

Rules governing the services of the employees of the
The Provincial Govt. Employees Cooperative Housing Society, Regd.
 37, Second Floor, GDA Commercial Plaza, Civil Line,
 Gujranwala

CHAPTER I
PRELIMINARY

1. Short title and commencement:-

- (a) These rules may be called the Provincial Govt. Employees Cooperative Housing Society Gujranwala employees service rules
- (b) These rules and the rules subsequently modified, shall apply to all those categories of employees (whether permanent or temporary), who are mentioned in column I of Appendix 'A' or any other category hereinafter included in the said Appendix, other than -
 - i) Government Servants on deputation with the society, and
 - ii) employees engaged on 'contract basis'.
- (c) In case of dispute arising about any interpretation of any of these rules, the Managing Committee shall be the final authority to decide such a dispute.
- (d) These rules shall come into force at once.
- (e) The General Body of the society reserves the right of amending, modifying or deleting all or any of the rules herein laid down, as may be found necessary, from time to time; provided the amendment is passed by a majority of 2/3rd members present in that meeting.

2. Definitions.

In these rules, the following expressions shall have the meaning hereby respectively assigned to them: that is to say:-

- (a) "Appendix" means any appendix annexed to these rules;
- (b) "Appointing Authority" means the Managing Committee in all cases or any officer duly authorised by the Managing Committee in this behalf.

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- (c) "Appellate Authority" means Senior District Cooperative Officer (Deputy Registrar) Gujranwala
- (d) "Bylaws" means the registered Bylaws of the Society;
- (e) "Board" means the Board of Secondary Education constituted under any law in force in Pakistan;
- (f) "Cadre" means the strength of establishment as a whole;
- (g) "Competent Authority" means the Appointing Authority;
- (h) "Convener" means the Convener of a Sub-Committee constituted by the Managing Committee;
- (i) "Employee" means an employee working in the society and receiving pay;
- (j) "Family" means any of the following persons who reside with and are wholly dependent on the employee, namely -
 - "General Body" means the General Body of the society;
 - "Injil-technical" means appointment made otherwise than by registration and transfer;
 - "Managing Committee" means the Managing Committee of the Society;
 - "Medical Officer of Health" means Medical Officer of Health at the Society;
 - "President" means the President of the Society;
 - "Recognized" means any University incorporated by law in Pakistan;
 - (k) "Registrar" means Registrar, Co-operative Societies, Punjab, or any officer with a changed designation appointed by the Punjab Government, as Head of the Department of Co-operative Societies in the Punjab.
 - (l) "Selection Board" means the Board constituted by the Managing Committee for selecting suitable candidates for appointment in the service of the Society;
 - (m) "Secretary" means the Secretary of the Society;
 - (n) "Selection Committee" means the Committee constituted by the President for selecting suitable candidates for appointment in the service of the Society;

- (u) "Society" means the Co-operative Model Town Society (1962) Ltd., Model Town, Lahore.
- (v) "Sub-Committee" means the Sub-Committee constituted by the Managing Committee
- (w) "Pay" means the basic pay of an employee of the society.
- (x) "Salary" means the total emoluments drawn monthly by an employee.

CHAPTER II

PART - I - RECRUITMENT

3. Number and character of posts -

The cadre shall comprise the posts shown in column 1 of Appendix 'A'.

A member of the cadre holding any appointment specified in that Appendix, from date of joining, his/her appointment, to be entitled to the pay shown in column 2 of the said Appendix. Nothing in these rules shall affect the right of the society to make additions or reductions in the cadre permanently or temporarily or to increase or reduce the scale of pay prescribed in Appendix 'A' permanently or temporarily, for entrants to the service of the society after the coming into force of these rules.

4. Method of Recruitment

- (1) Vacancies in the different grades specified against the posts shown in column 1 of appendix 'A' shall be filled by -
 - (a) Initial recruitment; or
 - (b) transfer of an employee from one department to another within the cadre; or
 - (c) by promotion from among the existing staff working in lower grade or grades.
- (2) When a vacancy occurs or is about to occur in any grade the Appointing authority shall subject to the provisions

of column 4 of Appendix 'A' determine by which of the methods specified in sub-rule (1) such vacancy may be filled.

