KARACHI PORT TRUST

Digest of
PAY, ALLOWANCES & LEAVE RULES

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4. All officers of the Board who joined before 1st October 1931 and whose monthly substantive pay on a permanent post is not less than Rs.700 per mensem come under the special leave and allowance rules as contained in part II of the Digest, subject to such variations as are effected by any of the rules or orders contained in this Digest, and its appendices which are expressly made applicable to all such officers and servants.

Provided that such an officer shall only be entitled to the benefits of the special leave rules when he attains the above mentioned rate of pay.

5. In any case or matter not specifically provided for in these rules or in subsequent amendments thereof, the ruling in the Fundamental Rules of the Central Government will, generally, and in so far as they can be adopted to Board's requirements be held to apply, provided that any matter in the said rules left to the discretion, option, special rule or order of the Central Government shall be decided by the Board.

6. Any case not covered by the rules in this Digest or in the Fundamental Rules of the Central Government, referred to in para 4, will be dealt with by the Board on the merits of each case.

7. Every order made by the Board under the two last preceding rules shall so far as the same relates to any officer whose monthly pay is five hundred rupees or more, be subject to the previous sanction of the Central Government.

PART I

PAY AND GENERAL CONDITIONS OF SERVICE

DEFINITIONS

8. Unless there be something repugnant in the subject or context, the terms defined in this part are used in the rules in the sense here explained :-

(1) "Average Pay" means the average monthly pay earned during the 12 complete months immediately preceding the month in which the event occurs which necessitates the calculation of average pay.

(2) "Board" means the Board of Trustees of the Port of Karachi.

(3) "Chairman" means the Chairman of the Board.

(4) "Cadre" means the strength of a service or part of a service sanctioned as a separate unit.

(5) "Compensatory Allowance" means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes a travelling allowance.

(6) "Duty" includes service as a probationer or apprentice, provided that such service is followed by confirmation.

Note : The service of an employee of the Board in the Army in India Reserve of Officers will count as duty under the Board, as laid down in Appendix F.

(7) "Fee" means a recurring or non-recurring payment to an officer or servant from a source other than the "Board's revenues, whether made directly to an officer or servant, or indirectly through the intermediary of the Board.

(8) "Honorarium" means a recurring or non-recurring payment granted to an officer or servant from the revenues of the Board as remuneration for

(25)(a) "Time scale pay" means pay which subject to any conditions prescribed, rises by periodical increments from a minimum to a maximum. It includes the class of pay hitherto known as progressive.

(b) Time-scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of the time scales are identical.

(c) A post is said to be on the same time-scale as another post on a time-scale, if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre. Such cadre or class having been created in order to fill all posts involving duty of approximately the same character or degree of responsibility in a service or establishment or group of establishments; so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds that post.

(26) "Travelling allowance" means an allowance granted to an officer or servant to cover the expenses which he incurs in travelling in the interests of the Board's service. It includes allowances granted for the maintenance of conveyances.

GENERAL CONDITIONS OF SERVICE

9. Except as provided by this rule no person may be substantively appointed to a permanent post in the Board's service without a medical certificate of health from the Board's Medical Officer which must be forwarded to the office of the Chief Accountant of the Board for record as part of the recommendation for appointment. The Board may, in individual cases dispense with the production of a certificate.

10. Unless in any case it be otherwise distinctly provided the whole time of an officer or servant is at the disposal of the Board and he may be employed in any manner required, without claim for additional remuneration.

11. (a) Two or more officers or servants cannot be appointed substantively to the same permanent post at the same time.

(b) An officer or servant cannot be appointed substantively except as a temporary measure, to two or more permanent posts at the same time.

(c) Any officer or servant cannot be appointed substantively to a post on which another officer or servant holds a lien.

12. Unless in any case it be otherwise provided in these rules an officer or servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

13. An officer or servant holding substantively a permanent post retains a lien on that post. -

(a) "While performing the duties of that post."

(b) "While on leave."

(c) "While holding temporary post or officiating in another post."

(d) "While under suspension."

14. An officer or servant shall not, save in cases of inefficiency or misbehaviour be transferred substantively to a post carrying less pay or to a lower time scale of pay.

15. Unless in any case otherwise directed, an officer or servant shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties.

16. After four years' continuous absence from duty whether with or without leave an officer is considered to be out of the Board's employ. But this rule may, on public grounds and with the sanction of the Board be relaxed.

17. The age for recruitment is confined to between 18 and *30 years. In exceptional cases, the upper age limit may be relaxed at the discretion of the Administration to suit its particular requirements.

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* (Board Resolution No.521 dated 6-11-57 and Government of Pakistan, Ministry of Communications (Communications and Transport Division)'s letter No. P-2(115)/57 dated 8-4-58).

21. An increment shall ordinarily be drawn as a matter of course, unless it is withheld. An increment may be withheld from an officer or servant by the Chairman or the Board if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld, and whether the postponement shall have the effect of postponing future increments.

22. Where an efficiency bar is prescribed in a time-scale the increment next above the bar shall not be given to an officer or servant without the specific sanction of the Chairman or the Board.

23. The following provisions prescribe the conditions on which service counts for increments in a time-scale :-

*(a) All duty in a post on a time+scale and period of leave other than extra ordinary leave count for increments in that time-scale.

+ Provided that officers and servants participating in a strike, which is declared illegal, shall on resumption of duty start on the minimum of time scale of the posts held by him.

(b) Officiating service in another post, service in a temporary post and leave other than extraordinary leave count for increments in the time-scale applicable to the post on which the officer or servant concerned holds a lien.

(c) If an officer or servant, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post officiating or temporary service in the higher post shall, if he is reappointed to the lower post, count for increments in the time-scale applicable to such

*(Board's Resolution No. 362 dated the 9th March 1966 and Government of Pakistan, Ministry of Communications (Directorate General of Ports & Shipping's) letter No.3-16/66-P.III, dated the 12th April 1966).

+(Board's Resolution No.275, dated the 18th August 1954 and Government of Pakistan, Ministry of Communications, (Communications and Transport Division)'s letter No.P-3(207)/54, dated the 8th March 1958.

lower post. The period of officiating service in the higher post which counts for increment in the lower is, however, restricted to the period during which the officer or servant would have officiated in the lower post but for his appointment to the higher. This clause applies also to an officer or servant who is not actually officiating in the lower post at the time of his appointment to the higher post, but who would have so officiated had he not been appointed to the higher post.

(d) If an officer's or servant's tenure of a temporary post is interrupted by duty in another post or by leave other than extraordinary leave, such duty or leave counts for increments in the time-scale applicable to the temporary post, if the officer or servant returns to the temporary post.

24. The Chairman or the Board on the transfer of an officer or servant, as a penalty from a higher to a lower grade or post may, allow him to draw any pay not exceeding the maximum of the lower grade or post, which he or it may think proper.

25. If an officer or servant is, on account of misconduct or inefficiency, reduced to a lower grade or post or to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration, it shall operate to postpone future increments and if so to what extent.

26. "Pay of officiating officer or servants" -- Subject to the provisions of Rule 35, an officer or servant who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching to the post on which he holds a lien.

27. Subject to the provisions of rules 23, 26 and 29, an officer or servant officiating in a post will draw the presumptive pay of that post, provided that if the presumptive pay of the permanent post on which he holds a lien should at any time be greater than the presumptive pay of the post in which he officiates, he will draw the presumptive pay of the permanent post.

28. When an officer or servant officiates in a post the pay of which has been fixed at a rate personal to another officer or servant, the Chairman or the Board may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, not exceeding the lowest stage of that time-scale.

when an officer or servant who has been dismissed, removed or suspended, is re-instated, the revising or appellate authority may grant to him for the period of his absence from duty :-

(a) If he is honourably acquitted, the full pay to which he would have been entitled if he had not been dismissed, removed or suspended and, by an order to be separately recorded, an allowance of which he was in receipt prior to his dismissal, removal or suspension; or

(b) If otherwise, such proportion of such pay and allowances as the revising or appellate authority may prescribe.

In a case falling under clause (a), the period of absence from duty will be treated as a period spent on duty. In a case falling under clause (b), it will not be treated as a period spent on duty unless the revising or appellate authority so directs.

39. Leave may not be granted to an officer or servant under suspension.

COMPULSORY RETIREMENT

*40. 1. An Officer or Servant shall retire from service :-

(a) on such date after he has completed 25 years of service, as the competent authority, in the interest of the Trust, directs; or

(b) On complettion of the 60th year of his age; or

(c) at his option on completion of 25 years of service provided he gives 3 months notice for exercising such option or upon payment of 3 months salary in lieu thereof; or

* Board's Resolution No.780 dated the 21st June, 1972 and sanctioned by the Government of Pakistan, Ministry of Political Affairs and Communications (Directorate General of Ports & Shipping), Karachi vide their letter No3-22/68-P-III(Pt), dated 30th August 1972.

(d) on 21st April 1972 if he were on extension on that date and had already crossed the 58th year of his age on or before 21st April 1972 and his pension if any shall commence from 21st April 1972. If an officer or servant who was granted extension before 21st April 1972 beyond the age of 58 years may be re-employed on contract basis for the balance of the period of extension in service.

(2) An Officer or servant who was on Leave Preparatory to Retirement on 21st April 1972 will continue on Leave Preparatory to Retirement and will not be allowed to resume duty till the expiry thereof provided :

(i) Such officer or servant whose Leave Preaparatory to Retirement would expire after he attains the age of 58 years shall retire on the date on which he completes the 58th year of his age and the period of Leave Preparatory to Retirement beyond the age of 58 years shall be cancelled and his pension or settlement of Provident Fund dues, as the case may be, shall commence from the date of retirement.

(ii) Such officer or servant who would still be below 58 years of age on expiry of Leave Preparatory to Retirement his case for fitnes to be retained in service in accordance with the instructions laid down in Appendix 'E' as revised shall be examined and acted upon according to the decision taken.

*(3) An officer or servant who was on leave preparatory to retirement on or before the 28th November 1976 and had not attained the age of fifty eight years on 27th November, 1976 shall continue to remain in Service till he attains the age of sixty years.

* Board's Resolution No.647, dated 16-3-1977 and sanctioned by the Government of Pakistan, Ministry of Communications (Ports & Shipping Wing), Karachi vide their letter No.1-(42)/76-P-II dated 31st March 1977.

PART - II

LEAVE

GENERAL CONDITIONS AND EXTENT OF APPLICATION

41. Leave cannot be claimed as of right. When the exigencies of the Board's service so require, discretion to refuse or revoke leave of any description is reserved to the Chairman or the Board.

42. Leave is earned under the provisions of this part by an officer or servant holding substantively a permanent post on holding a lien on such a post.

43. Leave is earned by duty only.

*All leave at credit in the leave account of an officer or servant of the Board participating in a strike declared illegal shall lapse on such participation.

44. An officer or servant who is dismissed or removed from the Board's service, but is reinstated on appeal or revision, is entitled to count his former service for leave.

45. Ordinarily, leave begins on the day on which transfer of charge is effected or if charge is transferred after noon on the following day. Similarly, leave ordinarily ends on the day preceding that on which charge is resumed or if charge is resumed afternoon, on that day. When the day immediately preceding that on which the leave begins, or immediately following that on which the leave expires is a holiday or one of a series of holidays, an officer may take leave at the close of the day before, or return to duty before noon the day following such holiday or series of holidays.

* Board Resolution No.275, dated the 18th August 1954, and Government of Pakistan, Ministry of Communications (Communications and Transport Division)'s letter No.P-3(207)/54, dated the 8th March 1958.

46. Unless the Board or the Chairman in any case otherwise direct :-

(a) If holidays are affixed to leave, the leave and any consequent re-arrangement of pay and allowances takes effect from the first day after the holidays, and

(b) If holidays are affixed to leave, the leave is treated as having terminated on, and any consequent re-arrangement of pay and allowances take effect from, the day on which the leave would have ended, if holidays had not been affixed.

47. An officer or servant on leave may not take any service or accept any employment without obtaining the previous sanction of the Chairman.

48. An officer or servant on leave on medical certificate may, on returning to Karachi, be required by the Chairman or the Board to obtain a certificate of fitness to resume duty from the Board's Medical Officer. He should, therefore, for his own satisfaction, undergo medical examination before returning to Karachi and be prepared to undergo a further examination in Karachi, if required to do so.

