing Body or by the Accountant General Sindh and shall be placed before the Governing Body.

12. A list of all properties vested in the treasurer and abstract of the accounts of the profit shall be caused to publish annually.

13. All expenses including auditors fee, cost of clerical staff, account books and stationery and all other costs, charges and expenses which are approved by the Governing Body shall be borne out of profit of the Fund.

14. No Members shall receive any salary or remuneration from the Fund for acting as such except such honorarium and allowances as may be determined by the Governing Body.

15. **Term of office of members of the Governing Body.—**

(1) A member, other than ex-officio member, shall hold office for a period not exceeding three years from the date of his/her nomination or till the reconstitution of the Governing Body whichever is earlier.

(2) A member nominated shall cease to be a member of the Governing Body if he/she ceases to represent the category form which he/she was so nominated:

(3) A member shall be eligible for re-nomination.

16. **Resignation.—** (1) A member of the Governing Body, not being an ex-officio member, may resign his/her office by a letter in writing addressed to the Chairperson.

(2) The seat of member falling vacant shall be filled in the same manner as provided in the Act and such person shall hold office for residue of the term.

17. **Change of Address.—** If a member changes his/her address, he/she shall notify his/her new address to the Director General who shall thereupon enter his/her new address in the official records:

Provided that if a member fails to notify his/her new address, the address in the official records shall for all purposes be deemed to be the member's correct address.

18. **Allowances of members.**— (1) The travelling allowance of an members of the Governing Body shall be governed by the rules applicable to the civil servants for journey performed by him/her on official duties and shall be paid by the authority paying his/her salary.

19. **Disposal of business.**— Every matter which the Governing Body is required to take into consideration shall be considered at a meeting of the Governing Body, or if the Chairperson so directs, by circulation of resolution among the members and shall be passed by a simple majority of votes, where there is no consensus on a matter and the members of the Governing Body are equally divided, the Chairperson shall have the deciding vote.

20. **Meeting.**— (1) The Governing Body shall meet at such places and at such times as may be decided by the Chairperson but shall meet at least once in three months.

(2) The Chairperson shall preside over every meeting of the Governing Body in which he/she is present and, in his/her absence, he/she may nominate a member of the Governing Body to preside over such meeting in his/her place and in the absence of such nomination by the Chairperson, the members of the Governing Body present in such meeting may choose one member from amongst themselves to preside over the meeting.

21. **Notice to meetings and list of business.**— (1) Ordinarily, two weeks' notice shall be given to the members of the Governing Body of a proposed meeting:

Provided that the Chairperson, if he/she is satisfied that it is necessary so to do, may give notice of longer period not exceeding one month for such meeting:

(2) No business except which is included in the list of business for a meeting of the Governing Body shall be considered at the meeting without the permission of the Chairperson.

(3) The Chairperson may at any time call a special meeting of the Governing Body in case of urgency, after informing the members in advance about the subject-matter of discussion and the reason of urgency.

22. **Quorum.**— (1) No business shall be transacted at any meeting of the Governing Body unless at least one-third members are present in that meeting which shall include at least

two member representing employer and two member representing Home Based Workers:

(2) Chairperson may prohibit any member, other than ex officio member, from taking part in the Meeting of the Governing Body if —

- (a) he absents himself/herself from three consecutive meetings of the Governing Body without written information and consent of the Chairperson; or
- (b) the member in the opinion of the Chairperson has ceased to represent the interest which he/she purports to represent on the Governing Body.

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Dated. 20-02-2020

SECTION OFFICER (L-II)

SECRETARY TO GOVT. OF SINDH

Serial # _____

FORM I
(See rule 6(a)(b))



Application for registration of Home-Based Worker
as Beneficiary of Sindh Home Based Workers
Governing Body

The Director General Labour,
Sindh

1	Name of the Home Based Worker	
	Surname	
2	Father's / Spouse Name	
3	CNIC #	
4	Address	
	(Temporary)	
	(Permanent)	
5	Contact No. Landline/Mobile	
6	Sex (Male/Female/Transgender)	
7	Date of Birth (as per CNIC)	
8	Education qualification	
9	Occupation	
	(A) (i) Whether self-employed?	Yes NO
	(A) (ii) If yes, income earned _____ Piece rate, Per Unit, per day/per month	
	(B) (i) If working for an employer, name and address of the present employer (ii) Wages earned - per day/per month/per unit	
10	Category of work in which engaged	