Note: Promotion from a lower to a higher grade shall be made strictly by selection from amongst the staff and in case there is no suitable and/or eligible candidate, the vacancy shall be filled by initial recruitment

5. Recruitment

- (1) Appointments to the posts, specified in column 1 of Appendix 'A', shall be made -

(a) in the case of posts carrying an initial pay of and above Rs.1000 per mensem, by the Managing Committee on the recommendations of Selection Board constituted for the purpose; subject to the approval of Registrar.

(b) in cases, by the authority or authorities empowered by the Managing Committee in this behalf.

(2) Appointments shall be made at the initial pay of the post but in case, where a person to be recruited, possesses experience or special qualifications or both, the appointing authority may, subject to the approval of the Registrar, record in writing, a higher initial pay in the time scale of the post.

6. Absorption in various scales of pay:

On the coming into force of these rules the existing staff of each department shall be deemed to have been appointed in the corresponding grades shown in column 2 of Appendix 'A'.

7. Nationality, age and other qualifications of candidates:

- (1) No person shall be appointed in the service of the society unless -
 - (a) (i) he/she is a Pakistani National;
 - (ii) domiciled permanently in the Punjab;
 - (b) in the case of persons not already in the service of the society, he/she produces;

- (i) a character certificate or certificates from the Principal academic Officer of his/her University, College concerned, if any, and also from two responsible persons not being his/her relatives, who are well acquainted with him/her in private life and un-connected with his/her University, College or School, if any, and
- (ii) medical certificate of health by a Registered Medical Practitioner; and

- (iii) make and subscribe, before the Secretary or some person appointed by him, on oath according to the form set out below :-

_____ having been appointed holding the post of _____

do solemnly swear (or affirm) that I will bear true faith and allegiance to Pakistan, and I will faithfully and honestly perform the duties of my office to the best of my ability, knowledge and judgement".

- (c) No person may be substantively appointed to a permanent post without a medical certificate of fitness for service in the society, from Medical Officer of Health of the society.

- Note - 1 (i) Medical Certificate should ordinarily be required from candidates on first appointment if they are likely to officiate or to hold temporary posts for any period exceeding six months.

- (ii) Re-employed persons who, during their previous term of service under the society, had produced the required medical certificate, need not be required to produce a fresh certificate unless the period between their discharge from their old posts and their appointment to the new posts is in excess of three months.

Note 2 In the case of a female candidate, medical certificate may be produced at the option of the candidate from Registered Lady Doctor.

- Note-3 In the case of a candidate for appointment to a post on pay not exceeding seventy rupees, the appointing authority may accept a certificate signed by any medical officer, irrespective of his medical qualifications; and
- (d) he/she is not less than 18(21 years in the case of Drivers) or more than 25 years of age according to his/her Matriculation Certificate; provided that the President may, in special circumstances to be recorded in writing, relax this condition upto the age of 25 years.

Note - In cases where the date of birth is not known, the age shall be determined as under:-

- (1) where only the year of birth of an employee is known, the 1st of July of that year should be taken as the date of birth; and in cases where the month of birth is known but not the exact date, the 16th of that month should be taken as the date of birth; or

- (ii) when the date of birth is not known but only the age is stated at the time of appointment, the employee should be assumed to have completed the stated age on the date of appointment.

- (2) No person shall be appointed in any grade by initial appointment unless he/she possess the qualifications specified in respect of such class of employee, in column 3 of Appendix 'A' to these rules.

PART II - CONDITION OF SERVICE

8. Probation:

- (1) A person appointed against a substantive vacancy shall remain on probation for a period of two years, if appointed by initial recruitment, and for a period of one year if appointed otherwise.

Explanation - Officiating service rendered in any department of the society, to a corresponding or higher post, may be allowed to count towards the period of probation.

- (2) If the work or conduct of an employee, during the period of probation, has been unsatisfactory, the appointing authority may, notwithstanding that the period of

probation has not expired, dispense with his/her services, if he/she has been appointed by initial recruitment, and if he/she has been appointed otherwise, revert him/her to his/her former post, or if there be no such post, dispense with his/her services.

