

REGISTERED NO. mee

of Pakistan

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

ISLAMABAD, WEDNESDAY, NOVEMBER 26, 1997

PART IT

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

LABOUR, MANPOWER AND OVERSEAS PAKISTANIS DIVISION

NOTIFICATION

Islamabad, the 15th November, 1997

S. R. O. 1193 (1)/97.—In exercise of the powers conferred by sub-section (3)

of section 8 of the Workers' Welfare Fund Ordinance, 1971 (XXXVI of 1971),

the Governing Body, with the previous approval of Federal Government, hereby 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 one2.

(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:

(6) 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,

(3087)

Price : Rs, 68.00

[1427 1(97)/Ex, Gaz.]

(Parr J

2. Definitions.—{1) In these rules, unless there is anything repugnant to the subject or context—

(i)

(ii)

(iii)

(iv)

WwW)

iv)

{vii}

(viii)

www.ezqanoon.com

‘appellate authority’ ,

“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 ; and

means the officer or authority next above the appointing authority +

Board’ means the Workers’ Welfare Board constituted under sub-

section (1) section 1LA of the Ordinance ; *

Chairman’ means the Chairman of the Governing Body ;

‘conveyance allowance’ means an allowance granted monthly to an

employee of the Workers’ Welfare Fund to come to office from his residence and back ;

‘daily allowance’ means a uniform allowance for each day of absence

from the headquarters which is intended to cover, the ordinary daily charges, incurred by Workers’ Welfare Fund Employee, in consequence of such absence ;

*day’ means a calendar day Beginning and ending at midnight ;

* duty’ includes time spent on—

(a) probation or apprenticeship followed by confirmation or, as the

case may be, regular appointment:

(b) joining time ;

(ce) 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

(f) any extra work to be performed, under the. orders of or with the

permission of the appointing authority ;

'employee * means any office: or official holding a post on regular basis, in the Wo 5° Weifare Fund, on the date or commencement of these rules or who is appointed on regular basis, under these rules ;

'family > means wife or wives of am employee or husband or as the case may. be, legitimate children, and step children, residing with and wholly dependent on him :

'Form' means the Form appealed to these rules +

*Fund' means the Workers' Welfare Fund constituted under the

Ordinance;

—)

Pp i

a

(xiii)

(xiv)

(xv)

(xvi)

(xvii)

(xviii)

(xix)

(xx)

(xxi)

(xxii)

(xxiii)

(xxiv)

(xxv)

{xxvi}

‘Governing Body’ means the Governing Body of Workers’ Welfare Fund constituted under sub-section (1) of section 7 of the Ordinance ;

‘government’ means the Federal government,

‘grade’ means the Workers’ Welfare Fund grades ;

“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:

“holiday” means a day declared as such, by order of the Fund and includes optional or a gazetted holiday ;

‘honorarium’ means a recurring or non recurring payment granted to an employee from the revenues of Fund as remuneration for special and laborious work of an occasional character ;

“house rent allowance ” means an allowance granted to an employee, if the Fund does not provide residential accommodation to him ;

‘initial appointment’ means appointment made otherwise than by promotion or transfer or deputation or on contract ;

‘leave salary’ means the monthly amount paid to an employee on leave ;

‘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 ;

‘Ordinance’ means the Workers’ Welfare Fund Ordinance, 1971

(XXXVI of 1971):

"grade* means a pay scale applicable to the employees of Workers' Welfare Fund ;

'pay means the amount drawn monthly by an employee as :

(a) the pay, other than technical pay, special pay, personal pay or dualification pay, which has been sanctioned for a post held by him 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 ; and

(c) any other emoluments which may be specially classified as a pay by the Governing Body :

* pay scale' means the pay scale applicable to the Federal Government Servants in which a post in the Fund is placed

www.ezqanoon.com

ay:

i (xxvii)

(xxviii)

(xxix)

(xxx)

(xxxi)

(xxxii}

(xxxiii)

{xxxiv}

(xxxv)

www.ezqanoon.com

'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 circumstances, on other personal considerations ;

'project' means any project undertaken and managed by the Fund directly or indirectly for which Governing Body has paid the money under the Ordinance, provided it does not have a separate legal entity ;

"Secretary" means the Secretary of the Fund;

* 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;

"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 :

"service * means and includes the period during which an employee is on duty and as well as on duly sanctioned leave ;

"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 functions. considered appropriate by the competent authority ; :

“subsistence grant” means a monthly grant made to an employee who is not in receipt of pay or leave salary ; and

‘technical pay’ means pay granted to an employee by virtue of his possessing minimum technical qualification prescribed for a post.

elf

[Part II * +

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 the Governing Body in terms of sub-rules (1).

4. Employment to be whole time.—Unless in any case it be 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 anywhere, 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 favourable 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.

—
a \$=

}

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 post 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 a 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 :

(i) Joint Secretary (Labour) ; and
(ii) Financial Advisor (Labour).

is
— f&

www.ezqanoon.com

“

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

Parr II—INITIAL APPOINTMENT

13, Procedure for initial appuintmeni.—(1) Initial appointment to posts in pay scale-19 and above shall be made by the appcinting 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 requitement 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 mrust possess the educational qualifications and experience and must be within the age limit laid down for the post in Part-If of Appendix-2 to these rules :

Provided, that maximum age limit may be reaxed up to five years by the appointing authority if. 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 Federa} 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 setve only a

particular province or region shall be filled by appointment of persons domicited in that province or region.

(3) Vacancies in posts in pay scales 1-2 sha'j ordinarily be filled in en 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.

www.ezqanoon.com —_ > La

(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

(c) a post if 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.

i5. Medical fitness.—(1) A candidate 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 shal' not be appointed,

(3) The médical 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 characier 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 from the principal of the academic institute last attended and a certificate of good conduct from an officer in Basic Pay Scate-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 the Fund shall be subject to the signing of declaration of secrecy in the form the Governing Body may require.

Part IIf.—~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-II 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.

—\$

www.ezqanoon.com

3094 THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 | Parr LU Pa

Port) THE GAZBITE OF PAKISTAN, EXTRA., NOY, 26.1997 3095

Explanation—(1) The prescribed minimum length of the service is a 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.

te 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-cwm-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.

20. Promotion in certain posts subject to Yensth/ 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 Five years service in Pay Scale-17. Scale-18.

(ii) For promotion to posts in Twelve years service in Pay Scale-17 Pay Scale-19. and above of which at least seven years should be in Pay Scale-18 or

equivalent position. r

(iii) For promotion to posts in Seventeen years service in Pay Scale-17 Pay Scale-20. and above of which at least five years should be in Pay Scale-19 or

equivalent position,

Gv) For promotion to posts in Twenty-two years service in Pay Pay Scale-21. 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 4

Reduced by
Pay Scale-1% on 5 a +. 5 years;

Pay Scale-19 12 years.

Pay Scale-20 17 years

www.ezqanoon.com

(3) When first appointment of a person, other than a person covered Ap: 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.

(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 posses the qualifications and meet the conditions, laid down for promotion in rules 18. 20 and 2) and Part-II 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 guidelines 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 an more confidential report ;

(iv) the panel 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 grades will continue to apply ;

(vi) an employee on deputation to a foreign government, international agency or a private organisation 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 unit, for the time being, for such promotion ; or

' ee

(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 the required length of service for promotion.

(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 return and, if selected, he will be appointed formally (not actually) to the 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 Govern-

ment 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, hereinafter called the lending authority, be appointed by the appointing authority concerned on deputation to appropriate posts in the Fund for such Periods and on such terms

—}/-

www.ezqanoon.com

3098 THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 iPart ~
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.

: Q) 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 ; ! / 3

(iii) he possess the qualifications 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 5

isi) 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 appoint-
ment.

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

www.ezqanoon.com

~~

et

Parr VI—PROBATION

26. Appointment to be on probation.—(i) 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 of 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 for such a post who, before expiry of the probationary period of at least two years (inclusive of 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, be reverted to the post from which he was promoted and arrangement made to fill his post from 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 26 in the case of initial appointment to a post, an employee shall not be deemed to have completed his period of probation satisfactorily, until his character and antecedents 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

2). Terms and conditions of contract appointment.—(i) Terms and conditions required for initial appointment on contract basis shall be as follows :—
(ii) Post: sa _ —

(ii) Place of posting or anywhere

within or outside Pakistan as the competent authority may decide:

op pee
—1S

www.ezqanoon.com

(iv) Period of contract ..

(v) Pay

(vi) Allowances

(vii) Travelling Allowance:

(viii) Seniority

(ix) Leave

(x) Medical Facilities

(xi) Pension

(xii) Contributory Provident Fund

(xiii) Conduct and Discipline

www.ezqanoon.com

(not exceeding two years) from the date of assumption of charge;

. Minimum of the relevant scale of pay.