49. Unless he is permitted to do so by the authority which granted his leave, an officer or servant on leave may not return to duty more than fourteen days before the expiry of the period of leave granted to him.

50. All orders recalling an officer or servant to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If the return is optional, the officer or servant is entitled to no concession. If it is compulsory, he is entitled :-

(a) If the leave from which he is recalled is out of Pakistan:-

(i) to receive a free passage to Pakistan :

(ii) to count the time spent on the voyage to Pakistan as duty for purposes of calculating leave; and

(iii) to receive leave salary during the voyage to Pakistan.

(b) If the leave from which he is recalled is in Pakistan, to be treated as on duty from the date on which he starts to

57. When an officer or servant, who has previously been subject to the ordinary leave rules, is admitted to the benefits of the special leave rules no change shall be made in the amount of leave previously credited and debited to his account, but he shall be entitled to the maximum amount of leave prescribed in rule 59 (a)(i).

58. The amount of leave due to an officer or servant is the balance of leave at his credit in the leave account.

59. Leave may be granted to an officer or servant at the discretion of the Chairman or the Board subject to the following restrictions :-

(a) The maximum amount of leave which may be granted expressed in terms of leave on average pay, is the previlege leave which it would be permissible to grant to the officer or servant in question on the date on which he becomes subject to these rules, under the rules applicable to him prior to that date ; plus

one-eleventh of the period spent on duty subsequent to that date ; plus

(i) in the case of officers under the special leave rules three years ; or

(ii) in the case of officers or servants under the ordinary leave rules, two and a half years.

(b) The maximum amount of leave on average Pay which may be granted is :-

(i) To an officer under the special leave rules, eight months at any one time, and in all the Privilege leave which it would on the date on which he comes under these rules, be permissible to grant to him under the rules applicable to him prior to that date ; plus

one-eleventh of the Period spent on duty subsequent to that date ; Plus one year.

(ii) To an officer or servant under the ordinary leave rules, four months at any one time, and, in all the Privilege leave which it would, on the date on which he comes under these rules be permissible to grant to him under the rules in force prior to that date ; Plus

one-eleventh of the period spent on duty subsequent to that date :

Provided that, in the case of an officer or servant subject to the ordinary leave rules, who either takes leave on medical certificate other than leave preparatoy to retirement or spends his leave elsewhere than in India, Ceylon, Nepal, Burma or Aden, the maxima prescribed in sub-clause (i) of this clause shall apply.

Note:- In the case of officer or servant who is entitled under orders previously in leave for more than four months, the number of months to be taken at one time as prescribed in sub-clauses (i) and (ii) above may be increased on the first occasion when leave is taken under these rules, by the number of months by which the amount of privilege leave due exceeds four months.

(c) Save in the case of leave preparatory to retirement leave not due may be granted subject to the following conditions :-

(i) on medical certificate, without limit of amount ; and

(ii) otherwise than on medical certificate, for not more than three months at any one time and six months in all, reckoned in terms of leave on average pay.

(d) The maximum period of continuous absence from duty on leave granted otherwise than on medical certificate is twenty-eight months.

(e) When an officer or servant returns from leave which was not due and which was debited against his leave account, no leave will become due to him until the expiration of a fresh period spent on duty sufficient to earn a credit of leave equal to the period of leave which he took before it was due.

60. (a) On the conditions specified in clause (b) of this rule, the Board may grant special disability leave to an officer or servant who is disabled by injury or illness.

(i) in the performance of any particular duty which has the effect of increasing his liability to injury or illness beyond the ordinary risk attaching to the post which he hold ; or

rendered vacant by retirement of an officer or servant before attaining the age of superannuation with the special sanction of the Board may be filled substantively after four months from the date of commencement of the leave granted to the retiring officer.

64. Leave may be granted to an officer or servant without a lien on a permanent post while officiating in a permanent post provided that the grant of the leave involves no extra expense. On this condition such an officer or servant may be granted (a) leave on leave salary equal to average pay upto one-eleventh of the period spent on duty, subject to a maximum of four months at a time, or (b) on medical certificate, leave on leave-salary equal to half average pay for three months at any one time or (c) extra-ordinary leave for three months at any one time.

65. If such an officer or servant, is without interruption of duty appointed, substantively to a permanent post, his leave account will be credited with the amount of leave which he would have earned by his previous duty if he had performed it while holding a permanent post substantively, and debited with the amount of leave actually taken under rule 64. Leave taken under rule 64 is not an interruption of duty for the purpose of this rule.

66. If a servant of the Board to whom these rules do not apply is appointed substantively to a permanent post to which these rules apply his leave account will be credited with the amount of leave earned by him under the leave rules applicable to him prior to his transfer.

→ CASUAL LEAVE

67. Casual leave is not recognised under these rules. Technically, therefore, an officer on casual leave is not treated as absent from duty and his pay is not intermitted. Casual leave, however, must not be given so as to cause evasion of standing rules, or so as to extend the term of leave beyond the time admissible by rules.

68. Casual leave may be given, at the discretion of Heads of Departments, under the Provisions of Appendix A to this Digest.

LEAVE SALARY

69. Subject to the conditions in rule 59, 70, 71 and 72, an officer or servant on leave shall, during leave, draw leave-salary as follows :-

(a) If the leave is due, leave salary equal tto average pay or to half average pay or to average pay during a portion of the leave and half average pay during the remainder, as he may elect ; and

(b) If the leave is not due, leave-salary equal to half average pay,

Provided that when an officer or servant subject to the ordinary leave rules, who was in service, on the 24th day of August 1927, takes leave and

(i) his pay is less than Rs.300, or
(ii) the leave taken does not exceed one month, his average pay for the purpose of this rule may be taken to be the pay which he would draw in the permanent post held substantively by him at the time of taking leave if this pay be more than the average pay.

70. After continuous absence from duty on leave for a period of 28 months; an officer or servant will draw leave-salary equal to quarter average pay, subject to the maxima and minima prescribed in rules 71 and 72.

71. Except during the first four months of any period of leave on average pay, leave-salary is subject to the monthly maxima shown in the following table :

	Average		Half average		Quarter average	
	Outside Asia.	In Asia.	Outside Asia.	In Asia.	Outside Asia.	In Asia.
	£	Rs.	£	Rs.	£	Rs.
Officers subject to the special leave rules ...	200	2,000	100	1,000	60	600
Officers or servants subject to the ordinary leave rules.	150	1,500	75	750	60	600

Note: - The maximum of average pay does not apply in the case of an officer or servant who is entitled, under orders previously in force, to privilege leave for more than four months, during a period equal to that for which he is entitled to privilege leave.

72. Subject to the condition that the leave salary of an officer or servant shall in no case exceed his average pay, leave-salary is subject to the monthly minima shown in the following table :-

	Half average		Quarter average	
	Outside Asia.	In Asia.	Outside Asia.	In Asia.
	£	Rs.	£	Rs.
Officers subject to the special leave rules ...	33	333	161/2	166
Officers or servants subject to the ordinary leave rules.	25	250	121/2	125

Note: - The minima specified above apply only when leave is taken or extended out of Pakistan, elsewhere than in India, Ceylon, Nepal, Burma or Aden.

73. An officer will ordinarily draw leave-salary in rupees if residing in Asia and in sterling if residing out of Asia. Leave-salary drawn in rupees must be drawn in Pakistan and that drawn in sterling must be drawn in London provided that during the first part of any period of leave on average pay, upto a maximum of four months, an officer may, at his option, draw leave-salary in rupees in Pakistan, even if he be residing out of Pakistan.

74. When payment of leave-salary is made in Great Britain rupees are converted into sterling at the rate of exchange as sanctioned from time to time by Government for payment of leave-salary to their officers on the date on which each payment becomes due.

Note - The rate of exchange prescribed for Government servants is 1 sh. 6 d per rupee until further orders.

75. When leave-salary is drawn in Pakistan, the absentee shall be required to furnish a life certificate signed by a Justice of the Peace or some other well-known and trustworthy person.

Provided that if the Board's contribution to the Provident Fund with interest thereon is sufficient to cover the pay for the leave period of an employee and the amount is not withdrawn from the Provident Fund, no life certificate will be required.

76. The rupee maxima and minima detailed in rules 71 and 72 are applicable to those officers or servants only who reside in Asia during their leave, and the sterling maxima and minima to those who reside elsewhere.

77. A compensatory allowance should ordinarily be drawn only by an officer or servant actually on duty, but the Chairman or the Board may permit an officer or servant on leave on average pay to draw a compensatory allowance, or a portion thereof, in addtion to leave-salary during the first four months of his leave. An essential condition will be that the whole or a considerable part of the expense to meet which the allowance was given continues during leave.

3. In these rules :-

"leave" includes earned leave, leave on private affairs, leave on medical certificate and extraordinary leave;

"earned leave" means leave earned in respect of periods spent on duty;

"earned leave due" means the amount of earned leave, calculated as prescribed in Rule 9 or Rule 10, diminished by amount of earned leave taken:

* Provided that all leave due to a servant or an officer participating in a strike, which is declared illegal, shall lapse on such participation.

"officer in permanent employ" means an officer who hold substantively a permanent post or who holds a lien on permanent post or who would hold a lien on a permanent post had the lien not been suspended.

4. Leave cannot be claimed as of right, Discretion is reserved to the authority empowered to grant leave to refuse or revoke leave at any time according to the exigencies of the public service.

5. Unless the Governor General in Council shall otherwise determine, an officer shall cease to be in Government service if he is continuously absent from duty for five years whether with or without leave, unless such absence is absence on foreign service in Pakistan.

6. Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

7. No leave shall be granted beyond the date on which officer must compulsorily retire.

Provided that the authority empowered to grant leave may allow any officer who has been denied in whole or in part on account of the exigencies of the public service the earned leave which was due to

* Board's Resolution No.275, dated the 18th August 1958 and Government of Pakistan, Ministry of Communications (Communications and Transport Division)'s letter No.P-3(207)/54, dated the 8th March 1958.

him pending retirement, the whole or any portion of the earned leave so denied, even though it extends to a date beyond the date on which such officer must compulsorily retire.

Provided further that an officer whose service has been extended in the interests of the Public service beyond the date of his compulsory retirement may similarly be granted either within the period of extension or, if the conditions of the preceding proviso are satisfied, after its expiry, any earned leave which could have been granted to him under the preceding proviso had he retired on that date and in addition any earned leave due in respect of such extension.

In determining the amount of earned leave due in respect of the extension, with reference to rule 9, the earned leave, if any, admissible on the date of compulsory retirement shall be taken into account.

8. Subject to the provisions of rule 4 and rule 7, an officer may at any time be granted the whole or any part of the earned leave due to him.

Auditor General's Decision : - In respect of the Government servants who are governed by the Revised Leave Rules leave accounts need not be maintained in the forms prescribed in paragraph 33 of the Instructions issued by the Auditor General under Fundamental Rule 74 (Appendix 8).

(Ar. G.'s letter No. 20-A.122-31, dated the 26th January 1934).

9. The earned leave admissible to an officer in permanent employ is :-

(a) to an officer in Superior Service :-

(i) if of non-Asiatic domicile recruited in Pakistan and entitled to passage concessions - one seventh and shall have effect from the date these Rules come into force.

(ii) if not included in sub-clause (i) one-eleventh, and

(b) to an officer in inferior service - one twenty-second of the period spent on duty,

Provided that when the earned leave due amounts to -

(i) 150 days in the case of an officer included in sub-clause (i) of clause (a);

(ii) 120 days in case of an officer included in sub-clause (ii) of clause (a), who is stationed at, and proceeds on leave from, a remote locality within the meaning of Fundamental Rule 105 (d);

(iii) 90 days in case of any other officer included in sub-clause (ii) of clause (a);

(iv) 60 days in the case of an officer included in clause (b) who is stationed at, and proceeds on leave from, a remote locality within the meaning of Fundamental Rule 105(d);

(v) 30 days in the case of any other officer included in clause(b).

GOVERNMENT OF PAKISTAN'S DECISION

"The Concession admissible to officers of Non-Asiatic domicile to earn leave at the rate of one-eleventh of the period spent on duty and to accumulate it upto 150 days is intended only for officers entitled to Leave Passage".