- (3) On completion of the period of probation of an employee, the appointing authority may confirm him/her in his/her the appointment or if his/her work or conduct has in the opinion of such authority, not been satisfactory.

(a) in case he/she has been appointed by initial recruitment, dispense with his/her services; or
(b) in case he/she has been appointed otherwise, revert him/her to his/her former post, and if there be no such post, dispense with his/her services; or

(c) extend the period of probation by a period not exceeding two years in all, and during or on the expiry of such period, pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation I - If no orders have been passed by the day following the completion of the initial probationary period, the period of probation shall be deemed to have been extended.

Explanation II - All confirmation cases shall be put up for orders of the appointing authority by the Heads of departments concerned three months before the expiry of the period of probation. Failure of the Head of department in this behalf may render him liable to disciplinary action and it shall not operate as automatic confirmation of the employee concerned. Confirmation shall always follow definite orders in this behalf and, in the absence of any order, the employee shall continue on probation.

8. Seniority.

An employee shall ordinarily rank for seniority in his/her grade on the basis of his/her date of confirmation in the grade or, in the case of an employee not appointed on probation, on the date of his/her appointment to the grade; provided that in cases where dates of confirmation or dates of appointment (as

the case may be) are the same, the older employee shall rank senior to the younger. In cases (i) where ages are also the same, the seniority shall be determined by the President whose decision shall be final; and (ii) where dates of appointment of persons initially recruited and those promoted, are the same, the former shall rank senior to the latter. Old employees, who are still unconfirmed, or confirmed recently, shall be considered as confirmed from the date of their appointment excluding 2-1/2 years' probationary period for the purpose of seniority only.

PART III - EFFICIENCY AND DISCIPLINE

SECTION 1 - Penalties

10. An employee of the Society shall be liable to a penalty specified in rule 14 for inefficiency, misconduct, corruption or subversion.

11. An employee shall be deemed to be guilty of inefficiency:-

(a) if he/she earned unsatisfactory report in his/her character and service roll, for three or more consecutive years, or;

(b) by reason of infirmity of mind or body he/she is, in the opinion of the appointing authority, inefficient and has ceased to be efficient and is not likely to recover his/her efficiency.

An employee shall be guilty of misconduct :-

(a) if he/she violates any of the provisions of the Conduct Rules applicable to employees of the society;

(b) if he/she commits a breach of service discipline or instructions issued by the appointing authority or the person duly authorised by it in this behalf; (from time to time and those laid down in the bylaws of the society) or;

(c) if he/she commits an offence involving moral turpitude.

Note. Under this rule "breach of service discipline" means -
(i) negligence, indolence, inattention, discourtesy or intentional delay in the performance of duty;

- (ii) any wilful act or omission against interest of or resulting in loss to the society;
 - (iii) breach of rules, orders or instructions issued by the President or the Managing Committee or the persons duly authorised by either of them in this behalf;
 - (iv) evasion of transfer orders;
 - (v) unauthorised disclosure of any fact or facts or information relating to the affairs of the society;
 - (vi) unauthorised handing over of any confidential documents upon an employee of the society which have been prepared by an employee of the society or have come into his possession in the course of his duties or otherwise;
 - (vii) habitual late attendance or absence from duty without permission of the competent authority;
 - (viii) impertinence, insubordination, misbehaviour or perance;
 - (ix) favouritism or nepotism;
 - (x) making any representation, written or verbal, to the authorities, except through proper channel.
13. An employee shall be deemed to be guilty of
- (a) if he/she or any of his/her dependents or any person through him/her or in his/her behalf, is in possession (for which he/she cannot reasonably account) or pecuniary resources or of property disproportionate to his/her known sources of income; or
 - (b) if he/she has assumed a style of living beyond his/her ostensible means.

Note - "Corruption" includes acceptance from a subordinate employee or a candidate for employment or from contractors, suppliers, any other persons having or likely to have dealings with the society, or any gifts, commissions, gratifications, rewards, loans or other financial benefits whatsoever, either directly or on behalf of another person or acceptance by any member of one's family

or by any other person acting on his/her behalf of such gifts, commissions, gratifications, rewards, loan or other financial benefits directly or indirectly.

An employee of the society shall be deemed to be guilty of subversion if he/she is engaged or is reasonably suspected of being associated with others engaged in subversive activities and whose retention in service is likely to be prejudicial to national security.