Annual increment shall be admissible as under the normal rules;

. As admissible to corresponding civil

servants. However, Qualifications, 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;

.. As admissible to civil servants of the

corresponding pay scale under the rules;

. 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;

. As admissible under the Revised Leave

Rules, 1980 but provisions contained in rules 5 (c), 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;

As admissible to officers of the Federal

Government, under the relevant rules;

. Service rendered under this contract

shall not
gratuity;

qualify for a pension or

Pension in respect of previous service, if any, shall continue to be drawn in addition to pay;

No contribution towards fund shall be required;

Rules made and instructions 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;

ue

. "art If) THE GAZETTE OF PAKISTAN, EXTRA., NOV, 26, 1997 3101

- (xiv) Appeal Se -» 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 Whole time of the contract appointee
posting and transfer -- would be at the disposal of the Fund,
He may be employed in any manner
required by appropriate authority
without claim for additional remuner-
ation. 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:

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

CHAPTER 4

Rg 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 herein 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.

es

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 subse-

quently 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 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 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 purposes 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.

f(b

www.ezqanoon.com

> 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 or 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 letter is not, or may not be considered, likely to jeopardizes 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 :

< [PH

www.ezqanoon.com

Provided that an employee, who is qualified to vote at an election, 7 ~ exercise his right to vote; but if he does so, he shall give no indication of manner in which he proposes to vote or has voted.

44. Employees not to express views against ideology of Pakistan.—No employee shall express views detrimental to the ideology or integrity of 'Pakistan.

45. Use of political or other -influence—No employee shall 'bring or attempt to bring political or other outside influence, directly or indirectly, to bear-en 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 .employce shall not approach or keep contact with a foreign mission in Pakistan except for reasons related to official work with prior 'permission of the Secretary.

47. Employees not to approach a higher authority without 'petmission. .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 to be absent from the place of duty -withont permission.

An employee shall not be-absent from the place of his duty without yprior ypermis- , sion of the authority competent to grant him leave.

49, Employee +o 'promete interest -of the 'Fund.—An <employce hall -make utmost 'endeavour to promote the interests-of the Fund -and -shall Siot 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 '6f ; the authority under these rules.

(2) Authorized officer means an Officer, authorized 'by 'the 'attthority to perform functions of an authorized officer, under these rules 'or 'ff no :officer 'is 80

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.

Gi) for employees in pay-scale-18 and below

he

>

led

i

Parr II] THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26,1997 3195

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
(i) is corrupt or TMmay 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

(iti) is engaged, or is reasonably suspected' of being engaged, in subversive activities, or is guilty of disclosure of official secrets to any unauthorized person and his retention in service is, therefore, prejudicial to the national security or the security of the Furd. 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 preinjudicial to good: order or service discipline or contrary to rules im Chapter § 'Conduct) or unbecoming of an officer without prejudice to the foregoing, includes—

() wilful in-subordination or disobedience of a reasonable or official order of His superior ;

(ii) wilful damage or loss to office property ;
@ii) habitual Jate- 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 others to strike work in contravention of the law ;

(vi) disorderly behavior, within office premises ;

(vii) misleading the management or the officer concerned with the Matt-r'
~ by providing wrong information to gain some advantage in service->

(viii), favouritism or nepotism jn discharge of official work or Tespon-

sibility ; and ' te
(ix) indiscipline, breach of a y order, and violation of any nile, rule or ~
Procedure of the Fund.

PES

a

www.ezqanoon.com

53. Penalties—(1) The following are the minor and major penalties,

(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 sum caused to the Fund by negligence or breach of orders ;
an

(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 ;

(2) Compulsory retirement or removal from service, does not but dismissal from service does disqualify for future employment.

(3) 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 reinstate-

ment of a suspended employee.—(1) If an employee who proceeded on leave in pursuance of an order under rule 54 is not compulsorily retired, removed or

or Lae

www.ezqanoon.com

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 of 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 an 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 of 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 thereof it is not expedient to give such opportunity.

(3) Where the authorized officer decides that an inquiry should be conducted, he shall—

© Siyy een Cee et monte aa ean The inquiry « of members 1 e 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 from the day the charge has been communicated to him, and state at the same time whether

he desires to be heard in person.

www.ezqanoon.com

3108 THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 [Pars 31]

(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 the case from 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 hamper the progress of the inquiry, he or it shall administer a warning and if thereafter 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 the inquiry, submit his, or its, findings 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:—

(a) summoning: and enforcing the attendance of any person and examining him on oath;

iy requiring the discovery and' production of documents ; and

(iii) issuing commission for the examination of witnesses. and documents.

www.ezqanoon.com

c= 59. Rule 57 not to apply in certain .cases.—Nothing in rule 57 shall apply
= to a case—

(a) where the accused js complsorily 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.

Parr II—COMMITTAL TO PRISON AND PENDENCY 'OF A 'CRIMINAL CHARGE

'60. Suspension on committal 'to prison.—(1) An employee committed to
prisen, either for debt.or.on a criminal charge, shall be considered under suspen-
sion 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 spay and
allowances shall'be made, with the approval -of the-competent authority according
to 'the circumstances of 'the case.

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

'61. 'Pendency of a crimina? scharge—(1) An 'employee. meluding <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 'competant
authority by the issue 'of specific order to this effect, during the period or-petivds,
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 'inydlves moral
turpitude.

(2) In regard to his pay 'and :allowanices, the provisions in rules 61 shail
apply.

62. Competent anthority—For purposes of rules in this chapter, the compe-
tent 'authority shall be—

(a) the Chairman in case of employees in Pay Scale-19 and above ; and

(bo) the 'Secretary, in the case of employees in Pay Scale-18 and below.

CHAPTER 7 a

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 of 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 file 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 date 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 J.—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 E 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 :—

(#) Without medical Certificate . F - 120 days :
(ii) with medical certificate a3 .. 180 days ; and

(iti) on medical certificate from leave account in entire service axe me ze .. 365 ditys.

69. Leaye on half pay.—(|) 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. Leaye to be applied in terms of days.—Leave shall be applied for. expressed arid sanctioned. in terms of days.

Ti. Extraordinary leave (leave without pay).—(|) 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 tu the conditions stated therein, irrespective of the fact whether an employee is a permanent or temporary employee.

72. Recreation leaye—Recreation leave may be granted for fifteen days onc: in a calendar year.the debit to the leave account shall be for ten days leave on full pay.

Lt

: 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 five years of service it shall not exceed ninety days in

(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 the 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 alongwith 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 Jeave—(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 or forty-five days from the date of her confinement, whichever be 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 from 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, such medical advice as the Secretary may consider necessary, to an employee, other than an employee in part-time or contract or ad hoc service or a probationer, disabled by injury, ailment or disease contacted 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.

= Be

www.ezqanoon.com

77 Leave ex-Pakistan—{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 sha'l be payable for the actual period of leave spent abroad subject to a 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 bees 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 meitioned 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 presaratory 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 partly on half pay. or entirely on half pay at the discretion of the employee. :

80. Encashmeni of refused Jeave preparatory to retirement—{1} If in case of retirement on. superannuation cr vcluntiry retirement on completion of thirty years qualifying service an empiovee carsot for. reasons of public service. be

granted leave preparatory to retirement duly applied for in sufficient time, he shall in lieu thereof 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) The 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 purposes of lump sum payment, in lieu of such leave, only the "Senior Post Allowance" shall be included in "leave pay" so admissible.

(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 regarding employee from leave preparatory to retirement shall be passed only by the following authorities, namely—

(i) For employees BPS-19 and above as 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 employees shall submit the option to the authority competent to sanction leave preparatory to retirement, who shall accept the option and issue

formal sanction for the payment of cash compensation,

ae

www.ezqanoon.com

= aang = c oe

(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 fitrah 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—(1) I 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 purposes 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—i1) 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.

z : a

87. Overstayal after sanctioned leave, etc—(1) Unless the leave of 11 employee is extended, by the authority competent to sanction the same, an z 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 waken 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 that 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 duc 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. ¥

(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. 2

92. Manner of handing-oyer 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) Tf leave ex-Pakistan has been sanctioned on medical grounds. the employee shall take abroad with him a copy of the medica! 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

www.ezqanoon.com

?srt I] THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997

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.—A\JI 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 employees 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 :—

(i) for employees BPS-19 and above or «. Chairman; and
(ii) for employees BPS-18 and below wa os» 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.

ed =

Part H. 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 rule 73.

(6) Recreation leave may be granted for' fifteen days -from casual leave account by debiting ten days to it once in a 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 coripetén{ to 'stinction 'casival 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.

+

18 ed

a ial

www.ezqanoon.com

P=

Part II] THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 3119

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 qualifications and experience relevant to the job, and the reason 'or reasons, 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 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. Movye-over to the next higher scale—(1) An employee in grade-19 and below who has reached the maximum of his pay scaie, und cannot be promoted for want of vacant post in the higher scale, shal! 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 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. :

(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,

i (3) An employee shall fulfil 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 the first December for 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 ; and

(iv) he has not reached his present pay scale by move-over ;

(4) (@) 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 may 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 season 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 and instructions 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 Bepoeriig wuhody 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

in charge of a higher post in addition to his own duties, shall be allowed pay 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.

.. (S) 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.

—3S-

www.ezqanoon.com

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 undertaken 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 MM; employees in grade-I1 to 16;

Category II, employees in grade-4 to 10; and

Category IV. employees, in grad&1 to 3. ;

118. Kinds of travelling allowance.—The following the different kinds of travelling allowance: may be drawn in different circumstances 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 travelled 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 traveller 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.