AUDITOR GENERAL'S DECISION

"The Auditor General has decided with the concurrence of the Government of Pakistan that the method of calculation of leave admissible to an official on promotion from inferior to superior service under the Revised Leave Rules, 1933, should be as follows:-

The earned leave due to the official should be calculated at 1/22 of the period spent on duty in inferior service ; and at 1/11 of the period spent on duty in superior service subject to the condition that the maximum is applied in both the cases separately.

In other words the earned leave due to the officer in inferior service should first be calculated at 1/22 of duty and the limit of 30 days applied. The balance of earned leave should then be carried over and added to the amount of earned leave admissible from the date of promotion to the superior service, the total amount of earned leave being restricted to the maximum admissible to an officer in superior service in permanent employ"

A provisionally permanent Government servant is an officer in permanent employ for the purposes of the Revised Leave Rules.

10. (a) The earned leave admissible to an officer not in permanent employ is, when he is in superior service, one-twenty-second of the period spent on duty, provided that when the earned leave due amounts to 30 days, he ceases to earn such leave.

(b) No earned leave is admissible to an officer in inferior service not in permanent employ.

Following decisions are given below Rules 9 and 10 above:-

(1) Auditor General's Decision, - "For the purpose of calculation of earned leave due under the Revised Leave Rules, 1933, fractions of a day need not be rounded off."

(2) Government of Pakistan's Decision. - "In calculating 'earned leave', the actual number of days of duty performed should first be counted and then multiplied by one-eleventh or one-twenty-second as the case may be, the product expressed in days (and fractions of day) and limited to 120 or 90 days or 30 days respectively being the 'earned leave' admissible under Rules 9 and 10 above."

(3) Auditor General's Decision - "Under Article 157(a), Audit Code, Volume I, the decision contained in the Government of Pakistan, F.D. Letter No.F7(47)R.I/36 dated the 3rd September 1936 (vide correction slip No.79 dated the 29th October 1936) should not be given with retrospective effect, that is, no readjustment should be made of the leave salary already paid, but the correct method of calculation had not been applied from the date the Revised Leave Rules, 1933, came into force, should be calculated as and when each person concerned proceeds on leave after the issue of the new interpretation."

11. An officer not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his previous duty had been duty as an officer in permanent employ diminished by any 'earned leave' already taken. Leave is not an interruption of duty for the purpose of this Rule.

Government of Pakistan Decision - "Commutation of extraordinary leave taken during temporary service, when no other leave was due into earned on confirmation without interruption of service by giving retrospective effect to the benefit of Rule 11 above, would be irregular."

12 (a) Earned leave is not admissible to an officer in permanent employ serving in a Vacation Department in respect of duty performed in any year in which he avails himself of the vacation.

(b) The earned leave admissible to such an officer in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of 45 days earned leave if he is included in sub-clause (i) of clause (a) of rule 9, or of 30 days earned leave if he is included in sub-clause (ii) of clause (a) of Rule 9, or of 15 days earned leave if he is in inferior service the number of days of vacation not taken bears to the full vacation.

If in any year he does not avail himself of the vacation earned leave is admissible to him in respect of that year in accordance with the provision of Rule 9.

(c) Vacation may be taken in combination, with or in continuation of any kind of leave under these rules, provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with, or continuation of other leave or not, shall not exceed 150 days in the case of an officer included in sub-clause (i) of clause (a) of Rule 9, or 90 days in case of an officer included in sub-clause (ii) of clause (a) of Rule 9, or 30 days in the case of an officer in inferior service.

(d) Earned leave is not admissible to an officer serving in a Vacation Department who is not in permanent employ.

Auditor General's Decision - "The Auditor General has decided with the concurrence of the Government of Pakistan that the term 'year' in clause (b) of Rule 12 of the Revised Leave Rules, 1933, should be interpreted in the same way as the expression "each year of duty" in clause (b) of the Fundamental Rule 82 and the earned leave admissible to Government servant on a particular date under the former Rules should be calculated in the manner indicated in paragraph 20 (iii) of Chaper X of Section I of the Manual of Audit Instruction (Reprint) and the Government of Pakistan Orders No.(I) below Fundamental Rule 82 at page 227 of the Posts and Telegraphs Compilation of the Fundamental and Supplementary Rules."

13. Leave on private affairs may be granted only to an officer in permanent employ in Superior Service and to the following extent namely :-

(a) if belonging to a Central Service Class I or Class II or Specialist Service for 18 months in all ; and on any one occasion for not more than 3 months if spent wholly in Asia or for not more than 9 months spent wholly outside Asia; if the leave is spent partly in and partly outside Asia, the period shall be 3 months plus such time as is actually spent outside Asia subject to the maximum total period of 9 months.

(b) if belonging to a subordinate Central Service for 12 months in all, and on any one occasion for not more than 3 months if spent wholly outside Asia or for not more than 6 months if spent wholly outside Asia; if the leave is spent partly in and partly outside Asia, the period shall be 3 months plus such time as is actually spent outside Asia subject to a maximum total of 6 months;

14. Leave on Medical Certificate not exceeding 12 months in all during an officer's service may be granted to an officer in permanent employ. Such leave shall be given only on production of a certificate from such Medical Authority as the Governor General in Council may by general or Special Order specify in this behalf and for a period not exceeding that recommended by such Medical Authority._

Provided that when the maximum period of 12 months is exhausted further leave on Medical Certificate not exceeding 6 months in all may be granted in exceptional cases on the recommendations of a Medical Board.

Government of Pakistan's Orders - 'A case has recently come to notice in which a person to whom the Revised Leave Rules, 1933, apply has within a period of a little over two years practically exhausted all the medical leave admissible under Rule 14 ibid, his total service being only 6 years. In view of the undesirable consequences that may result from using up all such leave in the early part of one's service it is considered that long stretches of such leave should not be sanctioned without careful scrutiny. In particular the sanctioning authority should be satisfied in each case that after the expiry of the leave the Government servant will be fit for duty. Medical authorities are precluded from recommending the grant of leave in cases in which there appears to be

no reasonable prospects of a Government servant being ever fit to resume his duties. In doubtful cases the sanctioning authority can further satisfy itself by asking for the Medical Authority ; opinion specifically on this this point, or where the leave has been recommended by an authority other than a Medical Committee, by referring the case to such a Committee. The Supplimentary Rules clearly lay down that the possession of a Medical Certificate as prescribed therein does not in itself confer upon the Government servant concerned any right to leave and in extreme cases it may be necessary to refuse the leave altogether in order that the Government servant may be invalided from service.

Auditor General's Decision - "It has been decided with the concurrence of the Government of Pakistan that the authority empowered to grant leave under the Revised Leave Rules, 1933, has not been given the power to alter the nature of leave, though under Rule 4 of these rules he has the power to refuse or revoke leave at any time according to the exigencies of the public service. Under Rule 14 there is no restriction on an Officer whose application for leave is supported by Medical Certificate being at his option granted leave on Medical Certificate, even when earned leave is due to him".

15. (1) Extraordinary leave may be granted to any Officer in special circumstances :-

(a) when no other leave is by rule admissible, or

(b) when other leave is admissible, but the Officer concerned applies in writing for the grant of extra-ordinary leave.

(2) Except in the case of an Officer in permanent employ the duration of extra-ordinary leave shall not exceed 3 months on any one occasion.

(3) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extra-ordinary leave.

16. (1) An Officer on earned leave is entitled :-

(a) if in permanent employ to leave salary equal to his average pay or his average substantive pay for the 12 complete months preceding the month in which leave is taken, whichever is greater.

(b) if not in permanent employ to leave salary equal to his pay on the day before the leave commences.

*(2) An Officer on leave on private affairs or leave on Medical Certificate is entitled to leave salary equal to half his average pay, or to half his average substantive pay for the 12 complete months preceding the month in which leave is taken, whichever is greater.

(3) An Officer on extra-ordinary leave is not entitled to any leave-salary.

EXPLANATION - For the purpose of this Rule, average pay means the average monthly pay earned during the 36 complete months, preceding the month in which the event occurs which necessitates the calculation of average pay, and substantive pay means the pay of the permanent post which the Officer holds substantively or on which he holds a lien, had the lien not been suspended.

Government of Pakistan's Decision No. 1 - A question having arisen whether the condition of "no extra expense" was still in force in respect of the inferior Government servants subject to the Revised Rules, 1933, the Government of Pakistan have decided that since the condition of "no extra expense" laid down in F.R. 87 does not exist in the corresponding Rule 16 in the Revised Leave Rules, this condition should be considered as superseded by the Revised Leave Rules according to the Government of Pakistan orders below Rule 2 and paragraph 4 of the Annexure to this Appendix.

Government of Pakistan's Decision No. 2, - The average substantive pay referred to in Rule 16 (i) (a) is to be calculated on the basis of the permanent service rendered during the 12 complete months immediately preceding the month in which leave is taken and in the manner indicated in Audit Instruction No.(1) under F.R. 9(2), if the period of permanent service should be taken into account.

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* In sub-rule (2) of Rule 16 of the Revised Leave Rules 1933, the words "Subject in either case to a maximum of Rs.750/- shall be omitted vide Notification No.S.R.O. 358, dated the 26th November 1959, Government of Pakistan, Ministry of Finance, Karachi.

decisions" under Rule 2 of this Appendix. The special rules referred to in (3) above remain in force and persons governed by them do not come under the Revised Leave Rules 1933. The Government of Pakistan have also decided that the following changes should be made in these rules in view of the revised leave rules :-

(1) that no change may be made in supplementary Rules 283-A.

(2) that supplementary Rules 286-A and 286-B may be applied subject to the following modifications :-

(i) that leave admissible to a Government servant in permanent employ in inferior service should be limited under Supplementary Rules 286-A and 286-B to 1/24th and 1/22nd of the period of duty respectively;

(ii) that leave admissible under Supplementary Rules 286-A to a Government servant not in permanent employ, when he is in superior service, should be limited to 1/24th of the period spent on duty and that no leave is admissible under that rule to a Government servant not in permanent employ when he is in inferior service ;

(iii) that earned leave cannot be accumulated to an extent greater than 90 or 30 days according as the Government servant is in superior or inferior service;

(iv) that the earned leave that can be sanctioned on Medical Certificate at a time under Supplementary Rule 286-A, and earned leave that can be sanctioned either with or without Medical Certificate at a time under Supplementary Rule 286-B should not exceed the limits mentioned in (iii) above ;

(v) that the basis of leave salary to be granted under the rules should be full pay drawn prior to proceeding on leave.

(3) that the terms laid down in Supplementary Rules 287 and 288, on which leave is admissible to certain Law Officers and Government servants remunerated by honoraria under Supplementary Rules 289, may continue, with the exception of those laid down in clause [c] of Supplementary Rule 287.

To these Government servants leave on Medical Certificate may be allowed subject to a maximum of 12 months during the whole service, without the restriction prescribed in clause [c] of Supplementary Rules 287 and when the maximum period of 12 months is exhausted further leave on Medical Certificate not exceeding 6 months in all may be granted in exceptional cases on the recommendations of a Medical Board and;

[4] that in the case of new entrants coming under Fundamental Rule 100, the limit of four months in clause [a] of the rule should be interpreted to mean only "earned leave not exceeding 90 days" inclusive of the privilege leave which was due to the officer on the date on which he became subject to Fundamental Rule 100, and that the provision contained in the proviso to rule 9 of the revised leave rules would apply.

The Government of Pakistan have also decided that the additonal kinds of leave referred to in (2) in paragraph 2 above should be allowed to persons governed by the revised leave rules subject to the conditions below :-

(i) Maternity Leave - Supplementary Rules 267-268 - No change may be made in the basis of leave salary. Supplementary Rule 268 provides that leave of any other kind may be granted in continuation of maternity leave, if the request for its grant is supported by Medical certificate. Similarly under the revised leave rules, the requirement of a Medical Certificate should be satisfied before leave is granted in continuation of maternity leave.