14. The penalties which may be imposed under these rules

Censure ;

(b) With-holding of increment, with or without cumulative effect, including stoppage at an efficiency bar for a specified period not exceeding three years;

Recovery from his/her pay of the whole or part of any pecuniary loss caused to the society by negligence or breach of orders;

Reduction to a lower post or time-scale or to a lower grade in a time scale;

Compulsory retirement;

(f) Removal from service;

Dismissal from service.

16. The penalties specified in clause (a), (b) of rule 14 shall be deemed minor penalties and those specified in clause (c), (d), (e), (f) and (g) of the said rule shall be deemed major penalties.

(1) The penalties which may be imposed for various offences shall be :

(a) for misconduct, any penalty under rule 14;

(b) for inefficiency, any penalty under clauses (a), (b), (c) and (d) of rule 14;

- (c) For corruption or subversion, any penalty under clauses (e), (f) and (g) of rule 14.
- (2) The appointing authority may impose, in respect of an offence specified in rule 10 above, any penalty or more than one penalty prescribed for that offence under this rule.
17. (1) The discharge of an employee of the society.
- (a) appointed on probation, during the period of probation;
- (b) appointed otherwise than under contract to hold a temporary appointment on the expiration of the period of appointment;
- (c) engaged under 'contract', in accordance with the terms of his/her contract;
- (2) With-holding of increment for failure to pass a departmental examination in accordance with the appointment or pertaining to the service or stoppage at an efficiency bar in a time scale for crossing the bar or transfer to a post with identical scale of pay shall not be deemed to be penalties within the meaning of these rules.
18. No authority subordinate to the authority by which an employee of the society is appointed, shall be competent to impose on him/her a penalty under these rules.

*** SECTION II - Inquiries for Inefficiency, Misconduct or Corruption.**

19. In these rules, unless the context otherwise requires:-
- (a) "accused" means an employee of the Society against whom action is taken under these rules;
- (b) "authority" means the General Body or an officer or authority designated by it to exercise the powers of the authority under these rules;

- (c) "authorized officer" means an officer authorized or designated by Managing Committee to perform the functions of an authorized officer under these Rules;
- Provided that where in the case of an employee no authorized officer has been so authorized or designated, the authority shall have power to appoint an officer to act as authorized officer in that case;
- Provided further that in relation to an employee the authority may itself act as an authorized officer.
20. "Initiation of Proceedings. (1) If, on the basis of its own knowledge or information placed before it, the authority is of the opinion that there are sufficient grounds for proceeding against an employee of the Society, or where in a case in which the Punjab Anti-Corruption Committee No.1, as defined in the Punjab Anti-Corruption Establishment Rules, 1974, has decided to take departmental action, it shall direct the authorized officer to proceed against an employee.
- Where no authorized officer stands designated in respect of the accused employee, the authority shall simultaneously appoint an officer senior in rank to the accused, to perform the functions of an authorized officer".
- (1) Procedure to be observed by the Authorized Officer:
- (1) In a case where an employee is accused of subversion, corruption or misconduct, he may be placed under suspension by the authority, or with the prior approval of the authority, by the authorized officer, or he may be required by the authorized officer to proceed on leave.
- Provided that the continuation of suspension, if ordered by the authorized officer, or grant of any extension in leave shall require the prior approval of the authority after every three months.
- (2) Within three days of the receipt of the direction from the authority under rule 20, or within such further period as may be allowed by the authority at the written request of the authorized officer, the authorized officer shall decide whether in the light of the facts of the case or in the interest of justice, an inquiry is necessary.

22. (1)

If the authorized officer decides that it is not necessary to have an inquiry conducted against the accused, he shall:

(a) inform the accused forthwith by an order in writing, of the action proposed to be taken in regard to him and the grounds of the action; and

(u) give him a reasonable opportunity of showing cause against that action within a period of fourteen days from the date of receipt of the order under clause (a)

(2)

Within seven days of the receipt of the explanation, if any, of the accused, or within such further period as may be allowed by the authority at the written request of the authorized officer, the authorized officer shall determine whether the charge has been proved and in case it is proposed to impose a minor penalty he shall pass orders accordingly. If however, the authorized officer considers it to be a case for a major penalty, he shall forthwith forward the case to the authority along with the explanation of the accused and his own recommendations regarding the penalty to be imposed.