,

= act I] THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 3123

(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. : oe

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 headquarters 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. ee a,

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 :
i

(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.

4

44

{

www.ezqanoon.com

, US. Kilometerage 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 :— : o

— = Soe Sr. eee

Made of travel Rate. per: °

(a) Personal car or by engaging a full taxi. Per . 7 Rs. 5.00 =?

(b) Motor-Cycle or Scooter. =e ie be . Rs.-2.00

(c) Bicycle, animal back or foot. yea

(d) Public transport plying for hire on single seat basis: %° Rs. 1.00

For all employees cartes pie i

Note :—These rates shall stand revised whenever any revision of rates

. is made by the Federal Government, © walt ;

Note :—" personal car" means a car registered in the name of the employee claiming the kilometreage allowance or in the name of any member of his family. . eet gee ye

(2) When road kilometreage 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 kilometreage if he is satisfied that the. interest. of the Fund was

served by road journey which would not have been served had the-employers>

travelled by railway, or to limit the kilometreage allowance to what would have been admissible had the employee travelled by railways. -

(3) Employees shall be allowed to use the mode of _ transport as 'shown

below :—

Mode of Transport Grade of employee

Personal car or by engaging 2 Category I employees (in case of others, , full taxi. taxi may engaged if the urgency of the

situation so demands. with the approval! of the controlling officer).

Motor -cycle or Scooter. 4 Category I and II employees.4 s

Bicycle, etc. and public transport All employees, plying for hire on single seat basis :

726. Fraction to be omitted@—In calculating kilometreage allowance for road, fractions of a kilometre 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. Kilometreage allowance for journey by air—(1) Travel by air means journey performed through the national air-lines regularly plying for hire and

shall not include journey performed by private aeroplane or air taxis. Travel

— 357

www.ezqanoon.com

by shall be admissible on tour or on transfer in the following cases,
NaMicsy —

(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 authorises 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 travelled 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).

Part III—DAILY ALLOWANCE

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 be otherwise expressly provided, a daily allowance may be drawn while on-tour by every employee whose duties require that he should travel shall not be drawn except while on tour.

130. Scale of daily allowance.—(1) Daily allowance shall be admissible on the following scales :—

Rate of Rate of ~

PayLimit special daily ordinary daily
allowance allowance
per day per day

<r as =~ ema pa

\ 10001 and above .. 8 as .» Rs. 400 Rs. 350
9001 to 10000 .. Rs. 350 Rs. 300
8001 to 9000 = ou - vo. Rs. 300 Rs. 280
7061 to 8000 * re i .. Rs. 260 Rs. 225.
6001 to 7000 Rs. 215 Rs. 180
5001 to 6000 re "i Rs. 175 Rs. 150
4001 to 5000 a . RS. 145 Rs. 120
3001 to 4000 = 9 Pr . Rs. 120 Rs. 100.
2001 to 3000 . . 7 .. Rs. 100 Rs. 85
2006 and below... cia ma ». Rs. 80 Rs. 65

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

www.ezqanoon.com

(2) The rate of special daily allowance shall be admissible in respect of aa
4 following cities, namely :—

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

"10. Peshawar.

"i 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, nd 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 any 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. :

yor

PART IV.—JOURNEY ON TOUR

133. Headquarters of an employee.—(1) The headquarters of an employee shall be at such place as the Secretary may by 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 a ante of the Fund where he is employed and where the records of his office are kept. t

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 subrule (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 atowance.— Except where otherwise expressly provided in these rules, an emnployee may draw travelling allowance for journey on tour in the shape of daily allowance.

136, When daily allowance may be drawn.—f1) Daily allowance for each calendar dav shall be admissible for the neriod of absence from headauarters involving actual night ston at the nlace of halt. Where nishr stop is not involved. and if absence from headauarters exceeds foyr hours including time spent in transit. half daily allowance shall be admissible. Not more than one daily allowance shall be admissibe on any calendar day involvine night stop. A fraction of a calendar day shall be reckoned as a calendar day for this purpose. A period of absence from headauarter commences from the time of denarture of the :emnlovee 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. The neriod of forced. delay in transit may be treated as mart of the total transit period. =

(2) Tn the case of denarture from headauarters. the rate of daily allowance during transit shall he the same as admissihla at the station of immediate destination. "In the case of return to headquarters, the rate shall he the one admissible at the fast station of temnorary duty before return to headquarters.

(3) Daily allowance may not be drawn for any dav on which an employee does not reach a point outside a radius of sixteen kilometre 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 permissible 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.

438, Exchange of daily allowance. with kilometreage allowance.—(1) Subject to any conditions which a competent authority may by general or special order impose, an employee may exchange his daily allowance for kilometreage allowance on any day on which, — 7

(a) he. travels by railway; or

(b) he travels more than thirty-two kilometres 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 subrule (1)-:

(a) kilometreage allowance may be drawn on account of such kilometreage but such kilometreage shall be limited to the amount of daily allowance unless the journey by road exceeds thirty-two kilometres ; and

(b) unless such journey by road be a journey to, or from, the employer's headquarters or temporary residence at a place of halt, kilometreage allowance shall be calculated on the distance actually travelled without regard to the points specified in rule 122;

~ Yr

re

'PART V.—JOURNEY ON TRANSFER

139. Travelling allowance on transfer admissible if the transfer be in the interest of Fund.—Travelling 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 employed to another such station, either to take up the duties of a new post or in consequence of change of his headquarters.

140. Kilometrage allowance—An employee may draw Kilometrage allowance for a journey on transfer.

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

(a) Transfer grant :

G) Employees possessing a family..... One month's pay.
(ii) Employees not possessing a family.....00... Half month's pay.

Note :—Transfer gratuity 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 kilometrage at twice the rate applicable

to him under rule 126 and if two members of family accompany him he may draw additional road kilometrage 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 kilometres 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 rate 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 an

Ported at Fund expense shall be as follows :—

Category I employees : a: &

Possessing a family ae 4500 kilograms. (120 Maunds)

Not possessing a family .. 2240 kilograms (60 Maunds) ~ *

Category II employees :

Possessing a family os 3000 kilograms (80 Mauds)

Not possessing a family. . 1500 kilograms. (40 Maunds)

Category III employees : -

Possessing a family aa 1500 kilograms. (40 Mauids) 2

Not possessing'a family ., 760 kilograms. (20 Mavuds) : .

Category IV employees ::

Possessing a family es 360 kilograms. (15 Mavad)

Not possessing a family .. 380 kilograms (10 Maunds)

"(f) Cost of carriage of personal effects up to the maximym number of

{g)

Kilograms, as Specinied in clause (e), shall be allowed at the rate of

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.

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 ig 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 controliing 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)
(b)

(°)

www.ezqanoon.com

The distance travelled exceeds one hundred and thirty-two kilo-metres ;

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
conveyance is actually transported by railway or other craft,

— Uy -

< ry

SCALES OF CONVEYANCE

Category of employee Scale allowed

1 . 2

' First Category or -, A motor-car or motor-cycle/Scooter,

Second Category a -. A motor-car or motor-cycle/scooter.

Third Category sx -. 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 charges to the authority the packing charges to, and from, the goods shed, provided it does not exceed the cost of Wansportation 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 wallsports his. motor-car or motor-cycle or scooter by road between stations connected by rail, may draw two rupees per kilometre for a motor-car and one rupee for a motor-cycle or scooter, if the employee and his family travel in their own car, he 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 shal] not be admissible.

(4) When an employee is not entitled tO carry a motor-car or motor-cycle or scooter at the expense of the Fund, there "5 a0 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 persona] effects do not accompany an em- Ployee 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 ilometreage allowance that would haye been admissible had such member proceeded from the old station to the new station, and for the Purposes of this rule, the grade of an employee may be de*ermined 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 charge 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 JOIN 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.

(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 Government 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 to 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 kilometres 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 kilometres 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 Circumstances 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

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 it was of excessive duration -

(b) scrutinize the distance given in the bill :

(c) satisfy himself of the allowance for journeys by rail or steamer has been claimed at the rate admissible to him and actually used by him ;

(d) where the actual expenses on account of cost of transportation of Personal Incomes are also claimed see that there are according to the Described 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 kilometreage allowance; and

(observe any subsidiary Tules, rules or orders which a competent authority may frame for his guidance.

—>

www.ezqanoon.com

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. Wilful 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 this 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 kilometres or fraction thereof or any longer time actually occupied in the journey?"

(b) For journey by motor-car -» One day for each one hundred fifty : kilometres 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 travellers ordinarily use irrespective of the route by which the employee has actually travelled.

(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 than is allowed by the rules

or where the employee was prevented from joining his post within the joining time in circumstances beyond his control.

_ (6) The Secretary may, in special circumstances, reduce the period of joining time admissible under this rule. >

}

us

www.ezqanoon.com

CHAPTER 12
MEDICAL ATTENDANCE AND TREATMENT

{52. Free medical attendance and treatment.—i1) 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 certificate 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.