(ii) Hospital Leave - Supplementary Rules 269-273 - In suplementary Rule 270 the leave salary during hospital leave is either average or half average pay, the average pay being determined in accordance with Fundamental Rule 9 (2). In the revised leave rules 'average pay' has been defined differently and leave salary is based on average pay or the average substantive pay whichever is greater. In its application to new entrants, Supplementary Rule 270 will, therefore, present a difficulty and to obviate this, "average or half average pay" may be taken to mean "full or half pay". The other rules will not present any difficulty and may continue to apply.

(iii) Seamen's Sick Leave - Supplementary Rules 274-275 - No change is necessary in the basis of leave salary and the rules should, therefore, continue to apply.

(iv) Departmental Leave -- Supplementary Rules 276-283. This kind of leave is admissible to certain subordinates in superior service and inferior servants in the Survey of Pakistan Department. Under Supplementary Rule 280, it is debited in the leave account against leave earned by duty and under Supplementary Rule 281 the maximum leave that is admissible under Fundamental Rule 81(a) does not affect the grant of Departmental Leave. Again, in certain circumstances, vide Supplementary Rule 283, any debit balance in the leave account may be cancelled. Under the revised leave rules temporary men in superior service and persons in inferior service are not entitled to leave on private affairs. Only earned leave is calculated with reference to duty periods, and all other kinds of leave admissible to new entrants are not related to duty and there is no leave account. In view of these differences between the leave rules in the Fundamental Rules and the revised leave rules, the following instructions should be observed -- that in the case of sub-ordinates in superior service and inferior servants, Departmental Leave will be granted in addition to any other kind of leave for which they may be eligible under the Revised Leave Rules. That Departmental Leave does not count as duty and that it may be combined with any other kind of leave admissible will still be in force. The basis of leave salary will also not be changed.

(v) Special Disability Leave - Fundamental Rules 83, 83-A and 83-B - The only changes which will be necessary are as indicated below :-

The Limit of 4 months laid down in sub-clause (a) of clause (7) of Fundamental Rule 83 may be taken to mean '90 or 30 days as the case may be' and the term "period of average pay" occuring in sub-clause (b) of clause (7) of this rule may be taken to mean 'earned leave'. Half the amount of leave on average pay under this sub-clause will be counted as earned leave taken and leave salary during special disability leave will be regulated under rule 16 of the revised leave rules.

The term "four months" in clause (iii) of Fundamental Rule 83-A, may be taken to mean "90 or 30 days as the case may be.

The concession in Fundamental Rule 83-B, will not be admissible to persons governed by the revised leave rules.

(vi) Study Leave - Fundamental Rule 84 and the rules framed thereunder - The study leave rules will remain in force subject to the following changes.

During study leave, a Government servant will be entitled to the same leave salary as that admisible under 16 (2) of the revised leave rules.

"Leave on average pay" occuring for the second time in rule 12 may be taken to mean "earned leave" under the revised leave rules and the term "during the first four months of a period of leave on average pay" shown within brackets in this rule may be taken to mean "earned leave not exceeding 90 days".

5. The following instructions may be observed in regard to other rules in the Fundamental and Supplementary Rules mentioned below :-

(i) Supplementary Rules 6(a) and (b) - The decision in this Department letter dated the 16th December 1933 ("Government of Pakistan's decision" under Rule 2 of this Appendix) that "leave on average pay not exceeding 4 months" should be taken to mean "earned leave not exceeding 90 or 30 days as the case may be" will not cover the limit of four months laid down in clause (a) of Supplementary Rule 6, since the leave mentioned therein is not leave on average pay not exceeding four months, but leave for a period not exceeding four months, which may not necessarily be leave on average pay for a period not exceeding four months. The same remarks apply to the leave mentioned in Supplementary Rule 143. The limit of four months laid down in these rules is based on the maximum limit of leave on average pay which can be taken under the ordinary leave rules in the Fundamental Rules. Earned leave under the revised leave rules is subject to the maximum of 90 or 30 days and this limit should be substituted for the limit of 4 months in applying the rules mentioned to persons governed by the revised leave rules.

Similarly, the limit of 4 months prescribed in Supplementary Rule 6(b) may also be changed to 90 or 30 days as the case may be.

(ii) Supplementary Rules 216 to 231 - These rules will continue to apply to persons governed by the Revised Leave Rules, subject to the proviso to rule 14 of these rules. Supplementary Rules 232 to 266 will also continue to apply.

(iii) Supplementary Rules 291 and 292 - The revised rules do not make any provision for the grant of leave to probationers and apprentices and Supplementary Rules 291 and 292 will, therefore, remain in force but Fundamental Rule 85 mentioned in Supplementary

Rule 292 will be taken to mean "rule 15 of the revised leave rules".

(iv) Fundamental Rules 89 and 90 - Under the Revised Leave Rules, 1933, a maximum limit has been imposed only in regard to leave salary drawn during leave on private affairs or on medical certificate. It has been considered unnecessary to impose any maximum limit in regard to leave salary drawn during earned leave or to give the benefit of a minimum leave salary in regard to any kind of leave.

(v) Fundamental Rule 105(b) (i) and Supplementary Rule 300 - The term "leave on average pay of not more than four months duration" in these rules may be taken to mean "earned leave not exceeding 90 or 30 days as the case may be".

(vi) Fundamental Rule 105(c) and Supplementary Rule 295 - The term "four months" mentioned in these rules may be taken to mean "90 or 30 days as the case may be".

(vii) Fundamental Rule 128 - The words "Chapters I to XI of these rules" in this rule may be taken to mean "Chapter I to IX of these rules and the Revised Leave Rules, 1933".

Employees of local funds administered by Government who are not paid from general revenues and are, therefore, not Government servants will be subject to the provisions of Chapters I to IX and XI of Fundamental Rules and the Revised Leave Rules, 1933.

GOVERNMENT OF PAKISTAN'S DECISIONS

1. (1) Leave taken by the Government servants governed by the Revised Leave Rules shall count for pension under the rules in the Civil Service Regulations to the following extent :-

(i) Any period of earned leave "not exceeding 90 days in any one spell shall count as privilege leave" in the calculation of service for pensions and additional pensions.

(ii) Any other period of leave (including earned leave in excess of 90 days in any one spell) during which leave salary is drawn shall count as leave with allowances.

(iii) Earned leave alternating with deputation out of Pakistan shall not be split up into different periods separated by deputation but treated as one continuous spell of leave and shall count for pension as under (i) and (ii) above.

2. Study leave admissible under "Government of Pakistan's Instructions " above shall count as service for pension.

3. Application of the principle of Fundamental Rule 93A to persons governed by the Revised Leave Rules, 1933 - A question has arisen whetheer the provisions of Fundamental Rule 93A apply to persons governed by the Revised Leave Rules, 1933. In accordance with the Government of Pakistan's decision in their letter No.12(2)-R 1/32, dated the 16th December 1933, the Revised Leave Rules replace in respect of persons to whom they apply, the corresponding leave rules in the Fundamental and Supplementary Rules, the other rules in the Fundamental and Supplementary Rules remaining operative in the case of these persons, except in so far as they may be inconsistent with, or repugnant in subject or context to, the Revised Leave Rules Fundamental Rule 93A as it stands worded, applies only to Government servants transferred to a service or post to which the rules in Sections I - V of Chapter X of the Fundamental Rules apply and could, therefore, be held to be repugnant incontext to the Revised Leave Rules and consequently inapplicable to persons governed by these rules.The government of Pakistan, however, consider that with the introduction of Fundamental Rule 93A the principle of that Fundamental Rule should be deemed to be inherent in the Revised Leave Rules also and have accordingly decided, with the concurrence of the Auditor-General of Pakistan, that the principle of Fundamental Rule 93A should apply by analogy to persons who entered Government service on or after the 16th July 1931 and transferred to a service or post to which the Revised Leave Rules, 1933, apply from a service or post to which they do not apply, from the date Fundamental Rule 93A came into operation, viz. 13th April, 1938.

4. Commutation with retrospective effect of leave granted under the Revised Leave Rules, 1933 - [i] A question having arisen whether commutation of extra-ordinary leave into earned leave in the case of Government servants to whom the Revised Leave Rules, 1933, apply is permissible, the Governor General in Council has decided that the authority which granted leave to a Government servant can commute it retrospectively into leave of a different kind which may be admissible but that the Government servant concerned cannot claim it as a matter of right.

(ii) It has been decided in consultation with the Auditor General that the commutation of one kind of leave into another automatically carries with it the drawal of arrears of leave salary or recovery of amounts overdrawn.

(iii) The question has been raised whether in the case of an outsider who was appointed to a temporary post in 1934 was granted extra-ordinary leave in 1939 under Rule 15(1)(a) and was without any other interruption of duty confirmed in 1940 in a permanent post, it is permissible to convert retrospectively his extra-ordinary leave at credit. As in case like this the character of an officer's temporary service is not changed by his subsequent confirmation and as his claim to leave is to be strictly governed by the rules in force at the time the leave is applied for and granted, the regulation of earned leave during such temporary service by a rule other than Rules 10 and 12(a) would be opposed to the provision of Rules. It has accordingly been decided that commutation of extra-ordinary leaves taken during temporary service when no other leave was due into earned leave on confirmation without interruption of service by giving retrospective effect to the benefit of Rule II would be irregular and not in accordance with the intention of the Government of Pakistan, Finance Department, letter No.F.7(34)R I., 36, dated the 13th August 1936 (sub-paragraph (i) above).

The real intention of Rule II of the revised Leave Rules is to provide only for a retrospective recalculation of the leave at credit on the date of confirmation with a reduction on account of the earned leave already taken. Except for the carry forward of the re-calculated credit on confirmation, leave earned and taken should be a closed chapter at that point and no readjustment of any leave taken is automatically permissible as a consequence of such re-calculation. The 'closed chapter' may, however, properly be re-opened for instance, to correct a miscalculation of leave earned or taken ; or to readjust leave earned and taken when confirmation is ordered with retrospective effect ; or, at the discretion of the sanctioning authority to convert leave of any one kind already taken into leave due of any other kind admissible at the time the leave was originally taken.

(G.I.F.D. Resolution F-6(12)-R. 11/35 dated 21-2-1935).

2. Method of allocation of leave salaries of Government servants subject to the Revised Leave Rules - In respect of the Officers subject to the Revised Leave Rules a system of recovery from borrowing Government's contribution for leave salary at the rates laid down for foreign service contributions should be introduced with retrospective effect from the date of introduction of the revised Leave Rules, i.e. 16th July 1931. The existing rates will be applied for a period of five years in the first instance or until the date of introduction of the revised rates of leave salary contributions whichever is earlier.

The liability of a borrowing Government to pay contributions to the lending Government will cease when a Government servant is permanently transferred to the former.

(ii) The amount of leave on average pay that may be taken at one time shall not exceed four months. This limit may be raised to six months when leave in excess of four months is taken on medical certificate or for the purpose of pilgrimage, education or rest and recreation outside Pakistan, Burma, Ceylon and India or preparatory to retirement.

(iii) Leave on half average pay shall be earned at the rate of one * "twelveth of the period" of duty and accumulation of such leave shall be without limit. It shall be permissible to convert leave so allowed into leave on average pay on production of a medical certificate upto a maximum of 12 months on average pay. This conversion will be allowed at the rate of one day of leave on average pay for two days of leave on half average pay.

4. Carry forward of existing leave.

In case of a Govt. servant who elects these rules, leave admissible on average pay or earned leave at his credit on the 1st January 1954 shall be carried forward and further accumulation shall be subject to the limits mentioned in these rules.

5. Leave not due :

(1) Save in the case of leave preparatory to retirement leave not due may be granted on half average pay upto a maximum of twelve months during the whole service if it is on medical certificate or three months during the whole service if it is not on medical certificate.

(2) When a Govt. servant returns from leave which was not due, no leave shall become due to him until the expiration of a fresh period spent on duty sufficient to earn a credit of leave equal to the period of leave which he took before it was due.

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*Notification No.S.R.O. 171(K)/64, dated the 27th February, 1964, Government of Pakistan, Ministry of Finance, published in theGazette of Pakistan, part I, dated the 6th March 1964, at Page 76.

6. Leave Salary.

*(1) Leave salary during leave on average pay shall be calculated on the basis of average pay drawn during the twelve complete months preceding the month in which the leave is taken.

(2) Leave salary during leave on half average pay shall be equal to half the average pay calculated under sub-rule (1).