23. If under sub-rule (2) of rule 21, the authorized officer considers that an inquiry is necessary, he shall appoint an Inquiry Officer or an Inquiry Committee consisting of two or more persons, who or one of whom shall be of a rank senior to that of the accused or if there are more than one accused, to all the accused.

24. Where an Inquiry Officer or an Inquiry Committee is appointed under rule 23, the authorized officer shall simultaneously frame a charge and communicate it to the accused together with a statement of allegations explaining the charge and other relevant circumstances which are proposed to be taken into consideration and require the accused, within a reasonable time which shall not be less than seven days or more than fourteen days from the day the charge has been communicated to him, to put in a written defence directly before the Inquiry Officer or the Inquiry Committee, as the case may be.

25. The authorized officer, immediately after communicating the charge to the accused under rule 24, shall forward such record or copies thereof and such other material as is necessary for the conduct of the inquiry to the Inquiry Officer or the Inquiry Committee, as the case may be.

26. Procedure to be observed by the Inquiry Officer or Inquiry Committee.

(1) of the record and the explanation of the accused referred to in the preceding rule, the Inquiry Officer or the Inquiry Committee, as the case may be, shall enquire 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 where any witness is produced by one party, the other party shall be entitled to cross-examine that witness.

(2)

If the accused fails to furnish his explanation within the period specified, the Inquiry Officer or the Inquiry Committee, as the case may be, shall proceed with the inquiry.

27. The Inquiry Officer or the Inquiry Committee as the case may be, shall hear the case from day to day and no adjournment shall be given, except for reasons to be recorded in writing. If the Inquiry Officer or the Inquiry Committee, as the case may be, reports the case to the authorized officer, he shall be reported to the authorized officer. Normally, no adjournment shall be given for more than a week.

28. If the Inquiry Officer or the Inquiry Committee as the case may be, is satisfied that the accused is hampering or attempting to obstruct the progress of the inquiry, he or it shall administer a warning to him or it. 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.

29. If the accused absents himself from the enquiry on medical grounds he shall be deemed to have hampered or attempted to hamper the progress of the enquiry, unless medical leave, applied for by him, is sanctioned on the recommendation of M.O.H. Where, in view of the serious condition of the accused, it may not be possible for him to appear before the M.O.H., the M.O.H., shall examine him at his residence of which complete address must always be given in the leave application and at which he must be accessible. Provided, the authorized officer may, in his discretion, sanction medical leave upto seven days without the recommendation of the Medical Officer of Health.

30. The Inquiry Officer or the Inquiry Committee as the case may be, shall complete the inquiry proceedings within a period of sixty days, commencing from the last date of submission of the written defence by the accused and shall, within ten days of the expiry of the said period of sixty days or within such further period as may be allowed by the authorised officer, submit his or its findings and the grounds thereof to the authorized officer.

SECTION III - Imposition of Penalties

31. The authorized officer, on receipt of the report of the Inquiry Officer or Inquiry Committee, shall determine whether a penalty has been proved. If it is proposed to impose a minor penalty, he shall after affording the accused an opportunity of showing cause against the action proposed pass orders accordingly. If it is proposed to impose a major penalty, he shall forward the case to the authority alongwith the charge sheet, a statement of allegations served on the accused, explanation of the accused, the finding of the Inquiry Officer or the Inquiry Committee, as the case may be and his own recommendations regarding the penalty to be imposed. In case it is proposed to direct the proceedings, the authorized officer shall submit the case with all relevant material/documents to the Authority for appropriate orders.

32. Appearance of Counsel. No party to any proceeding under these rules before the authority, the authorised officer, an Inquiry Officer, an Inquiry Committee or appellate authority shall be represented by a lawyer.

Expeditious disposal of proceedings

(1) In case where the authorized officer decides not to have an inquiry conducted against the accused, the proceedings must be finalized by him within a period of forty five days from the date of receipt of the direction under rule 20 and a report to that effect submitted to the authority.