Explanéation.—For purposes of rules in this chapter :—

(1)

(i)

aii)

(iv)

ty)

www.ezqanoon.com

~ Authorised medical attendant" means a registered medical practitioner appointed or nominated by the Fund for its employees or a class of its employees for purposes of medical attendance and treatment ;

"family " means parents, husband, wife or wives, legitimate children, step children, sisters and the minor brothers of the employees residing with and wholly dependent upon him ; ‘

~ medical attendance " means an attendance in a recognized hospital including such pathological, bacteriological, radiological, ultrasonic or other methods of the examination for purposes of diagnosis as are available in such hospital, dispensary or the clinic ;

~ 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 ;

"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, vaccines, 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 ;

bg,

- ea eae ve LS

— es — Ve)

(d) such accommodation as is ordinarily provided in the recognized hospital and is suited to status of the employee as specified

below ;

(e) employee in grades 16 and above o. Aptivce rou,

' (di) employees in grade 15 and below .. Generali Ward.

(e) Such nursing as is ordinarily provided to in-door patients by the 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,

ingivitis, pyorrhoea and filling (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, joints 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 thea such hospitals 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. 4

154. Treatment at an outsta%on.—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 ks hint on production of receipts or cash vouchers duly verified by the medical

alificey from whem the facility is availed.

— to

www.ezqanoon.com

135, 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 (reatment 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 re-imbursed 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 certificate from the local municipal committee or councillor, and this facility shall be allowed only for first three births.

156. Re-imbursement of the cost incurred on medical treatment and purchase of medicine.—(1) Employees of the Fund shall be entitled to re-imbursement of the cost incurred by him on out-door medical treatment and purchase of medicines as per ceiling giving below :—

(f) Married .. » 10% of the basic pay : and
(ji) Un-Married gs . 3% 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-imbursement of cost of medicines, in case these exceed those given in sub-rule (1), if conditions so justify.

(3) Employee is entitled to re-imbursement 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 employees 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

a = —_

; 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 unexpired 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 an employee, the resignation may not be considered until the disciplinary case is finalized.

i61. 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 a

(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 purposes of this chapter shall be the authority competent to make appointment to the post held by the employee concerned.

p= GS =

www.ezqanoon.com

es = = —<— = — —

CHAPTER 14

APPEAL AND REPRESENTATION

163. Appeal against an order imposing a penalty—Every employee shall be entitled to appeal to the appellate authority, specified 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 whereby his conditions of service, pay allowances or gratuity are regulated ; or

(c) terminates his employment or gives notice of such termination, otherwise 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, an 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 thereon 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.

= &=

'Benlewing Bec purposes, of this rule, the authority next above, shal.
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 statements 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.

(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 rules ; 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

(2) it is a repetition of a previous appeal already considered and decided by the appellate authority and no new facts or circumstances are adduced which afford a ground for a reconsideration of the Case

Provided that in every case, in which an appeal is withheld, the appellant 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 appellant 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,

Sh al

www.ezqanoon.com

'art I) THE GAZETTE OF PAKISTAN, EXTRA,, NOV. 26, 1997 3141

169. Transmission of appeals.—(1) Every appeal which is not withheld 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

(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 purposes of this chapter, and unless there is anything repugnant in the subject or context :—

(a) *Emolument* means :—

- (i) pay;
- (ii) senior post allowance ;
- (iii) special pay of all types ;
- (iv) personal pay:

iv) technical pay ; and

é —— SESS SSS = = SSS

(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 a 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 be 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 :

(ii) 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.

(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,

cr ; : —_ oo

174. Employees eligible to join the fund.—Employees holding appointment on regular basis 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 employees 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, has 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 persons in the form set forth in Appendix-6 to these rules:

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 subscriptions;
- (ii) contributions made under rule 18) by the fund to his account;
- (iii) interest as accrued by rule 182 on subscriptions, and
- (iv) interest as accrued by rule 183 on contributions.

178. Conditions and rates of subscription 42) Every subscriber shall subscribe monthly to the fund, except during suspension and on reinstatement, if, the period of suspension is treated as duty, the total amount due to the fund on account of arrears of subscription for the period of suspension shall forthwith 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—]—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

shit] forward his dues monthly to the Agcounts Oficer.

www.ezqanoon.com

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 paisas 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 percent 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 percent over and above the normal rate of interest means thirty percent 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 until the 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 up to the date of deposit up to the end of the current year and

26, 1997 [Part IL

SS ae

(d)} the total amount of interest shall be rounded to the nearest whole rupee, fity paisa 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 such amount became payable. whichever of these periods be less, shal] 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 lo that person, or his agent. as the date on which he is prepared to make payment in cash, or if he pays 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.—(!) A temporary advance may be granted to a subscriber from the amount standing to his cretdit 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 a subscriber or any person actually dependent on him:
and

(ii) 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

627

www.ezqanoon.com

== —— SSS

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

(ec) the advance shall not, save in exceptional cases for reasons to be recorded in writing by the sanctioning authority, exceed three months emoluments and shall, in no case, exceed the amount of subscriptions and interest thereon 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 eceunzulations are payable—((1) When a subscriber' quits the service, the amount standing to his crédiy 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

ciemissed from service and is subsequently re-instated in the service. shall repay
any amoun; paid to him from the fund.

—GI—

www.ezqanoon.com

' 2 Serra aa ro = —— SS SSS oe

é (2) When a subscriber, while on leave, has been permitted to retire or 'is seen declared by a4 competent medical authority to be unit for further sery._2, the amount of subscriptions 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 :

i 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 per, of any amount paid to him from the fund within three months.

(3) (i) When the subseriber 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 paybale to his nominee or nominees jn the proportion specified in the nomination ;

(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 parr 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 claus (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).

~

- : iy When the subscriber leaves no famiiy, if a vomination made by him in accordatice with the provisicas of rule 176 in favour of any person or persons subsists, the amount standing to his credit in the fund or che part thereof to which the nomination relates, shall become payablic to his nominee or nominees in the proportions specified in the nomination.

Note 1—When a nominee is dependant of the subscriber as deltwed in clause (c) of section 2 of the Provident Funds Act, 1925, the amount vests in such nominees under sub-testion (2) of section 3 of that Act,

a: nomination made by him in accordance with the provisions of rules

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 condition 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 therefrom 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 2 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 na such deduction has been directed under that rule that no deduction is to be made, to make payment as provided in section 4 of the Provident Fund Act. 1925 (XIX of 1925).

of

(2) If the person, to whom under these rule atiy amount is to be paid, is a lunatic for whose estate a manager has been appointed in this behalf under the Lunacy Act, 1912 (TV of 1912), the payment shall be mace to such manager and alto the lunatie.

= 63>

www.ezqanoon.com

[Part II

(3) Any person who desires to claim payment, under this rule shall sen

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 become 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 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 if 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 employees 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;

bt -

(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 himself.

(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 the following further provision, namely :—

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 ;

(a)

reg

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 adyance commences from the pay of the month following that in which advance has been drawn ; . *

(b) The repayment schedule shall be—

(7) For employee in grade 3 and 120 equal instalments : and . above.

(ii) For employees in grade 1 240 equal instalments ; and 2.

—té-

www.ezqanoon.com

(c) the interest shall be recovered in one or more instalments 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.

= 4 (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.

(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 7. IT TT or TV given in Annex-7 to these mites, as the case may be. and the sanctioning authority shall scrutinise the deed and record a certificate regarding its correctness, the mortgage deed should be registered within four months of repayment of the advance. and the deed shall be kept in the safe custody of the Sonetianine 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

at \$F.

www.ezqanoon.com

atid 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 there is no danger of the lease lapsing or of Government being unable to dispose of it, should it become necessary to foreclose 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:

(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 anyone . 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.
1998 (XTV of 1908)

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

_68-

www.ezqanoon.com

{

1\$4. 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 meotor-cag 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 instatments, the interest shall be recovered in one or more instalments, the amount of instalment 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 compleé the negotiations for purchase of car and pay finally within one month of the date of drawl of advance. and if this is net 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 agree-ment 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 morteage deed in Form No. VIT given in Apoendix-7 hypothecating the car to the Chairman as security for the advance. the cost price of the car should be entered in the schedu'e of specification attached to the mortgage deed, and the mortgage bond should be kept in the safe custody of the sanctionins 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 certi-ficate.

(7) The car must be insured against full loss by fire. theft or accident by way of 4 cGmprehensive insurance policy, and not a 'Third Party Insurance" and, in case of purchase of second-hand cars third party insurance is rem'ssible, provided

the employee furnishes the following undertaking, namely :—

fa) he sha'l not seek anv abatement. relief or waiver of the outstanding amount af advance in case of damase to or loss af vehicle: and

www.ezqanoon.com

(b) in the event of the employee's demise the balance shall be recover 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

7 fig a letter in Form No. VIIIL given in Appendix-7 to these rules.