7. Maximum leave permissible at a time :

The maximum amount of leave that may be taken at one time shall be one year but if supported by a medical certificate it may be extended to two years.

8. Government servants in Vacation Department.

(1) (a) Leave on average pay shall not be permissible to a Govt. servant serving in a Vacation Department in respect of duty performed in any year in which he avails himself of the full vacation.

(b) Leave on average pay to such Govt. servant in respect of any year in which is prevented from availing himself of the full vacation shall be such proportion of thirty days if he is a Govt. servant in superior service or of fifteen days if he is in Class IV Service, as the number of days of vacation not taken bears to the full vacation.

(c) If in any year such Govt. servant does not avail himself of the vacation, leave on average pay shall be permissible to him in respect of that year as if he was in a non-Vacation Department.

(d) Such Government servants shall be entitled to earn and avail themselves of leave on half average pay like other Government servants.

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*Notification No.S.R.O. 557, dated the 26th November, 1959, from the Government of Pakistan, Ministry of Finance, Karachi.

3) The existing rules and general orders on the subject shall be deemed to have been modified to the extent indicated in paras 1 to 20 of the O.M. No.F 1(2)/Rev.I/78, dated 21st September, 1978.

The Board also approved that in future amendments, if any made in Government Rules, in regard to leave matters, the same should be adopted in Karachi Port Trust, mutatis mutandis without sanction of the Board and Government as and when announced by the Government.

THE REVISED LEAVE RULES, 1978

1. Leave shall be admissible to a civil servant and granted to him by the competent Authority at the following rate and scale :-

i) Leave on full Pay :- A civil servant shall earn leave only on full pay. It shall be calculated at the rate of four days for every calendar month of the period of duty rendered and credited to the leave accounts as "Leave on full pay"; duty periods of 15 days or less in a calendar month being ignored and those of more than 15 days being treated as a full calendar month for the purpose. If a civil servant proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than 15 days, the leave to be credited for both the incomplete months will be restricted to that admissible for one full calendar month only.

There shall be no maximum limit on the accumulation of such leave.

ii) The provision in (i) above will not apply to a vacation department; in its case, a civil servant may earn leave on full pay (a) when he avails himself of full vacation in a calendar year ..... at the rate of one day for every calendar month of duty rendered, (b) when during any year he is prevented from availing himself of the full vacation ..... as for a civil servant in a non-vacation department for the year, and (c) when he avails himself of only a part of the vacation ..... as in (a) above plus such proportion of thirty days as the number of days of vacation not taken bears to the full vacation.

2. Grant of Leave :

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

(a)	Without medical certificate	120 days
(b)	With medical certificate	180 days
	Plus	
(c)	On medical certificate from leave account in entire service	365 days

ii) Leave on half pay : (a) Leave on full pay may be converted into leave on half pay, at the option of the civil servant; the debit to the leave account will 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. The request for such conversion shall be specified by the civil servant in his application for the grant of leave.

(b) 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.

iii) Leave Preparatory to retirement : The maximum period upto which a civil servant may be granted leave preparatory to retirement shall be 365 days. It 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 civil servant.

3. Recreation leave : It may be granted for 15 days in a calendar year; the debit to the leave account may, however, be for 10 days.

4. Leave not due : It may be granted on full pay, to be off set against leave to be earned in future, for a maximum period of 365 days in the entire period of service, subject to the condition that during the first five years of service it shall not exceed 90 days in all. Such leave may be converted into leave on half pay. It shall be granted only when there are reasonable chances of the civil servants resuming duty.

5. Special leave : A female civil servant, on the death of her husband, may be granted special leave on full pay, when applied for, not exceeding 130 days. This leave shall not be debited to her leave account.

6. Maternity leave : Maternity leave may not be granted for more than three times in the entire service of a female civil servant. For confirmation beyond the third one the female civil servant would have to take leave from her normal leave account.

7. Disability leave : Leave salary during disability leave shall be equal to full pay for the first 180 days and on half pay for the balance period.

8. Extraordinary leave (Leave without pay) : It may be granted on any ground upto a maximum period of five years at a time, provided the civil servant to whom such leave is granted has been in continuous service for a period of not less than ten years; in case a civil servant has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the head of his office.

9. Encashment of refused leave : If in case of retirement on attaining the age of superannuation, a civil servant cannot for reasons of public service, be granted leave preparatory to retirement duly applied for in sufficient time, he will in lieu thereof be granted lump-sum leave pay for the leave refused to him subject to a maximum of 180 days leave on full pay.

10. In-service death : In case a civil servant dies while in service, lump-sum payment equal to full pay upto 180 days out of the leave at his credit shall be made to his 'family' as defined for the purpose of family pension.

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

12. It shall not be necessary to specify the reasons for which leave has been applied, so long as that leave is due and admissible to a civil servant. Leave applied for on medical certificate shall not be refused. The authority competent to sanction leave may, however, at its discretion, a second medical opinion by requesting the civil Surgeon / Medical Board to have the applicant medically examined.

13. Instead of indicating whether leave starts / ends in the forenoon or afternoon leave may commence from the day following that on which a civil servant hands over the charge of his post. It may end on the day preceding that on which he resumes duty.

14. If a civil servant is recalled to duty compulsorily with the personal approval of the head of his office 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. In case he is recalled to duty at headquarters and his remaining leave is cancelled, the fare then admissible shall be for one way journey only.

15. All leave at credit in the account of a civil servant who was in service on the 1st July, 1978 shall be carried forward and expressed in terms of leave on full pay. The leave Account in such cases shall, with effect from 1st July, 1978 or in case of a civil servant who was on leave on that date with effect from the date of his return from leave, be recast as under :-

i) L.A.P

(a)	1 month	=	30 days
(b)	1 day	=	1 day

ii) L.H.A.P

(a)	1 month	=	15 days
(b)	2 days	=	1 day

Fractions, if any, shall be ignored.

16. Ordinarily, leave preparatory to retirement shall not be refused. All orders refusing leave preparatory to retirement to a civil servant and recalling a civil servant from leave preparatory to retirement shall be passed on by the authority specified below :

PART-II-D

The Revised Leave Rules, 1980

Approved by the Board under its Resolution No. 916, dated 11th May 1983, and sanctioned by the Government of Pakistan, Ministry of Communications (Ports and Shipping Wing), Karachi, vide their letter No.6(8)/79-P.II, dated the 27th March, 1984

(Government of Pakistan, Finance Division Islamabad's O.M. No.F-1(2)-Re-I/78 dated 20-12-1980)

These Rules have been adopted by the K.P.T. subject to the following changes :

For the purpose of exercing the powers contained in Rule 18 of the above Finance Division O.M., the authorities will be:

i)	For K.P.T. Servants drawing ..... pay in the scale the maximum ... of which does not exceed Rupees Five Hundred		Chairman, K.P.T.,
ii)	For K.P.T. Servants drawing ..... pay in the scale the maximum of which exceeds Rupees Five Hundred.		Board
iii)	For K.P.T. Officers	....	Board of Trustees with the previous approval of the Federal Government.

The Revised Leave Rules, 1980

1. **Short title, application and Commencement** - (1) These rules may be called the Revised Leave Rules, 1980

(2) They shall apply to all civil servants other than those who were employed before the first day of July, 1978 and opted not to be governed by the Revision of Leave Rules issued under the Finance Division's Office Memorandum No.F.I.(2)-Rev.I/78, dated the 21st September, 1978.

(3) They shall come into force at once.

2. **When leave earned** - (1) All service rendered by a civil servant qualifies him to earn leave in accordance with these rules but shall not be earned during the period of leave.

(2) Any period spent by a civil servant in foreign service qualifies him to earn leave provided that contribution towards leave salary is paid to the Government on account of such period.

3. **Earning and accumulation of leave** - (1) A civil servant 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" 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 a civil servant proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than fifteen days, the leave to be credited for both the incomplete months shall be restricted to that admissible for one full calendar month only.

(3) There shall be no maximum limit on the accumulation of such leave.

4. **Civil servants in vacation department:** A civil servant in vacation department may earn leave on full pay :-

10. **Recreation leave :-** Recreation leave may be granted for fifteen days once in a calendar year, the debit to the leave account may, however, be for ten days leave on full pay:

Provided that such leave shall not be admissible to a civil servant in a vacation department.

11. **Leave not due :-** (1) Leave not due may be granted on full pay, to be offset 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 all.

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

3) Such leave shall be granted only when there are reasonable chances of the civil servant 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 civil servants.

12. **Special leave :-** (1) A female civil servant on the death of her husband, may be granted special leave on full pay, when applied for a period not exceeding one hundred and thirty days.

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

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

13. **Maternity leave :-** (1) Maternity leave may be granted on full pay, outside the leave account, to a female civil servant 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 civil servant except in the case of female civil servant employed in a vacation department who may be granted maternity leave without this restriction.

(3) For confinements beyond the third one, the female civil servant would have to take leave from her normal leave account.

(4) The spells of maternity leave availed of prior to the coming in to force of these rules shall be deemed to have been taken under these rules.

(5) Maternity leave may be granted in continuation of in combination with, any other kind of leave including extra-ordinary leave as may be due and admissible to a female civil servant.

(6) Leave salary to be paid during maternity leave shall be regulated as for other leave, in accordance with the formula contained in the Finance Division Office Memorandum No.F.9(16)-R.I/69, dated the 26th July, 1969, read with the office Memorandum of even number dated the 28th November, 1969.

(7) The leave salary to be paid during maternity leave will, therefore, remain un-affected even if an increment accrues during such leave and the effect of such an increment will be given after the expiry of maternity leave.

14. **Disability leave :-** (1) Disability leave may be granted, outside the leave account each occasion, upto a maximum of seven hundred and twenty days on such medical advice as the head of office may consider necessary, to a civil servant, other than a seaman of a civil servant in part-time service, 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 for the remaining period.

15. **Leave ex-Pakistan :-** (1) Leave ex-Pakistan may be granted on full pay to a civil servant 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) The leave pay to be drawn abroad shall be restricted to a maximum of three thousand rupees per month.

(3) The leave pay shall be payable in Sterling if such leave is spent in Asia other than Pakistan and India.

(4) Such leave pay shall be payable in for the actual period of leave spent abroad subject to a maximum of one hundred and twenty days at a time.

(5) The civil servants appointed after the 17th May, 1958, shall draw their leave salary in rupees in Pakistan irrespective of the country where they spend their leave.

(6) Leave ex-Pakistan will be regulated and be subject to the same limits and conditions as prescribed in rules 5, 6 and 9.

16. **Leave preparatory to retirement:** -(1) The maximum period up to which a civil servant may be granted leave preparatory to retirement shall be three hundred and sixty five days.

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

17. **Encashment of refused leave preparatory to retirement : -** (1) If in case of retirement on superannuation a civil servant cannot, for reasons of public service, be granted leave preparatory to retirement duly applied for insufficient time he will in lieu thereof be granted lump-sum leave pay for the leave refused to him subject to a maximum of one hundred and eightly 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 eightly days.

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

(4) For the purpose of lump-sum payment in lieu of such refused leave, only the "Senior Post Allowance" will be included in "Leave Pay" so admissible.

(5) In case a civil servant on leave preparatory to retirement/ dies before completing 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.

18. **Power to refuse leave preparatory to retirement, etc :-** (1) Ordinary, leave preparatory to retirement shall not be refused.

(2) All orders refusing leave preparatory in retirement to a civil servant and recalling a civil servant from leave preparatory to retirement shall be passed only by the authorities specified below :-

i) For civil servants of Grade-17 and above	Secretary, Establishment Division Personally.
ii) For civil servants of Grade-16 and above	Secretary of the Division concerned Personally.

(3) The authorities specified in sub-rule (2) shall not delegate these powers to any other authority.

(4) All proposals regarding refusal of such leave to an officer of Grade-17 and above shall be referred to the Secretary, Establishment Division with detailed justification at least three months before an Officer is due to proceed on such leave.

19. **In-service death :-** (1) In case a civil servant dies while in service, lump-sum payment equal to full pay up to one hundred and eighty days out of the leave at his credit shall be made to his family as defined for the purposes of family pension.