(2) In a case where the authorized officer has appointed an Inquiry Officer or Inquiry Committee, he should ensure that the entire proceedings are completed within a period of ninety days from the date of receipt of the direction under rule 20 and shall submit a report thereof to the authority.

34. Where inquiry proceedings are not completed by the Inquiry Officer or the Inquiry Committee, as the case may be, in his written defence if any, the Inquiry Officer or the Inquiry Committee, as the case may be, shall report the position of the inquiry to the authorized officer intimating the reasons why the inquiry could not be completed within that period and the approximate further time that is likely to be taken in the completion of the inquiry and the authorized officer shall immediately cause the same to be produced before the authority.

35. The authority on receipt of report under rule 33 or 34 shall pass such orders for expeditious finalization of the proceedings as it may deem fit.

36. Action by the Authority. In the case of any proceedings of which has been reported for orders under sub-rule (2) of rule 22 or rule 31, the authority shall, after affording the accused an opportunity of being heard in persons, pass the orders as it may deem fit.

Certain Rules not to apply in certain cases.

37. Where an employee is convicted of an offence involving moral turpitude which has led to a sentence of fine or imprisonment, he may, after being given a show cause notice be dismissed, removed from service or reduced in rank without following the procedure laid down in rules 21 to 36.

38. Where the authority is satisfied, for reasons to be recorded in writing that it is not reasonably practicable to give the accused employee an opportunity of showing cause under rule 37, it may impose any of the penalties under these rules without following the procedure laid down in rules 21 to 36.

39. Power to order Medical Examination as to mental or bodily infirmity.

Where it is proposed to proceed against an employee on the ground of inefficiency by reasons of infirmity of mind or body the authority may, at any stage, whether or not an authorised officer has been directed to proceed against him, require the employee to undergo a medical examination by M.O.H. and the report of the M.O.H. shall form part of the proceedings.

40. If the employee refuses to undergo medical examination, under rule 39, his refusal may, subject to the consideration of such grounds as he may give in support of it, be taken into consideration against him as showing that he had reason to believe that the result of the examination would prove unfavourable to him.

SECTION IV - Appeals

41. An employee on whom a penalty has been imposed under rule 22(2) and Rule 31 may, within ninety days of the receipt by him of the order in question, appeal to

Senior District Cooperative Officer (Deputy Registrar) Gujran

42. Where an employee sentenced to imprisonment and deemed to have been dismissed under rule 37, is acquitted, he/she shall be appeal to a court of competent jurisdiction, he/she shall be re-instated in service from such date after his/her acquittal, as he/she reports for duty and furnishes a certified copy of the judgement of the Appellate Court.

43. Every employee preferring appeal under the provisions of this Section, shall do so separately and in his/her own name.

44. Every appeal shall contain all material, facts, statements and arguments relied on by the appellant and shall contain no disrespectful or improper language, and shall be complete in itself.

45. Every appeal shall be submitted through the Authority against whose order the appeal is preferred. It shall be open to the appellant to forward an advance copy of the appeal to the Appellate Board.

46. An appeal may be preferred by Authority if -

- (a) It is an appeal in a case in which no appeal lies under these rules;
- (b) it does not comply with the provisions of rule 43 or 44;
- (c) it is not preferred within the time limit specified in rule 41; and
- (d) if it is a repetition of a previous appeal which has already been decided and no new facts or circumstances are adduced which afford ground for a reconsideration of the case.

47. In every case in which an appeal is withheld, the Appellant and the Deputy Registrar shall be informed of the fact along with the reasons therefor.

48. Where an appeal is withheld on account only of failure to comply with the provisions of rule 43 or 44, it may be resubmitted at any time within thirty days of the date on which the appellant was informed of the withholding of the appeal, and, if resubmitted in a form which complies with these provisions, it shall not be withheld.

49. No appeal shall lie against an order withholding an appeal provided that the Deputy Registrar may call for the record of an appeal withheld, and pass such order thereon as it considers necessary.

50. When an appeal has been submitted to the Appellate Board, it shall consider whether the facts on which the order appealed against was based, have been established, whether the facts established afford sufficient ground for taking action and whether the penalty is excessive, adequate or inadequate, and after such consideration, shall pass such order, as it thinks proper, including an enhancement in the penalty.