: @) 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 2 permanent employee, and in case of temporary grade 1 to 3 employees advance is admissible to those only who have at least three years service at their credit ;

(iv) the sanctioning authority shall satisfy itself that the employee shall continue in service till the completion of the recovery of advance and if the employee @ the service earlier. the advance shall be recovered in lump sum :

(v) the sanctioning authority shall also satisfy itself that the advance has actually been utilized towards purchase of a bicycle; and

(vi) a second advance is admissible if the previous advance has been fully repaid.

we FO

www.ezqanoon.com

(97. Muferesé-fvee 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 draw (of the advance) on 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 charge of the post to which he is first appointed on a regular basis.

=

22. Conditions of qualifying service. except as otherwise provided it

these rults,. the Service of an employee doves not qualify for gratuity unless it is under the Fund. is on regular basis and is paid from the Fund.

= i's

www.ezqanoon.com

My ee Sess == = SE == eae

g 203. The following periods shall count as service qualifying for grat},
namely :— -

- (a) All period of leave, other than extraordinary leave ;
- (b) time spent under suspension followed by reinstatement, or if the officer dies or ret'res 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 or autonomous bedy or any other organization in or out of Pakistan.

re

204. Resignations, dismissal and removals.—Resignation of service or removal or dismissal from service entails forfeiture of past service :

Provided that of the appellate duthority 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 ;
- {ce} loss of appointment owing to abolition of office or reduction in establishment ;
- (d) time vecupied in transit from one appointment to another ; and
- (e) subject to the approval of the Secretary, an interrdption 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.

307. Caleulation of gratuity —(1) After 4 service of five years cr more, the retiring employee shall be entitled to a sratuity not exceeding one month's

emoluments for each year of qualifying service and if an employee dies in service, the rate shall be one and half month's emoluments for each comp'eted year of servige and for the purpose of the rule of service of six months or more shall be treated as full one year

oe

www.ezqanoon.com

a

(— Q) 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 tamily provided the deceased has served:ia the Rundi for a minimunr period of tem years:

208. Family gratuity inthe: case.of death of an employee with mere than five years. service.—_(1) In case of death of an employee while in service who has réndered: five years "qualifing: service or more;. gratuity not exceeding one and a half. month's: emoluments: for cack! completed year of- service shall' be payable to his: fasily' in' acoordasice with rules 209 and 210, as the case may be.

(2) The 'Family' for the purpose of payment of death-cum-retirement gratuity: shall inelade the followingé relatives of the ettiployee, namely :—

@ Wife of wives, in case of a male employee ;
(ii) husband,,in case of a female. employee ;
Gi) children of an employee; and
Ge), 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 offieer of the Fund or the Solicitor, Law Dtvision;. Governormerit-of Pakistan. is satisfied that! undér the personal law of the employee' concerned; adoption: is lepally resepplized as conferring the status of natural child, but' in' this case ortly.

Note 2.—If it is proved that the wife has been judicially separated from the' etiployee' or Has ceased uitder the customary law' of the cotnitiunity to' whith she' belongs to' be entitled to maintenatice, she shall' 10° longer be deemed to' be a member of the family unléss the' etiployee has' himself intimated in writing to the Accounts' Offiter' that she' shall continue to be so regarded:

Note 3.—In the case of female employee if she intimates in writing. to the Accounts Officer that her husband shall not be included as a member of the family then he shall no longer be considered a member of the family unless she subsequently cancels in writing her intimation excluditig 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 lbdger a member of the subscriber's family in matters of which the rule in this chapter relate. unless subscriber subsequently caricels formally in writing her notice excluding him.

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

FR.

3160 THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 [Part "II
' (3) if an employee nominates more than one person under sub-rule (2) above
FY I shall specify in the nomination the amount or share payable to each nom')

in such manner as to dispose of the whole amount of the gratuity mentioned there.u.

(4) An employee may provide in 4 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
Accounts Officer a notice in writing formally cancelling the nomination together
with a fresh nomination made in accordance with this rule,

5 (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 nomi-

nation 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

www.ezqanoon.com

to
to

which the nomination does not relate, shall become payable
the member of his family in equal shares :

Provided that no share shall be payable to—

- (i)
- (ii)

- (iii)
- (iv)

Note 1

sons who have attained the age of twenty-one years.

sons of deceased son who have attained the age of twenty-one years.

married daughters whose husbands are alive ;

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 had survived that employee and had been exempted from the operation of the first proviso.

—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 leave no family the amount of gratuity shall. be payable to the following surviving relatives, if any, of the employee in equal shares, namely :— -

(a) mother ;

(b) father ;

(c) un-married sisters, widowed or divorced sisters, wholly dependent upon him ; and

(d) brother bel. w the age of twenty-one years.

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

2a a (11) No gratuity shall be payable by the Fund after the death of an employ. 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.

209. Emoluments of gratuity—The term “emoluments” for the purpose of

Sais eek ak tal eke ey SY

(a) Pay;

(b) Senior Post Allowance ;

{c) Special Pay of all types and nature ;

(d) Personal Pay ;

(e) Technical -Pay ;

(f) Deamess Allowance ; and

(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 sanc-

(a) in the case of employees holding posts

rin grade-20 and above. - .. Bythe Chainnan ; and . >, {&} in the case of employees in grade-19 and below — = — By the Secretary.

CHAPTER 18

BENEVOLENT FUND AND GROUP INSURANCE

211. Fund specified as an organization -amder .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 wektion 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 roles made. there-under.—For purpose of benevolent fund and group insurancne, tthe 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 Trustees. 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 af whom shall -be a Specialist inthe 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, specifited in sub-rule (3) of rule 10 of the Federal Employees Benevolent Fund and Group Insurance Rules, 1972, conferring on 'one .or-more members.of his family, 'therright to xeeeive -a specified 'share :of the benevolent grant -or the sum 'assured -and sshall 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 members of the employee's family as he may "specify -in -nomination-; and

(b) the nomination in respect of all or any of the nominee shall become void in the event of happening of any contingency specified therein.

(2) Nothing in -sub-rute : (1) -shall invalidate, or to require -the replacement of a nomination made under 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-tule (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 :zules, in relation to terms and conditions of service of employees, the Governing Boy with the previous approval of the Federal Government may, if it is satisfied for reasons to be recorded in writing, that strict application of 'any 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 a

(See rule 9]

LIST OF CADRES

S. No. Nomenclature

1. Administrative and Ministerial Cadre.
2. Engineering Cadre.
3. Finance and Accounts 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 = x si ag 50% 50%

Grade-19

1. Director as te = ae 50% 50%

Grade-18

1. Deputy Director - ~ a 50% 50%

2. Computer Programmer .. a ai £5% 50%

3. Deputy Director (Tech/Works) Cs oe 50% 50%

Grade-17

1, P.S. to the Secretary 08 ove » 20% 80%

2. Assistant Director - oa ate 50% 50°

3.' Assistant Computer Programmer .. wn 50% 50%

4. Assistant Director (Tech/Works) .. a 80% 20%

Grade-16

1. Superintendent .. ~ =~ Ro — 100%

2. Junior Computer Programmer ye oh 100% as

3. Accountant® .. es os son 100% =

“Fe”, i

Part I] THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 3165

~ oY es 2 ;

Grade-15

1. Stenographer .. rr Re Pn 50% 50%

«3 Grade-12 ‘

1. Stenotypist = oe we ae 100% —

- Grade-11

1. Senior Assistant sia wi és 50% 50%

.2. » Draftsman a rr] « 100% _

. 3. Sub Engineer .. Ss = ane 100% =

Grade-10

1. Data Entry Operator _, a sis 100), —

1. Assistant (U.D.C.) Pa . 50% 50%

2. Tracer . .. = 4 100% =

Grade-5 . on ar

1. Junior Assistant (L.D.C.) _ v0 80% 20%

2, Urdu Typist . . . 7 ws 100 %%, —

Grade4

“—L. Driver _ . sN3 Ea 100% =

2. Despatch Rider .. oe a a 100%, =

3.! Duplicating Machine Operator .. per 80% 20%

Grade-2

‘ gal. ‘Qasid/Sr, Lift-operator .. ae = _ 100%

¢Grade-1

* SE'Naib Qasid/Chowkidar/Lift-operator/Mali/

_ Sweeper om sa ia .

100% =

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

' TABLE Fi

' se + — — de a

Post with Grade! A Minimum qualification, experience and
Limit. other condition

(Min-Max)

B. - crea i

1 z 3

ne

' Grade-20

1, Secretary .. a ve 37-50 (i) A second class Mastér's Degree in

Commerce or Business Adtninistration

ot Public Administration or Law

Graduate.

(i) Seventeen years expéfietiet' im the
relevant field in a responsible- position
under Government or in an organiza-
tion or a firm of repute ii} peibtie' or
private sector,

Grate-19

2, Director(Admn) .. «. 32—45 (0 A second class Mastér's Degree in
Commerce! or' Busines" Addhinvstra-
tion or Public Administration or Law
Graduate,

(it) Twelve years experience in the refévdnt
field in a responsible position under
Government or in an organization or 4
firm of repute in' public' ot 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-subjeét; of FCA or
ICMA or Chartered Accountancy or
M.A. Economics with minimum of ten
years experience in Finarte®:

ORI

Graduate, \$.A.S. Accountant of Pakistan

Audit Department having experietice § ~
of Commercial & Cost Accounting.

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

"

www.ezqanoon.com

-_ po.