(2) For the purpose of lump-sum payment to the family of the civil servant who dies while in service only the "Senior Post Allowance" will be included in the "Leave Pay" so admissible.

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

30. **Accounts offices to maintain leave account :-** (1) Leave account in respect of a civil servant shall be maintained as part of his service book.

(2) The accounts Officers shall maintain the leave accounts of civil servants of whom they were maintaining the accounts immediately before the coming into force of these rules.

31. **Leave to lapse when civil servant quits service :-** All leave as the credit of a civil servant shall lapse when he quits service.

32. **Pay during leave :-** (1) Leave pay admissible during leave on full pay shall be the greater of :-

(a) the average monthly pay earned during the twelve complete months immediately preceding the month in which the leave begins and

(b) the rate equal to the rate of pay drawn on the day immediately before the beginning of the leave.

(2) When leave on half pay is taken, the amounts calculated under clauses (a) and (b) of sub-rule (1) shall be halved to determine the greater of the two rates.

33. **Departmental leave :-** (1) Departmental leave may be granted to civil servants drawing pay in Grade 1 to 9 in the National Pay Scales and serving in the Survey of Pakistan or in any such other department as may be notified by the Finance Division on the conditions laid down in this rule.

(2) Departmental leave may be granted only to a civil servant whose services are temporarily not required and no leave other than leave-not-due is admissible.

(3) A subsistance allowance at such rate as the officers granting the leave may think fit but not exceeding half pay may be granted during departmental leave.

(4) The allowance shall be payable only on return to and resumption of duty after the expiration of the leave, whether taken by itself or combined with departmental leave without pay:

Provided that if a civil servant dies while on departmental leave, the amount of allowance if any, otherwise admissible up to the date of his death shall be paid to his heirs.

(5) Departmental leave with subsistance allowance may be granted during the recess by the head of the party or office to which the civil servant belongs only when the officer granting the leave considers it desirable to re-employ him in the ensuing field season and the leave so granted may, in special cases, be extended by the Surveyor General up to a maximum of five hundred and forty days at a time.

(6) Departmental leave with subsistance allowance may be granted at times other than the recess for not more than one hundred and eighty days at a time by a Director or Deputy Director, Survey of Pakistan, provided such leave is granted in the interest of public service or work and not at the civil servant's own request.

(7) Leave granted may in special cases be extended by the Surveyor-General up to a maximum of three hundred and sixty-five days at a time.

(8) Leave on medical certificate shall in no circumstances be regarded as granted in the interest of public service or work.

(9) Departmental leave without pay may be granted by the Surveyor-General in continuation of departmental leave with subsistance allowance in special cases as authorised by the Finance Division by a general of special order.

(10) When a civil servant holds a post in which the Surveyor-General considers that he is unlikely to be eligible for departmental leave in future, the Surveyor-General may, by special order in writing, declare that, with effect from such date not being earlier than the civil servant's last return from departmental leave, as the Surveyor-General may fix any balance of leave at debit in the civil servants leave account shall be cancelled and all leave earned after such date will be credited as due in the civil servant's leave account, and all leave taken after such date, including departmental leave with allowances, if any, will be debited to it.

(ii) whether any applicants were last recalled compulsorily from leave; and

(iii) whether any applicants were required to make adjustment in the timing of their leave on the last occasion.

39. **Hospital leave and study leave :-** Subject to these rules, the provisions regarding hospital leave and study leave contained in the Fundamental Rules and Supplementary Rules shall apply to the civil servants.

Form - I

FORM OF MEDICAL CERTIFICATE

Signature of applicant

MEDICAL CERTIFICATE FOR CIVIL SERVANTS
RECOMMENDED FOR LEAVE OR EXTENSION

I, _____ after careful _____ personal examination of the case, hereby certify that whose signature is given above, is suffering from _____ and I consider that a period of absence from duty of _____ with effect from _____ is absolutely necessary for the restoration of his health.

Dated : the _____

Government Medical Attendant

Form-II

APPLICATION FOR LEAVE

Notes :- Item 1 to 9 must be filled in by all applicants. Item 12 applies only in the case of Government Servants of Grade-16 & above.

1. Name of applicant
2. Leave Rule applicable
3. Post held
4. Department or Office
5. Pay.
6. House Rent allowance conveyance allowance or other compensatory allowances drawn in the present post.
7. (a) Nature of leave applied for _____
   (b) Period of leave in days
   (c) Date of commencement.
8. Particular Rule / Rules under which leave is admissible.
9. (a) Date of return from last leave.
   (b) Nature of leave.
   (c) Period of leave in days.

Dated :_____ Signature of Applicant

10. Remarks and recommendation of the Controlling Officer.
11. Certified that leave applied for is admissible under Rule ..... and necessary conditions are fulfilled.

Signature

Dated: _____ Designation

12. Report of Audit Officer

Signature

Dated: _____

Designation

13. Orders of the sanctioning authority certifying that on the expiry of leave the applicant is likely to return to the same post or another post carry the compensatory allowances being drawn by him.

Signature

Dated: _____ Designation

FORM A.T.C 8

FORM OF LEAVE ACCOUNT UNDER THE REVISED LEAVE RULES, 1980
(Approved vide Finance Division's letter No. F1(3) Rev. 1/78 dated 18-1-1979).

Leave Account of Mr./Miss/Mrs._____
Date of commencement of Service_____
Date of attaining the age of superannuation_____ (N.B. Instructions for filling in the form are printed on the reverse).

FORM III

Government Department served under	PERIOD OF DUTY				Leave earned on full pay @ 4 days for each calendar month	Leave at credit (Column 21+6)	PERIOD		LEAVE TAKEN											Remarks	ATTESTATION
	From	To	YMD	Full calendar month			From	To	Leave on full pay without medical certificate subject to maximum of 120 days & 365 days in case of L.P.R.	Leave on full pay on medical certificate subject to maximum of 180 days	Leave on full pay on medical certificate subject to a maximum of 365 days in entire service.	LEAVE ON HALF PAY: In terms of full pay	LEAVE ON HALF PAY: In terms of half pay	Recreation leave of 15 days in a year but 10 days to be debited.	LEAVE NOT DUE: In terms of half pay	LEAVE NOT DUE: In terms of full pay	ABSENCE: Actual No. of days	ABSENCE: No. of days debitable (double the actual number)	Total leave (Column 10+11+12 +14+15+17+19)	Balance on 1-T-1978/return from leave (Cols.7-20)	
					Days	Days			Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23

9. When a Government servant applies for leave, columns 2 to 7 shall be filled in showing the period of duty upto the date proceeding that on which a Government servant intends to go on leave. The full calendar months to be noted in column 5 shall be worked out on the lines indicated in para 4 above.

10. When a Government servant returns from leave, columns 8 to 23 shall be filled in according to the nature of leave. If leave not due is availed off the minus balance to be shown in column No.21 should be written in red ink.

PART III

Rules for the grant of leave to Lascars, stokers, etc., of the Port and Engineering Departments, Peons and other Menials on the permanent Establishment and the Staff on the Temporary Schedules

(Approved under Board's Resolution No.482, dated the 22nd October, 1952).

1. Leave on full pay will be granted to Lascars, Stokers and other men of the Port and Engineering Departments, peons, other Menials on the permanent establishment and the staff on the Temporary Schedule for one month after 11 months service in the case of those who were in service before 1st October 1931, in the case of those who joined on or after 1st October 1931, the same rules will apply to them upto 31st March 1936 after which leave in their case will be calculated on the basis of one month's leave after 16 months service. The leave may be accumulated upto 90 days in either case and can be taken in instalments. The leave shall be allowed to 10% of the establishment at a time. This limit may be exceeded at the discretion of the Head of Department concerned in very special cases which should be recorded in writing at the time of granting leave.

2. Leave on medical certificate on half pay not exceeding 12 months in all during an employee's service may be granted. Such leave shall be given only on production of a certificate in accordance with the Board's medical regulations and for a period not exceeding that recommended by the Medical Officer.

Provided that when the maximum period of 12 months is exhausted further leave on Medical certificate on half pay not exceeding 6 months in all may be granted in exceptional cases on the recommendation of the Board's Medical Officer. Provided further the Chairman may, in cases in which it would, in his opinion, cause hardship to the individual concerned, grant an extension of leave on half average pay on medical certificate or leave without pay to an employee on the Temporary Schedule.

3. Except in the case of the staff on the Temporary Schedule, extraordinary leave without pay may be granted in special circumstance:-

(a) when no other leave is by rule admissible, or

(b) when other leave is admissible but the employee concerned applies in writing for the grant of extraordinary leave.

4. Special leave in addition to the above necessitated by injury received whilst on duty or in cases where the employee is compulsorily detained from attending duty in consequence of the presence of infectious disease in the family or household of such employee, will be dealt with by the Chairman on the merits of such case.

Note 1. - Special leave granted owing to injury received whilst on duty will be treated as duty for purpose of calculating leave.

Note 2. - Casual leave on full pay not exceeding twenty days in a year, but not more than 10 days at one time may be sanctioned by the Head of a Department in cases of sickness or for other satisfactory reasons.

Note 3. - Leave without pay will not be considered as interruption of duty involving forfeiture of leave with pay previously earned.

Note 4. - The employees governed by these rules are not entitled to draw increments during leave.

Note 5. - Leave cannot be claimed as of right. When the exigencies of the service so require, discretion to refuse or revoke leave of any description is reserved.

Note 6. - House rent allowance will be allowed for a period upto 90 days leave on full pay or half pay and in cases in which substitutes are engaged, the house rent allowance will be paid to them also.

Note 7. - Full pay means pay as defined in the Digest of pay Allowances and Leave Rules.

*Note 8 - All leave at the credit of an employee shall lapse on the date on which he participates in a strike which is declared illegal.

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* Board Resolution No. 275, dated 18th August 1954 and Government of Pakistan, Ministry of Communications, (Communications and Transport Division)'s letter No.P-3(207)/ 54 dated the 8th March 1958.

PART III A

Rules for the grant of leave to employees brought on monthly establishment on and after 1st January, 1939

Each employee to whom these rules apply will be allowed : —

(1) 30 days' leave on full pay in a year. Any holidays (except those when works are officially closed) or casual leave taken will be deducted from this leave. The leave may be accumulated upto 90 days and can be taken in instalments;

(2) leave without pay upto 30 months during the whole service on monthly establishment to which these rule apply. This leave may be granted as under :-

(a) For private reasons : 30 days in a calender year, which may be extended to 90 days in a year in very exceptional circumstances, at the absolute discretion of the Head of Department.

(b) On medical grounds : Without any limit on any one occasion, subject to the production of a certificate in accordance with the Medical Regulations.

Provided that the total period of leave without pay taken under (a) and (b) during the entire service does not exceed the aggregate period of 30 months mentioned above.

(3) Special leave in addition to the above necessitated by injury received whilst on duty or in cases where an employee is compulsorily detained from attending duty in consequence of the presence of infectious disease in the family or household of such employee, will be dealt with by the Chairman on the merits of each case.

Note 1. - Special leave granted owing to injury received whilst on duty will be treated as duty for purpose of calculating leave.

Note 2. - "Full pay" means substantive pay only.

2. Inferior members on the permanent staff may also be allowed casual leave by Heads of Departments provided their service can be spared. Peons are not expected to bring medical certificates that they are ill in all cases but the Head of the Section must be satisfied that the peon was really ill before pay can be allowed.

3. Coolies in the "Mansfield Import Yard" will, in certain cases, be allowed casual leave to go to burials without deductioon of pay, but no hard and fast rule can be laid down.

*4. SPECIAL CASUAL LEAVE

(a) Special Casual Leave shall be available only for the purpose of participation in the approved National & Provincial Tournaments held out side Karachi in Pakistan.

(b) Special Casual Leave cannot be claimed as a matter of right, and will be sanctioned at the discretion of the Chairman.

(c) Special Casual Leave will be granted to the employees on production of necessary certificates from the requisitioning authorities concerned namely the recognized All Pakistan Games Associations certifying the period of their absence etc.

(d) Special Casual Leave will be allowed with the prior sanction of the Chairman.

(e) The extent of such leave will ordinarily be not more than 15 day s on any one occasion, unless required under Rule (c) above.

(f) Special Casual Leave will not be debitable to the Employees Casual Leave or any other leave account.