51. The Appellate Board may, before deciding the appeal, call for the record of the case from the authority against whose order the appeal is preferred and may cause such inquiry to be made or obtain such advice, as it may consider necessary.

52. Unless the Appellate Board decides to dismiss the appeal, it shall issue notice to the authority which passed the order appealed against and shall take into consideration any representation that may be made by that authority in respect of the matter under appeal during the course of open hearing.

53. Notwithstanding anything contained in rule 50, no order for an enhancement of penalty shall be passed unless reasonable opportunity is given to the person concerned to show cause why such penalty shall not be enhanced.

54. In every case in which the Appellate Board enhances the penalty, the person aggrieved shall be entitled to submit within ninety days of the receipt of such order, an application to the Appellate Board.

55. Every order passed in appeal in this connection under these rules shall be communicated to the parties concerned and given effect to by the competent authority. The orders of the Appellate Board shall be final and binding on all the parties concerned.

56. Where the penalty is imposed by the Appellate Board, there shall be no appeal.

SECTION V - Miscellaneous

* 57. Where an employee is suspended for the purpose of an inquiry under these rules, he/she shall, during the period of suspension, be entitled to:-

- (a) one half of the pay which he/she was drawing immediately before suspension and which he/she would have continued to draw if he/she were not suspended; and
- (b) the allowances (if any) admissible to him/her immediately before his/her suspension.

58. An employee shall not ordinarily be kept under suspension for a period exceeding 3 (three) months. Where, after the expiry of 3 months, any further extension in the period of suspension is considered necessary, such extension shall be made with the prior sanction of the

- (i) Appellate Board, where the appointing authority is President of the Society, Managing Committee.
- (ii) and the next higher authority in all other cases.

59. When the suspension of an employee is held by the Appellate Board, to have been unjustifiable or not wholly justifiable or when an employee who has been dismissed, or removed, is reinstated, the Appellate Board may grant him/her for the period of his/her absence from duty:

- (a) to the authority the pay and allowances to which he/she would have been entitled if he/she had not been dismissed or removed; or
- (b) if otherwise such proportion of the pay and allowances over and above the provisions of rule 57, as the Appellate Board may specify.

60. (1) In a case falling under clause (a) of rule 59, the period of absence from duty shall be treated as period spent on duty.

(2) In the case falling under clause (b) of rule 59, such period shall not be treated as a period spent on duty unless the Appellate Board so directs by an order in writing.

* 61. An employee of the Society shall retire from service:-
After he has completed twenty five years service qualifying for pension or other retirement benefits, as the competent authority may direct; or
When no such direction is given under rule (i) on the completion of sixtieth year of age.

* 62. In this Rule "Competent authority" means appointing authority or person duly authorized by the Appointing authority in that behalf not being a person lower in rank to the employee concerned.

62. (1) An employee occupying residential accommodation provided by the society, who has resigned or retired, discharged or dismissed, or whose services have been terminated, shall vacate such accommodation within a period of three months from the date of his/her retirement, discharge, dismissal, or termination of services, as the case may be provided that in case of reinstatement of the employee, the society shall be bound to provide him/her with similar residential accommodation from the date of such reinstatement or pay him/her per month an allowance in lieu thereof, the amount of which shall be fixed

by the Managing Committee.

- (2) If an employee who has resigned or retired, or has been discharged or dismissed, or whose services have been terminated, fails to vacate any residential premises provided by the Society, within the period specified in clause (1), the society shall withhold his/her dues including its contribution to his/her provident fund and the interest thereon, till he/she vacates the premises.

65. In case, however, of the death of an employee of the society, occurring during his service or before the expiry of the period of 3 months stipulated in 62 (1) above, his widow shall be allowed to retain the accommodation during the "iddat" period of 4 months and 10 days.

CHAPTER - III

DISCIPLINE AND GENERAL CONDUCT

64. Every employee shall conform to and abide by the rules and shall observe, comply with and obey all orders and directions which may from time to time be given by any person or persons under whose superintendence or control he/she may be placed.

65. No employee shall, directly, or indirectly, engage in any other business but shall faithfully and diligently perform the duties entrusted to him/her from time to time and devote the whole of his/her time and attention to the work of the society and use his/her best endeavours to promote its interest and welfare.