3

4. Director (Resource and Recovery). 32—45

3, Director (Monitoring and 32—45
Technical), (Werks) and
Superintendent Engineer.

Grade-18

b. 'Deputy Director (Administra- 25—35
tion).

2. Deputy Director 235—33

(a) Finance & Accounts ;

(®) Reconciliation & Budget ;

and;

(c) Resource and Recovery.

3., Deputy Director (Tech) Works) 25—33

or Executive: Engineer,

Same as above.

(i) A second class Bachelor's Degree in
Civil Engineering Preference will be
given to holders of Master's Degree
in Civil Engineering, or 1st class
Diploma in Civil Engineering.

(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,

(i) A second class 'Master's Degree or
Law Graduate.

(it) 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,

(i) Master's Degree in Business Adminis-

tration 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.

(it) 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.

(i) A second class Bachelor's Degree in Civil Engineering. Preference will be given to holders of Master's Degree in Civil Engineering, OR 1st class Diploma in Civil Engineering.

www.ezqanoon.com

—IJ-

12

— a

3

4. Computer Programmer 25-35

Grade-17

I. P.S.to the Secretary 2 -22—30

(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.

(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.

(i) A second class Bachelor Degree.

(ii) Shorthand speed one hundred twenty words per minute,

(ii?) 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 .. aa 2230) (i) A Second class Master's Degree in

- (a) Investment ; Commerce, Business or M.A,
- (2) Accounts ; Economies with experience in Finance
- (e) Budget ; of Graduate SAS Accountant +of
- (d) Reconciliation ; and Pakistan Audit Department. *

{>) Recovery and Resources. (vi) Person having experience in the relevant field will be preferred, (3 years of experience required in case of SAS Accountant).

—_
= §>

www.ezqanoon.com

,

mart I] THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 3169

— —— ye —— - =—

| 2

3

{i Assistant Director (Tech Works) 22—30
ot Asstt Executive Engineer
AssttEngineer, *

wn

Assistant Computer Programmer. 22—30

Grade-16

1, Accountant aa . 2028
2, Junior Computer Programmer, 20—23,

(A second class Bachelor's Degree in
Civil Engineering.

OR

Ist Class Diploma in Civil Engineering,

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

(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.

(ii) Training in System analysis and design.

Ability to operate Windows'Lotus'
DOS etc.

(iv) Person having experience in the relevant
field will be preferred. tS

(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).

(i) A second Bachelor's Desree with Economics, Statistics, Physics or Mathematics.

(#) Computer. Programming Course in at least two computer languages:

(ii) Training in Systemanalysis and design.

Ability to operate Windows Lotus NOS etc.

(iv) Three years experience in the relevant field.

1

2 3

Grade-15

I. Stenographer

Grade-12

I. Stenotypist

Grade-a}

1, Senior Assistant

i

Draftsman

ws

. Sub Engineer

Griade-10

1, Pata Entey Onerarer

18—25 (i) Second class Internediate in Commerce
Diploma in Commerce.

(ii) Shorthand speed hundred words per
Minutes.

(ii) Typing speed fifty words per minute.
(iv) Computer knowledge js essential,

(v) Five years experience in the relevant
field.

18-25 (i) Secondclass Intermediatein Commence!
Diploma iit Commerce.

(ii) Shorthand speed eighty words per
minutes,

(iti) Typing speed forty words per minute.
(iv) Computer knowledge is essential.

(v) Two years experience in the relevent
field.

13-25 A second class Bachelor Degree pre-

ferably with two years experience in the relevant field.

18—25 (i) Second class Diploma in Civil Draughtsmanship

(ii) Two years experience in the relevant fields.

18—25 (i) Second class Diploma in Civil Engineering,

(ii) Two years experience in the relevant fields, .

1R=25 1) Intermediate (2nd division).

www.ezqanoon.com

Part II] THE GAZETTE OF PAKISTAN, EXTRA.. NOV. 26,1997 3171

|
ee

Grate-7

IL. Assistant (WU, DOC)

2, Tracer os

Grade-5

te anion Assistant (LD. G.)..

2. Typist (Urdu)

Grade-4

1, Duplicating Machine Operator ..

2. Driver ae

3. Despatch Rider os

Grade-1

Naib Qasild Chowkidar Mali

Lift-Operator Sweeper ar

www.ezqanoon.com

i)

{8-25

[5—=25

2

(i) Intermediate (H division).

ii) Typing speed 20 words per minute,

(iii) person having computer knowledge and
experience of twa years will be prefer-
red.

i) Intermediate (IT divisien).

Gi) Twa years experience in the relevant
feld.

(i) Matric (second division).

(il) Typing speed 20 words per minute,

iii) Person having computer knowledge and experience of two years in office works will be preferred.
Same as above.

{i} Matric second class or five years service as Naih Qasid,

(ii) Should have working knowledge of Duplicating Machine'Photo Copier, its maintenance and up-keep,

(i) Middle passed,

(ii) Should posses a valid LTV ATV driving license.

(iii) Three years experience as Driver.

(i) Middle passed.

tit} Should posses a valid driver Motor Cyehkt Seaoter LT¥ license,

3 license
and a valid

AY Te

ee yeurs experience ag Driving af
mMotar esele scooter,

Middle passed)

iy 3172. THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 [Parr V~ =

Part-II

3. Appointment by Promotions.—An employee may be promoted against post reserved for departmental quota specified in column (1) subject to fulfilment . 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

Scale-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 Twelve years service (as Assistant Director Works) in Pay Scale-17 and above of which

at least seven years 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 Programme Assistant Computer Five years service (as Assistant Computer Programmer) in Pay Scale-17.

Assistant Computer Junior Computer Five years service as junior Computer Programmer. Programmet Programmer,

PS to the Secretary Stenographer Five years service as Stenographer. *

Stenographer' (Sele Stenographer Seniorityecim-fitness '.

Grade)

Stenographer Stenotynise Three years service as Stenotyrist,

Superintendent | Selection Superintendent Seniority-eryr fitress.

Grade)

Superintendent Sénicr Assistant Five years service 4s Senicr Assistert (Se-

(Selection Grade)/ lection Grade) Senior Assistant.

Senior Assistant

— £E-

www.ezqanoon.com

= we ¥ ;
i

Part ii] THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997

ee

3173

3

Senior Assistant (Selection
Grade)

Senior Assistant
(Selection Grade?)

Senior Assistant
Assistant (UDG) (Selection
. Grade)

Assistant (UDC)

Jinior Assistant (LDC)

(Selection Grade}
Junior Assistant (LDC)

Senior Lift Operator

Senior Assistant
Senior Assistant

Assistunt&U DC)
Assistant (UDC)

Junior Assistant
(LDC)

Junior Assistant
(LDC)

Qasid, N/Qasid,
Dafitry, Record
Sorter, D. M, O.
& Other employee
holding lower posts.

Lif Operator

Seniority-cwnj-fitness.

Seniority-cunrfitness,

Three years service as Assistant (UDC).

Seniority-eusefitness.

Three years service as junior Assistant (LDC)
Seniority-eum-fitness.

Matriculate with typing speed 30 W.pam.

Seniority-cum-fitness,

Qasicl 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—S0—2070

Grade— 4 - Rs. 1360—58—2230

. Grade—5 . Rs. 1400—66—2390

Grade—6 . Rs. 1440—73—2535

Grade—7 oo: » Rs. 1480—81—2695

Grade—s - 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—3730

Grade—13 » Rs. 1950—144—4110

Grade— 14 » Rs. 2065—161—4480

. Rs

Grade —15§

. 2190—177—4845

www.ezqanoon.com

v

Qy

' Grade —16 aa sc . L .. Rs. 2535—197—S490
Grade —17 3 ee ou ' .. Rs. 3880—290—73 60
Grade —18\$ _ a sia . . . Rs. 3085—366—8745
. Grade —19 -. a - 23 .. Rs. 7750—385—11600
Grade—20 = ox oe . . . Rs. 9195—440—13595
Grade—21 a ae ot wes .. Rs. 10190—545—15640

Grade—22 - = - » Rs. 10900—610—17000

Note :—These Grades/Scales shall stand revised whenever a revision of Grades/Scales is made by the Federal Government. ;

APPENDIX-4

[See rule (114))

ALLOWANCES AND PERQUISIVES

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 educational qualification and training below—

Computer personnel in Master's degree in Computer Science or in

Grade 17 or 18. Mathematics or Statistics or Economics from a recognized University and have undergone recognized computer training.

Computer personnel in Secondclass Bachelor's degree in Mathematics

Grade 16, or Physics or Statistics or Economics from a recognized University and have undergone computer training.

of Rs. 300 p.m. will also be admissible

(2) Computer Allowance at the rate employed on whole time basis on

17 Data Entry Operators who are actually computer work,

3. Conveyance allowance.—A conveyance allowance at the following rate shall be admissible to employees in Grade 1 to grade 19— .

(a) Employees possessing = ~motor

Cycle/Scooter Rs. 330 p.m.

(i) Employees in Grade [to 16 .

(b) Other employees Rs. 300 p.m.