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*(Sanctioned under Board's Resolution No.192 dated 2-7-1960 and letter No.KP-3(15)/60, dated 31st January, 1961, from Section Officer to the Government of Pakistan, Ministry of Communications, (Communications Division), Karachi.)

For international sporting events the rules laid down in the Government of Pakistan, Ministry of Finance Office Memorandum No.18(3)/-RII/51, dated 29th May, 1951, reproduced below, will apply:-

(g) All servants, whether temporary or permanent, should be treated as on duty for the entire period of their absence from duty for participation in International sporting events inclusive of the periods spent on preliminary tests, instructions or preparatory practice.

(h) During the period of their absence they should be allowed full pay and allowances, including the pay and allowance of officiating appointments they would have held if they had remained on duty in their posts.

(i) The above concession will be admissible only to those individuals or members of the National Team who are required by any of the recognized All Pakistan Games Associations to participate in an international sporting event whether held in Pakistan or abroad, at the invitation of a foreign or a common-wealth Government or a recognized games association of any foreign or commonwealth country.

The concession referred to above will also be admissible to a servant who is a member of the Selection Committee for a National Team which is required to participate in an International Sporting Event in Pakistan or abroad, in case the servant has to go out of his station of duty for the purpose of making the selections.

APPENDIX "B"

CONDUCT OF OFFICERS AND SERVANTS OF THE BOARD.

(Approved under Board's Resolution NO.334, dated the 12th September 1941 and Board Resolution No. 881, dated the 27th March 1957).

I. PRIVATE TRADE OR EMPLOYMENT

A Port Trust servant may not, without the previous sanction of the Chairman, engage in any trade or undertake any employment other than his public duties.

A Port Trust servant may undertake occasional work of a literary or artistic character, provided that his public duties do not suffer thereby; but the Chairman may, in his discretion, at any time forbid him to undertake or require him to abandon any employment which in his opinion is undesirable.

Note 1. The Secretaryship of a club does not constitute employment in the sense of this rule, provided that it does not occcupy so much of an officer's time as to interfere with his public duties and that it is an honorary office, that is to say, that it is not remunerated by any payment in cash, or any equivalent thereof other than the customary concessions of free quarters and personal exemption from messing charges only. Any officer proposing to become the Honorary Secretary of a club, should inform his immediate deparrtmental superior who will decide, with reference to this rule and note, whether the matter should be reported for the orders of the Chairman.

Note 2. Under no circumstances are staff permitted to apply for outside appointment direct without the approval of the Head of Department. Such approva l should not be lightly given, specially in the case of technical and essential personnel and subordinate officers, in whose case prior permission of the Chairman should be obtained.

II. PARTAKING IN POLITICAL MOVEMENT

No Port Trust servant shall take part in, subscribe in aid of or assist in any way, any political movement in Pakistan or relating to Pakistan affairs.

EXPLANATIONS :-

(i) The expression "Political Movement" includes any movement or activities tending directly or indirectly to excite disaffection against or to embarrass, the Government as by the law established or to promote feelings of hatred or enmity between different classes of subjects or to disturb the public peace.

(ii) No Port Trust servant shall permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist any movement or activity which is, or tends directly or indirectly to be subversive of Government as by law established in Pakistan.

EXPLANATIONS:-

A Port Trust servant shall be deemed to have permitted a person to take a part in or assist in movement or activity within the meaning of clause part (ii) if he has not taken every possible precaution and done everything in his power to prevent such person so acting or if, when he knows or have reason to suspect that such person is so acting he does not at once inform the Chairman or the Officer to whom he is subordinate.

(2) A whole time Port Trust servant shall not canvas or otherwise interfere or use his influence in connection with, or take part in, any election to a legislative body whether in Pakistan or elsewhere.

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

(3) A Port Trust servant who issues and addresses to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed, for the purposes of sub-rule (2), to take part in an election to such body.

VII. NATIONAL AND PORT SECURITY

(a) A Port Trust Officer or servant who, in the opinion of the Chairman or the Board as the case may be, is engaged in or is reasonably suspected of being engaged in subversive activities or who is or is reasonably suspected of being associated with others in subversive activities and whose retention in service is thereby considered prejudicial to national security or the security of the Port, may be compulsorily retired from service.

(b) Any person compulsorily retired from service under Rule VII(a) shall be entitled to such compensation, gratuity or Provident Fund benefits as would have been admissible to him under the Rules applicable to his service or post on the date of such retirement if he had been discharged from service on account of the abolition of his post without alternative suitable employment being provided.

*(c)MEMBERSHIP OF NON-POLITICAL ASSOCIATION

No Officer or servant shall accept membership of any non-political Association or Organization whose aims and objects, nature of activities and membership are not publicly known.

VIII. INDEBITEDNESS

No employee of the Board is allowed to accept a loan from any other employee of the Board in an inferior position either in his or any other department.

No employee of the Board is allowed to stand as surety or give security for any other employee of the Board who may be working over him in the same Department.

When a Port Trust servant is adjudged or declared an insolvent or when a moiety or salary of such Port Trust servant is constantly being attached, has been continuously under attachement for a period exceeding two years or is attached for a sum, which in ordinary circumstances, cannot be repaid within a period of two years, he will be considered liable to dismissal.

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*Board's Resolution No.287, dated the 26th November, 1969 and Government of Pakistan, Ministry of Defence, (Directorate General of Ports and Shipping), letter No. 3-14/68 P.III, dated the 27th January, 1970.

IX. COURT PROCEEDINGS:

No servant of the Board shall be allowed to take proceeding in any Court against any fellow servant in respect of any dispute or offence non-cognizable by the Police that may happen on the premises of the Board or in connection with their work without obtaining previous sanction of the Chairman.

X. DECLARATION OF ASSETS AND ACQUIRING OR HOLDING IMMOVABLE PROPERTY

(a) An Officer or servant of the Board wh.en required by the Chairman to disclose his assets or the assets of his family, immoveable as well as liquid, must comply.

(b) An Officer or servant of the Board who indulges in nepotism, favouristism, victimization and wilful abuse of office, will be liable to disciplinary action which may include dismissal.

(c) An Officer of the Board who is not domiciled in Asia shall not, save in good faith, for the purpose of residence, directly or indirectly, hold or acquire any immoveable property in Pakistan.

(d) An Officer or servant of the Board who is domiciled in Asia shall not, save in good faith, for the purpose of residence, acquire any property in Pakistan by purchase or gift without the previous sanction of the Administration.

(e) An Officer or servant of the Board may not make any investment other than an investment in immoveable property as permitted under these rules, which gives him such private interest in matters with which his public duties are connected as would be likely in the opinion of the Administration to embarrass or influence him in the discharge of his duties.

XI. SPECULATION

A Port Trust servant may not speculate in investments.

In applying this general rule, the purchase or grant of land supposed to contain minerals with the object of disposing of it to companies and the habitual purchase and sale of securities of notoriously fluctuating value, will be treated as speculation in investments.

(a) is inefficient, or has ceased to be efficient, whether by reason of :--

*(i) infirmity of mind or body or

(ii) having on two or more consecutive occasions failed to pass in a Departmental Examination prescribed for the purpose of maintaining or raising general efficiency or

(iii) having, without reasonable cause, failed to appear at any examination as aforesaid, or otherwise, and is not likely to recover his efficiency; or

(b) is guilty of misconduct; or

(c) is corrupt, or may reasonably be considered corrupt because,

(i) he is, or any of his dependents or any other person through him or on his behalf is, in possession (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income; or

(ii) he has assumed a style of living beyond his ostensible means; or

(iii) he has persistent reputation of being corrupt; or (d) is engaged, or is reasonably suspected or being engaged, in subversive activities, or who is reasonably suspected of being associated with others engaged in subversive activities, and whose retention in service is therefore considered prejudicial to national security :-

the authority may, subject to the provision of sub-rule (4) of rule 4, impose on him one or more penalties.

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*Board's Resolution No.246, dated the 21st October, 1970 and sanctioned by the Government of Pakistan, Ministry of Defence (Directorate General of Ports & Shipping), Karachi vide their letter No.3-4/69-P.III, dated the 11th November 1970.

PENALTIES (1) The following are the minor penalties and major penalties, namely :-

1. MINOR PENALTIES

(a) censure;

(b) (i) withholding, for a specified period, of promotion or increment otherwise than for unfitness for promotion of financial advancement in accordance with the rules or orders pertaining to the service or post; or

(ii) stoppage, for a specified period, at an efficiency bar in the time-scale, otherwise than for unfitness to cross such bar;

(c) recovery from pay of the whole or any part of any pecuniary loss caused to Government by negligence or breach of orders;

II. MAJOR PENALTIES

(d) reduction to a lower post or time-scale, or to a lower stage in a time-scale;
(e) compulsory retirement;
(f) removal from service;
(g) dismissal from service.

(2) Penalties specified in sub-rule (1) may be imposed as follows namely :-

a)	For misconduct	any of the penalties
b)	For inefficiency - as laid down in sub-clause(i) of clause(a) of rule 3.	Any of the penalties specified in clauses (b),(c),(d),(e) and (f).
c)	For inefficiency - as laid down in sub-clause(ii) or sub-clause (iii) of clause (a) of rule 3.	Any of the penalties specified in clauses (d), (e) and (f).
d)	For corruption or sub-version.	Any of the penalties specified in clauses(e), (f) and (g).

opinion that the allegations, if established, would call for a major penalty, the following procedure shall be observed, namely :--

(1) The authority shall frame a charge and communicate it to the officer or servant (hereinafter called the accused) together with a statement of the allegations on which it is based and of any other circumstances which the authority proposes to take into consideration when passing order of the case.

Provided that the authority, if he thinks fit, appoint an Officer senior in rank to the accused to examine and report on the allegations against him to enable the authority to decide whether a formal inquiry should be held, and the officer may also informally examine the accused.

(2) The authority shall require the accused within a reasonable time, which shall not be less than seven days and not more than fourteen days, from the day the charge has been communicated to him, to put in a written defence, stating at the same time whether he desires to be heard in person.

(3) If the accused so desires, or if the authority so directs, an Inquiry Officer to be appointed under rule 8 shall hold an oral Inquiry at which oral evidence shall be heard as to such of the allegations as are not admitted and the accused shall be entitled to cross-examine the witnesses against him, to give evidence in person and to have such witnesses called for the defence as he may wish, provided that the Inquiry Officer may, for reasons to be recorded in writting, refuse to call a particular witness or to summon or admit a particular evidence.

(4) The proceedings of an Inquiry under this rule shall contain a sufficient record of the evidence and, where an Inquiry Officer is appointed, also a report of the findings of such officer stating the grounds therefor.

(5) After the authority has considered the report and arrived at a provisional conclusion in regard to the penalty to be imposed, the accused shall, if the penalty proposed is any of the major penalties, be supplied with a copy of the report, and asked to show cause within a specified time which shall not ordinarily exceed one month against the particular penalty proposed to be inflicted; and any representation submitted by the accused in this behalf shall be taken into consideration before final orders are passed.

6B. Nothing in rule 6 or 6A shall apply to a case :-

(a) Where the accused is dismissed or removed from service, or reduced in rank, on the ground of conduct which has led to a sentence of fine or of imprisonment; or

(b) Where the authority competent to dismiss or remove a person from service, or to reduce a person in rank, is satisfied that, for reasons to be recorded in writing by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause, e.g. when the person charged has absconded.

7. Power to order medical examination as to mental or bodily infirmity :-

(1) where it is proposed to proceed against an Officer or servant on the ground of inefficiency by reason of infirmity of mind or body the authority may at any stage, whether or not an officer has been appointed in pursuance of *the first or second proviso to rule 6 or proviso to paragraph (1) of rule 6-A to examine and report, require the officer of servant to undergo a medical examination by a Medical Board or the Chief Medical Officer, K.P.T., as the authority may direct, and the report of the Board or the Chief Medical Officer shall form part of the proceedings.

(2) If an Officer or servant refuses to undergo such examination his refusal may, subject to the consideration of any grounds 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.