11	Work place : Home, open space, coworkers residence, others					
	Complete address of workplace (if other than home)					
12	DETAILS OF WORKPLACE, (area, machinery and tools being used, no. of workers etc.)					
13	DEPENDENT					
	S. No.	Name of the dependent	Sex	Age	Relation - ship with beneficiary	Class in which studying (for children)
14	The applicant's bank account (Account No.) and the name and address of the bank or Easy paisa/Jazz cash/Omni or any other account approved by State Bank of Pakistan					
15	(a) Whether the applicant is a member of any Union (b) If yes, Registration. No.					
16	Name of the nominee to receive the benefits in the event of the demise of the applicant					
17	Name of the additional nominee in case of the demise of the nominee					
<p>I hereby certify that I am working as (Specify the category of Home Based worker as notified by the Government of Sindh).</p> <p>(1) I also certify that the above information is true to the best of my knowledge and I shall be liable for legal action in case of furnishing wrong information in the application.</p>						

Place:

Date: Signature of the applicant/ Left hand thumb impression

**VERIFICATION BY THE HOME BASED WORKERS UNION/FEDERATION/
UNION COUNCIL**

Verified that _____ s/o, d/w/w/o

Is working as Home Based Worker in Category _____ since

The information given in the Registration form is correct.

Signature and Designation of verifying Agency

FOR OFFICE USE

The above application has been verified, and recommended for Registration.

Place:

Date: Signature

Designation and seal of the Officer

On the basis of verification above application has been accepted and
registered *vide* Registration No.

Place:

Date: Signature

Designation and seal of the Registering Officer

Serial # _____

FORM II
(See rule 6(c))

**DECLARATION OF SELF-EMPLOYED
HOME-BASED WORKER**

I, _____ s/o, w/o, d/w
_____, adult, holder of CNIC #
_____, resident of
_____do hereby

state that I am self employed home based worker and the
information as provided in Form-I is true to the best of my
knowledge and belief.

Before me.

Serial # _____

FORM III

**DECLARATION OF EMPLOYER / CONTRACTOR/ MIDDLE
MAN/ AGENT**

I, _____ s/o, w/o, d/w
_____, adult, holder of CNIC #
_____, resident of
_____do hereby
state as under:

1. That I am Employer/ Contractor / Middleman/ Agent of
business under name and style as

2. Address

3. That the business involve manufacturing of

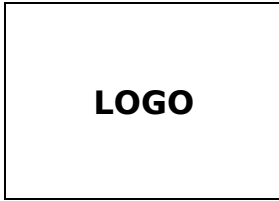
4. That we engage home based workers to perform work of
_____ at their homes.

5. That the list of home based workers engaged is attached.

That the information as provided above is true to the best
of my knowledge and belief.

Signature

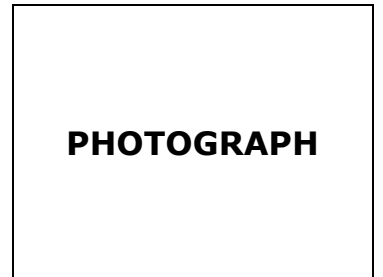
FORM 'IV'
(See rule 6(3))



GOVERNMENT OF SINDH
DIRECTORATE OF LABOUR

HOME BASED WORKERS REGISTRATION CARD

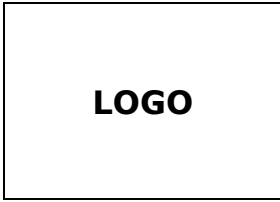
REGISTRATION NO.



1	Name Mr./Mrs/Ms./TG	
2	Father's / Spouse Name	
3	CNIC #	
4	Address	
7	Date of Birth	
8	Nature of Work	
9	Category HBW	SELF EMPLOYED/PIECE RATE

SIGNATURE OF ISSUING AUTHORITY

FORM 'V'
(See rule 8)



GOVERNMENT OF SINDH
DIRECTORATE OF LABOUR

**REGISTRATION CERTIFICATE OF EMPLOYER/
CONTRACTOR, EMPLOYING HOME BASED WORKERS**

Registration No. _____

Certified that Mr./Mrs/Ms _____ s/o,
w/o, d/o _____,
CNIC # _____,
address _____

_____ is a registered Employer/Contractor, engaged in providing
_____ work to Home based workers.

This Certificate is based on information provided in Form 'III'

Date of issue. _____

SIGNATURE OF ISSUING AUTHORITY