- (ii) Employees in Grade 17. [Sand (a) Employees possessing 2 motor 19: car Rs. 1000 p.m.
(8) Other employees Rs. 550 p.m.

A BF-

www.ezqanoon.com

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 respect of the same vehicle.

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 a . . . Rs. 300 p.m.

(ii) Employees in Grade 20 and 2] = .. Rs, 600 p.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 16 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 I—2 .. to nn a AG -. Rs, 960

Grade 3—6 on _ si - we RBS 1500

Grade 7—10 .. sits a ws ar wa RS. 2250

Grade 11—13 .. a . . aH .. Rs. 3390

Grade 14—16 .. ' — : Ke xe IRS 4260

Grade 17—18 .. 4 33 si we sx ARE 5640

Grade 19 a se aS at ae wa RSs, 7500

Grade 20 a _ S = - axe ERB 9420

Grade 21 aia ws se rv ova oa RR 11280

Grade 22 ges Pe a a oy sq 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.

= Cie

2 —_—

(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.

&. Over-time allowance—(1) Drivers of official vehicles and despatch rider,

detained on duty, beyond two hours of normal closing time or on closed 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 a 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 Grade 2 other than such employees covered by sub-paragraph (1) detained on duty beyond normal closing time shall be allowed over-time allowance calculated according to the formula given below :—

Number of actual overtime hours X double the basic pay Working hours X 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 P.m.

(ii) Stenotypist .. Rs. 150 p.m...

10. Senior Post allowance :—

(i) Employees in grade 20 Rs, 800 p.m.
. Rs. 1000 P.m.

(ii) Employees in grade 21

11. Orderly allowance.—Orderly allowance at Rs. 1000 p.m in the case of

the case of employees in Grade 21.

employees in Grade 20 and Rs, 1600 p.m, in

ja

www.ezqanoon.com

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.

t=

CALL-WISE CEILINGS

ey Office Telephone Residential

Telephone

G) Secretary No limit No limit

(ii) Director 4500 calls 900 calls

per month. per month

(iii) Deputy Director 359) calls 809 calls

per month, per month.

(iv) Asstt Director/ Accounts Officers Do. Do.

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 273 liters per month.

(ii) Director Car with petrol ceiling of 200 liters per month.

(iii) Officers/Staf Other than Staff Car will be provided with prior per-

(i) & (ii) above. mission 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.

7 (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).

www.ezqanoon.com

a ifm

Fy a -

APPENDIX 5

[See sub-rule (2) of rule (176)]

FORM OF NOMINATION WHEN SUBSCRIBER HAS A FAMILY

{ 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 Age of the Amount or share of nominee or nominees subscriber Nominee accumulations

Two Witnesses to signature

Signature of subscriber

%

Note :—Column 4 shall be filled in so as to cover the whole amount at 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 Age of the Amount or share of nominee or nominees subscriber Nominee accumulations

Two Witnesses to signature

SHAAN nc coe ene nye nee

De a eT ee

~~ Note Column 4 shall be filled in 50 as to cover the whole amount at credit.

Qa -_

=

ee

,

Paki ft THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 3179

APPENDIX 7

FORM-I

em . {See subrule (8) of rule (192)]

FORM OF MGRIGAGE

Tie = THis INDENTURE made this.. One thousand nine
hundred and..... BETWEEN an Officer/official
hesiccorsguuranessa es (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 mortgagee
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 hereinafter described and
expressed to be hereby conveyed transferred and assured (herein-
after referred to as the said hereditament,

AND WHEREAS the mortgagor has applied to the mortgagee for an advance
of the sum of Rs.....-.....6 ...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 pr:sen's and the
balance (unless and 'until the power of sale applicable hereto shall have become
exercisable) by equal instalments payable cameiea the firs: of such instalments
to be payable on the.....06 day of..

Now Tuts INDENTURE WITNESSETH that in pusuance of the said agreement
and in consideration of the sum of RS,.....-:-:00 paid on or before the execu-

bf tioe of these presents to the mortgagor by mortgagee (the receipt whereof the
mor'segor doth hereby acknowledge) for the purpose of enabling the mortgagor

to defray the herein before recited experses the mortgagor hereby covenants with
the mortgages % repay to the mortgazee the sum cf BSieneesenotosresd fand such
furthe: sims as shail hereafter be pa'd by him to the mortgagor pursuant to here-
in befo seeited agreement in shat behalf] and interest thereon calculated accord-
in tp Rules on the paday. of. ' Text and if the
loac shal' not be repaid on that date will pay interest in accordance with the
said Rules) AND THIS TNDENTUPE ALSO WITNESSETH that for the
consideration aforesaid "he mortgagor doth hereby convey transefer and assure
inte the mort : . o* lend sithate in the..... oe district
a regi istration distzic' of. sub 'registra'l fon district

more or less now in occupation of the

of. . containing, . . -

mortagagor and bounded on the North oe on the South by... wee on

www.ezqanoon.com

the 'Bast (by. scaccaueayses seat and on the West bY....csececes dogether with the dwelling-house and the out-offices, stables, cook-rooms and out-buildings now erected on the said piece of land togecher with all rights, easements and appurtenances to the said hereditaments or any of them belongisg TO HOLD the said hereditaments will their appurtenances including all erections and buildings hereafter erected and built on the said piece of land uito 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 SPUR apa yducugaes [and of such further sums as may have been paid as aforesaid] made upon the securiy of these presents shall have been repaid and interest thereon caiculated according to the said Rules by the deduction of oathy insta'ments of the salary of the morigagor 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 morigagor 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 ar 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 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 therefrom AND it is hereby declared that the mor'gagee Shall hold the moneys to arise from any sale in pursuance of the aforesaid power UPON TRUST in the first place thereout 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 cond'tions 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 .—@ ——_—_

Witness 2

Address Occupation Address Occupation

Signature Chairman

j

3180 THE GAZETTE OF PAKISTAN, EXTRA. NOV. 26, 1997 [ParTIL

"tf

'Fund and

3

Part II] TH GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 3181

APPENDIX 7

FORM-IL

[See sub-rule (8) of Rule (192)]

FORM OF RE-CONVEYANCE FOR HOUSE BUILDING ADVANCES

THUS INDENTURE made this-0-00 day of ieviisasicvns one thousand nine hundred and mae the wire BETWEEN the Chairman of Workers Welfare cee an Officer/Official Of .s....cseseeseeeerees . (hereinafter called the morigagor) the other part is supplemental to an indenture of mortgage dated thes-0.0+ GAY OF. cvecerverneresens 19 and made BETWEEN the mortgagor of the one pait and the Chair san of the other part and registered HE sevicconencennen in BOOK-e- renee Volume cance wai PREPS sacwsns se 0 _____ ag NO...scCcseevse FOr ciesecsivssesw Hereinaiter called the PRINCIPAL INDENTURE) WHEREAS all moneys due and owing on the security of the PRINCIZAL iNDENTURE have been fully paid and satisfied and the Chairman has accordingly at the request of the mortgagor agreed to execute such Te-conveyince of the mortgaged premises in the within written INDENTURE com-

_prised as in hereinafter contained. NOW THIS INDENTURE WITNESSETH that

in pursuance of the said agreement and in consideration of the premises the Chairman doth here granted assizn and recovery unto the mortgagor, his heirs, executors, administrators and assign ALI that piece of land situate in the

S508 taco onancneT containing-..., more or less now in occupation of the mortgagor and bounded on the North by on thE SOUTH: BY .2...-bemneer- on the East by-sseeesereseeeeeess and on the WeSt by ...-..-ee.-e: es together

with the dwelling-house and the out-offices, stables, cook-rooms and out-buildings thereon AND ALL singular other the premises in the PRINCIPAL 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 n 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 hereinbefore expressed to be hereby granted assigned and reconveyed unto and to the use of the mortgagor his heirs, executors. administrators and ass'gns for ever freed and discharged from all moneys intended to be secured by the PRINCIPAL INDENTURE and from all actions, suits acrounts. claims, and demands for, or in respect of, the said moneys or any Dar: thereof or. for or, in respect of. the PRINCIPAL [NDENTURE or of anything -elating to ths aramices AND the Chairman hereby covenants with the mortgagor his heirs. executors, administrators and assigns that the Chairman has not done or knowingly suffered or been part thereof are, is or can be impeached. incumbered or affected in title estate or otherwise, howsoever.

IN WITNESS 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

\$s

APPENDIX 7

FORM-II

[See sub-rule (9) of Rule (192))

FORM OF MORTGAGE

FOR HOUSE BULLDING ADVANCE GRANTED TO EMPLOYEES WHO

DO NOT POSSESS FULL PROPRIETORY RIGHTS IN THE LAND

UPON WHICH THEY INTEND TO BUILD A HOUSE. . .

THIS INDENTURE made this ceseeeeeee ODE thousand

nine hundred and-seeee BETWEE Re eee rr

Officer /official ofcesesss-s28 (hereinafter referre: 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.

Wuerzas the mortgagor is absolutely seized and possessed of or otherwise well entitled to the land hereditaments and premises hereinafter described and expressed and expressed to be hereby conveyed transferred and assured (hereinafter referred to as the said hereditament.