66. No employee shall, during his/her employment, or after its termination disclose or in any manner divulge to any person whatsoever, any information relating to the society.

67. Every employee will efficiently complete the office work assigned to him/her within duty hours.

68. Every employee shall submit at the time of his entry into service a declaration in respect of his movable and immovable assets. An entry as per this declaration shall be made in his service book. Thereafter at the end of each calendar year he shall submit declaration showing changes in the original one.

68-A. No employee shall borrow money from or in any manner negotiate or deal with a money lender or other similar persons, and shall not become financially indebted in any other manner, except in respect of normal domestic obligations to the extent of small amounts.

69. No employee shall enter into or assist any subversive activities which are in any way prejudicial to the interest of the Society or Pakistan.

70. No employee shall accept any present or gratuity either in cash or in kind, from any constituent of the society or from others in any way connected with it.

71. No employee shall, during the tenure of his/her service, undertake any academic or other studies without the specific permission of the President; permission can, however, be granted by the Managing Committee for joining evening classes.

72. Every employee shall be bound to give his/her permanent address to the society, on which he/she should receive all communications and notices sent by the society. All changes in the address shall be got registered with the society. Any communication addressed to an employee, under registered postal service, at his/her last registered address with the society, shall be considered as delivered during the normal course of the postal service. Any communication received back unserved, from the postal authorities, shall be deemed to have been served to him/her.

73. No employee shall absent himself from his duties, nor leave his position over-night, without having first obtained the permission of his immediate superior.

74. No employee shall make written representation, except through proper channel.

75. No employee shall :-

- (i) engage in any commercial business or pursuit either on his own account or as an agent for another or others;
- (ii) purchase, construct or sell any land or building without the prior permission of the Managing Committee;
- (iii) accept or seek any outside employment whether stipendiary or honorary, without the previous sanction of the Managing Committee;
- (iv) act as agent for an insurance company;

- (v) undertake part-time work for a private or public body or private or accept fee therefor, without the sanction of the Managing Committee. In case where such sanction is granted one-third of the remuneration shall be paid to the society.
- (vi) take part in connection with elections of the Society in any manner nor shall he canvass for any candidate, in any manner whatsoever.

CHAPTER - IV

SECTION I-Increments

- 76. Increment shall normally be allowed on first December to an employee on completion of the period prescribed in his grade. Such increment can, however, be withheld before the date on which it falls due by following the procedure laid down for withholding increment.
- 77. Before allowing an employee to cross efficiency bar, the sanctioning authority should see that the employee concerned is really fit to cross the bar.

78. The Appointing Authority shall pass orders in the character roll falling under rule 76 and 77.

79. For the purposes of increments, crossing of efficiency bars and promotions, the Secretary shall maintain character rolls, (confidential reports in the form at Appendix) 'C' of an employees wherein reports of Branch Officers will be recorded alongwith the independent personal opinion of the Secretary, which may thereafter be put up to the President for his counter-signatures.

Note:

- (1) The President may also withhold increment for a period not exceeding three months of any employee of the society.
- (2) The President may enter remarks in the character and service roll (confidential reports) of the Secretary and additional remarks in these of all other officers and employees of the society, if necessary.

SECTION II-Record of Service

80. A record of service shall be maintained for each employee by the society. The maintenance and up-keep of the service books shall be the responsibility of the Accounts Branch. All entries to be recorded therein shall be signed by both the employee concerned and the Secretary in the appropriate columns. The service book shall be maintained in the form prescribed for Government servants.

81. The service book shall be supplied at his own cost by every employee on his/her first appointment.

82. Full details of the service, pay, leave, periods of suspension and other interruptions in service, shall, as occasion arises, be entered in the service book of the employees.

It shall be the duty of every employee to see that his/her service book is properly kept up to date the entries on the last page of the service book are attested every five years.

Character rolls (confidential reports) shall be maintained for all employees for whom service books are maintained and in rule 77 in the month of January each year for work during preceding year.

An employee shall not have access to his character roll (confidential report). He/she shall, however, be informed of adverse remarks, in order to give him/her an opportunity to explain his/her position or to correct himself/herself,