AND WHEREAS the mortgagor hes applied to the mortgagee for an advance of

the sum of Rs,-.-.5-+ for the purpose of enabling him to defray the expenses of bui'ding a house on the said hereditaments as a suitable residence for his own use.

AND WHEREAS ender 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.-15-++++- (out of which the mortgagor hereby acknowledges the receipt of RG) ccassvsarsemen 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. 6.) .c+eee sees paid on or before the execution of these presents to the mortgagor by morteagee (the receipt whereot the mortgagor doth hereby acknowledge) for the purpose of enabling the mortgagor to defray the hereinbefore recited exnenses the morteagor hereby convenaits with the mortgagee to repay to the mortgagee the sum of RS.csee een [and such further sums as shal' hereafter be paid by him to the mortgagor pursuant to hereinbefore recited agreement in that beha'f] and interest thereon calculates according to the Rules on the... ; Gay Of gsveccenwaascss ... next (2) and it the loan shal! not be revaid on thar date will pay interest in accordance with the said Ru'es. AND THIS INDENTURE ALSO WITNESSETH that for the consideration aforesaid the mortgagor doth hereby convey transfer and

-9é~

www.ezqanoon.com

ree

« ollre into the mortgage ALL that piece of land situate in the 0.0... wanes
district a registration district Ofcc0.c.0. sub-registration
district of CONTAINING: onsen vevesnen more or less now in occupation
of the mortgagor and bounded on the North by On the South by.....2
QM: the: dEaSt by sicusiswasszsessenvinee and on the West Dyc:cceeeereecnreeee together
with the dwelling-hause 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 con-
tained PROVIDED ALWAYS that if and as soon as the said advance of
UEIEN sconmmeanaconsecsns 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 sliall 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
therefrom 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 thereout 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) SIGNATURE CHAIRMAN
in presence of

Witmess 1

Witness 2.— =

Address Occupation Address Occupation

—\$F—

www.ezqanoon.com

APPENDIX 7

FORM-1V

[See sub-rule (8) of Rule (192)]

FORM 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 --0..--01---- day Of viccccasvsanes one thousand
nine hundred and .-.-.----+ BETWEEN sisescsicveeva co) re an Officer/
official of sn.csssuees (hereinafter 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 an 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.....
sduawerewmumesmavasesengenenemees for the purpose of purchasing the piece of land hereinafter 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 purpsse 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 (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 Rsi....c.;tiuens. (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 thereto shall have become exercisable) by equal instalments payable quarterly the fitst of such instalments to be payable on the day of

NOW THIS INDENTURE WITNESSETH that in "consideration of the said advances 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 mortgagor to

lanc pay to mortgagor the said sum of Rupees (and such further sums as shall hereafter be paid by him to the mortgagor pursuant to hereinbefore recited agreement in that behalf) and interest thereon calculated according to the Rules 02); the: encirecevannar, GER QE orecnnerneinntecennstane 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 the0.0 CHENEGE cocsnasesvarone a registration district Ofcccseee sub-registration district Of.....;:-.06 containing: s..2...scc.6 mOre or less now in occupation of the mortgagor and bounded on the North by-00+ on the South by — on the East By svapwersseccepeenggeccany and on the West by ...ice:cee. 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 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 (hereinafter 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 TUPCES) scaswensawe uses {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 re-convey, ré-transfer or re-assure the said premises unto and to the use of the mortgagor and the mortgagor hereby covenants with the mortgagor that he the mortgagor now have good right to transfer the said premises unto the mortgagee free from incumbrance 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 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

oe

there shall be any breach by the mortgagor of the covenants on his part 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 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 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 AND IT HEREBY DECLARED that the mortgagee shall hold rents, profits, premiums, salaim or money arising from the premises or from any such letting or sale as aforesaid UPON trust in the first place thereout 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

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 ..-....+---- Gay col i ceccurpuainsn one thousand nine hundred and... reer i BETWEEN scpesvenvecisvzencs an officer or official PR ERE ncssvomreseey: (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.

Afi

www.ezqanoon.com

rs

hy

WHEREAS in pursuance of the provisions of 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

t addition thereto for the time being in force), the mortgagee advance a loan of

Be oneocmnnesariccememecnninsnen scion ie Sep fo the mortgagor to enable him to purchase

for his residence a house constructed by the ---:2:00-- and the mortgagor

ad by an agreement dated until (hereinafter 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 ees purchased a house with all that piece of land situated-eeeee

tie diStHEE GE. scsiawsss scanisses measuring approximately-...-:...cr and bounded on the North by-....-....) on the South byeececeeee wee Oh the East by . and on the West bYreeseee together appurten-

ances to the house hereinafter called hereditaments.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the said sum of Rs.....000..... paid to him, the mortgagor does hereby transfer and assure upto the mortgagee the said hereditaments together with allights 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 hereinafter 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-con-

@ vey, 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 shah die or quit or be removed from services before the said SUN GE TAPEEE: wrnccoreemenerncnenrent 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 mortagee 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 purchasers thereof AND it is hereby declared

—/o/—

that mortgagee shall hold the moneys to arise from any sale in pursuance of the aforesaid power UPON TRUST in the first place thereout to pay all the expenses incurred on such sale and in the next place to apply such moneys in or towards satisfaction of monéys 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. ——SS ==

Address.

Occupation.

APPENDIX 7

- FORM.VI ; é

{See sub-rulé (6) of rule (94)]

FORM OF AGREEMENT TQ BE EXECUTED AT THE TIME OF DRAW-
ING AN ADVANCE FOR THE PURCHASE OF MOTOR VEHICLE.

AN AGREEMENT made---.++- day Of ...ccrseeveeee one thousand nine hundred and-:0::0. BETWEEN : 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 pravisions 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.....cceees 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....eeereseeee, 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

A027

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 forthwith 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 : ut
Occupation

APPENDIX 7
FORM-VII .
[See — (6) of rule (£94)]
FORM QF MORTGAGE BOND FOR MOTOR VEHICLE ADVANCE

THIS INDENTURE made this. ..2:26. 0-44 BAY OE soramecnqonosas one thousand nine hundred and BETWEEN-060-+:_ (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.....4 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 partly with the amount so advanced as aforesaid the Motor vehicle particulars whereof are set out in the Schedule hereunder written,

>

3190 THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 [Parr "-".

—= : *

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 RsS..... 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 judgement agains, 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 forthwith 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 right of the Chairman, to use the Borrower or his personal representatives 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

"¢

-dort 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 with whom the said Motor vehicle is insured have received notice that the Chairman is interested in the policy AND the Borrower hereby 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 firs, above written.

THE SCHEDE

Description of Motor vehicle.

Maker's Name.

Description.

No. of Cylinders.

Engine Number.

Chassis No,

Cost Price.

SIGNED by the Borrower,

. in presence Of.....0..++8 .

= APPENDIX 7

FORM-VIIT

[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,

— fas =

f

Plage
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.

Plate SIRHATUPE sancanensn issaberndnarsciina

Date Designation.ccc0eveveereee

APPENDIX 8
[See sub-rules (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 meiitioned 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 Relationship Age Contingencies on Name and relationship address of with the the happening of of the pérson if any to the nominee employee which the nomi- whomthe right con- nation shall be- ferred on the nominee come invalid. shall pass in the event of the nominee prede-

ceasing 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,...:< +4 +% By GB ces oxigen 19 Bbiarnnta cane wonraenererrs

Witmesses to signature 3

DTS FRA + sepias cee ies Signature of the employee

Nomination DY .+--00en essere Signature of Head of Office++-00+0+
Designation.....0.0.00eeeeeee Desitttatiott 0... 06. cece bee eeee nese ces
OGRE ecseenied gests o88 agitate te siniens DAE ane cncy oeihaRe RES fas era HON He crews
ras
laAgr

Part II] THE GAZETTE OF PAKISTAN, EXTRA., NOV. 26, 1997 3193

[See sub-rules (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 to nominate one member thereof.

nominate the person mentioned below, who is a member of my

family hereby

fe y : ; é ; :

“. 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 Relationship Age Contingencieson Name and relationship

address of with the the happening of of the person if any to

the nominee employee which the nominee whom the right con-

nation shall be- fered on the nominee

come invalid shall pass in the event

of the nominee prede-

ceasing the employee

DAte this... eeeinees day of... a.vsesns 19 Boh ocnme-reiseerewsnoaeest

Witnesses to signature Signature of the employee

A aanccoiemvercecece-pecerqune re ieee

BD saps ie te SIRNAS RMT eee IES

To be filled in by the head office in the case of employees in Grade 15. and below)

+ Nomination by sss. cee nereeenee Signature of Head of Office .se.ye 5 nee

' Designation0..400 2200 es Designation++.20.-0000e 0 bese eens

Offi?) viacl scnang cone emerenen es De: necsecansian emcnalecneeany Unt

IF. No. 2 (15)/96. WWF-IE-Vol-I.]

5 §. ZAFAR.

Deputy Secretary.

PRINTED BY THE MANAGER, PRINTING CORPORATION OF PAKISTAN PRESS,
F PUBLICATIONS, KARACHI

PUBLISHED BY THE MANAGER ©

Se