8. Appointment and procedure of Inquiry Officer :-

(1) when an Officer or Servant is proceeded against under Clause(a), or Clause(b) or Clause(c) of Rule 3, and the authority has decided that the case calls for a major penalty, the authority shall appoint an officer, being senior in rank to the person proceeded against to be Inquiry Officer and to conduct the

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* Board's Resolution No.246, dated the 21st October 1970, and sanctioned by the Government of Pakistan, Ministry of Defence, (Directorate General of Ports & Shipping), Karachi vide their letter No.3-4/69-P.III, dated the 11th November 1970.

12. APPEAL :- In the case of an order passed by a Head of Department or other officer in exercise of the power delegated to him under sub-Section (1) of Section 23 of the K.P.T. Act, an appeal shall lie to the Chairman K.P.T. in the case of any other order under that sub-Section to the Central Government and the orders of the Chairman or Centreal Government, as the case may be in such appeal shall be final.

13. EXEMPTION :- Nothing in Clause (c) of sub-rule (1) or in Sub-rule (2) of Rule 5, *in rule 6-A or in Rule 8 and Rule 9 shall operate to regulate any proceedings under these Rules where the authority is the Chief Justice of Pakistan.

*Board's Resolution No.246, dated the 21st October 1970 and sanctioned by the Government of Pakistan, Ministry of Defence, (Directorate General of Ports & Shipping), Karachi vide their letter No.3-4/69-P.III, dated the 11th November, 1970.

APPENDIX B-II

CHAIRMAN'S STANDING ORDER NO.134

Subject:- K.P.T. OFFICERS AND SERVANTS (EFFICIENCY AND DISCIPLINE) RULES 1973

(Approved under Board's Resolution No.1141, dated the 16th May, 1981 and Government of Pakistan, Ministry of Communications (Ports & Shipping Wing) Karachi's letters Nos. 3 (21)/82-P.II, dated 8th December, 1982 and 3rd May, 1983).

1. Short title, application and commencement :-

   i) These Rules may be called the Karachi Port Trust Officers and Servants (Efficiency and Discipline) Rules.

   ii) These Rules apply to all the Officers and Servants of Karachi Port Trust.

   iii) They shall come into force from the date of Government sanction under Section 22(8) of the Karachi Port Trust Act.

2. Definitions :

   In these Rules unless the context otherwise requires :-

   i) "accused" means an officer or servant against whome action is taken under these rules.

   ii) "authority" means the Government of Pakistan/Board/Chairman or any Committee of Trustees of the Board or any officer to whom powers are delegated by the Competent Authority.

   iii) "misconduct" means conduct prejudicial to good order or service discipline or contrary to the Rules of conduct contained in Appendix 'B' to the Digest of Pay, Allowances and Leave Rules or un-becoming of an officer and a gentleman and includes any act on the part of an officer or servant to bring or attempt to bring Political or other outside influence directly or indirectly to bear on the Government of Pakistan / Board /

Chairman or any officer in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of Officers or Servants, and

iv) "penalty" means a penalty which may be imposed under these Rules.

3. Grounds of penalty :- Where an Officer or Servant, in the opinion of the authority :

a) is inefficient or has ceased to be efficient; or

b) is guilty of misconduct, or

c) is corrupt, or may reasonably be considered corrupt because :-

i) he is, or any of his dependents or any other person through him or on his behalf is, in possession (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income; or

ii) he has assumed a style of living beyond his ostensible means; or

iii) he has persistent reputation of being corrupt; or

d) is engaged, or is reasonably suspected of being engaged, in subversive activities, or is reasonably suspected of being associated with others engaged in subversive activities or is guilty of disclosure of official secrets to any unauthorised person and his retenstion in service is, therefore, prejudicial to National Security. The authority may impose on him one or more penalties.

4. PENALTIES : (a) The following are the minor and major penalties namely :-

a. MINOR PENALTIES

i) Censure:

ii) With-holding, for a specific period promotion or increment, otherwise that for unfitness for promotion or financial advancement, in accordance with the rules or orders pertaining to the service or post;

iii) Stoppage, for a specific period, at an efficiency bar in the time-scale other-wise than for unfitness to cross such bar;

iv) Recovery from pay of the whole or any part of any pecuniary loss caused to Government/KPT by negligence or breach of orders.

b) MAJOR PENALTIES

i) reduction to a lower post or time-scale or to a lower stage in a time-scale.

ii) compulsory retirement;

iii) removal from service; and

iv) dismissal from service.

2) Removal from service does not, but dismissal from service does, disqualify for future employment.

3) In this rule, removal or dismissal from service does not include discharge of a person:-

a. appointed on probation, during the period of probation, or in accordance with probation or training rules applicable to him, or,

b. appointed otherwise than under a contract to hold a temporary appointment, on the expiration of the period of appointment, or,

c. engaged under a contract, in accordance with the terms of the contract.

5. Inquiry Procedure :-

1) The following procedure shall be observed when an Officer or Servant is proceeded against under these rules :-

i) In case where an Officer or Servant is accused of subversion, corruption or misconduct, the authority may require him to proceed on leave or suspend him,

or such longer period as may be allowed by the authority submit his or its findings and grounds thereof to the authority.

8. After the authority has considered the report and arrived at a conclusion in regard to the penalty to be imposed, the accused shall, if the penalty proposed is any of the major penalties, be supplied with a copy of the report, and asked to show cause within a specified time which shall not ordinarily exceed one month against the particular penalty proposed to be inflicted; and representation submitted by the accused in this behalf shall be taken into consideration before final orders are passed.

7. Rule 6 not to apply in certain cases :-

Nothing in rule 6 shall apply to a case.

a) Where the accused is dismissed or removed from service or reduced in rank, on the ground of conduct which has led to a sentence of fine or imprisonment, or

b) where the authority competent to dismiss or remove a person from service or to reduce a person in rank, is satisfied that for reason to be recorded in writing by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

7-A Action in respect of K.P.T. Officers & Servants required to proceed on leave :-

If a KPT Officer and Servant proceeding on leave in persuance of an order under Sub-rule (i) of Rule 5 is not dismissed, removed from service, reduced in rank or compulsorily retired, he shall be required to rejoin duty and the period of such leave shall be treated as duty on full pay.

8. Procedure of Inquiry against KPT Officers and Servants lent to Provincial Government etc:--

i) where the services of a KPT Officer or Servant to whom these rules apply are lent to a Provincial Government or to a local or other authority in this rule referred to as the borrowing authority, the borrowing authority shall have

the powers of the authority for the purpose of placing him under suspension or requiring him to proceed on leave and of initiating, proceedings against him under these rules :-

provided that the borrowing authority shall forthwith inform the authority which has lent his service, hereinafter in this rule referred to as lending authority, of the circumstances leading to the order of his suspension or the commencement of the proceedings, as the case may be :

Provided further that the borrowing authority shall obtain prior approval of the Government of Pakistan / Board / Chairman or any Officer to whom powers are delegated by the Competent Authority before taking any action under these rules.

ii) If, in the light of the findings in the proceedings taken against the K.P.T. Officer or Servant in the terms of sub-rule (1), the borrowing authority is of opinion that any penalty should be imposed on him it shall transmit to the lending authority the record of the proceedings and thereupon the lending authority shall take action as prescribed in these rules.

9. Appeal :- A person on whom a penalty is imposed shall have such right of appeal as prescribed under the provision of the KPT Act 1886 provided the appeal shall be submitted within a period of thirty days of the communication of the order appealed against.

10. Appearance of Counsel :- No party to any proceedings under these rules shall be represented by an Advocate.

11. Repeal :

The existing K.P.T. Officers/Servants (Efficiency and Discipline) Rules, in their application to the K.P.T. Officers and Servants are hereby repealed, but the repeal shall not effect any action taken or any thing done or suffered thereunder.

APPENDIX C

MEDICAL REGULATIONS

(Approved under Board Resolution Nos. 615 & 482 dated the 23rd May, 1962 and 15th May, 1963 and sanctioned by the Government vide their letter No. KP-3(19)/59 dated the 26the June, 1963).

1. These rules shall apply to :-

   (a) Employees both permanent and temporary and their families. (Temporary employees mean those appointed against sanctioned posts).

   (b) The Category of the employees, other than those mentioned in (a), working and/or living at Manora or Keamari and their families restricted to the administration of ordinary medicines available at the Karachi Port Trust Dispensary concerned.

2. In these rules :-

   (a) The "Port Trust Medical Officer" means Chief Medical Officer and any other Medical Officer appointed by the Board for examination and treatment of its employees either at any of the Dispensaries or at the residence of the employees.

   (b) "Family" means *Husband, wife, legitimate children and step children, father, mother, minor brothers and unmarried sisters, widowed / divorced sister(s) and daughter(s) of an employee residing with and wholly dependent upon him and that the Major Sons and Step sons and married daughters, step daughters be deemed to be so dependent for the purpose only if the employee certifies that they are dependent upon him.

   (c) "Recognised Hospital" means a Civil or Military Hospital maintained by the Central Government or any other Hospital approved by the Karachi Port Trust from time to time.

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* Board Resolution No.557, dated 15-2-89 and sanctioned by the Government of Pakistan, Ministry of Communication, (Ports & Shipping Wing)'s letter No.3(147/89-P-II, dated 20-3-89.

   (d) "Medical Attendance" means attendance in a Port Trust dispensary or a recognised hospital or in serious and emergency cases at the residence of an employee, subject to the condition that the employee does not reside in a place remote from the Dispensary. The family members of the employee are not entitled to a free visit at their residence by the Medical Officer.

MEDICAL ATTENDANCE ALSO INCLUDES :-

   (i) Such pathological, bacteriological, radiological or other methods of examination for the purpose of diagnosis as are available in recognised hospital and are considered necessary and certified by the Chief Medical Officer, or any Medical Officer, duly authorised by him for the purpose.

   (ii) Such consultation with a specialists as the Chief Medical Officer certifies to be necessary.

   (e) "Treatment" means the use of Medical and Surgical facilities available at a Port Trust Dispensary or at a Recognised Hospital in which an employee has been referred by Medical Officer, Karachi Port Trust for treatment and includes;

      (i) The employment of such pathological, bacteriological, radiological or other methods as are considered necessary and are certified by the Chief Medical Officer.

      (ii) The supply of such medicines, vaccines, sera or other thereapeutic substances not ordinarily available as the Chief Medical Officer may consider necessary and certify in writing to be essential.

      (iii) Such accommodation as is ordinarily provided in the Recognised Hospital to which the patient is admitted and is suited to his status.

      (iv) The services of such nurses as are ordinarily employed by the recognised hospital to which the employee is admitted.

6. In the case of an employee absenting himself from duty for more than 7 days on the plea of sickness who cannot attend for treatment at the Head Office, the Medical Officer shall at the request of the Head of the Department to which such employee belongs, attend at the residence of such employee to certify as to his condition and recommend the grant of leave for such period as may, in his opinion, be required. Employees are not entitled to the gratuitous attendance of the Medical Officer at their residence, except as provided in Clause 2(d).

MATERNITY HOME AT MANORA

7. The Maternity Home will be in charge of a Sister, under the control of the Medical Officer, Manora, and will admit only normal cases of delivery.

8. The families of all Port Trust employees residing at Manora will be treated at the Maternity Home free of charge.

9. The families of Port Trust employees entitled to medical attendance by the Port Trust Medical Officer residing at Keamari, may, with the permission of the Chief Medical Officer and at his discretion, be allowed the concession of free treatment at the Maternity Home, Manora, so long as a Maternity Home is not constructed elsewhere.

10. The families of those not working under the Port Trust but residing at Manora may at the discretion of the Mecdical Officer, Manora, be treated at the Maternity Home provided accommodation is available and they agree in writing to pay such charges as may be fixed by the Administration from time to time.

11. (a) Port Trust employees and their families admitted as Indoor patients in the Karachi Port Trust Hospital shall pay such diet charges, as may be fixed by the Administration from time to time.

(b) Outsiders may be admitted as Indoor patients in the Karachi Port Trust Hospital, as a special case, and at the discretion of the Chief Medical Officer provided accommodation is available and they agree in writing to pay such charges as may be fixed by the Administration from time to time.

MEDICAL FACILITIES TO THE RETIRED EMPLOYEES OF THE K.P.T. AND THEIR FAMILIES

12. The retired K.P.T. employees and members of their families shall be allowed at K.P.T. expenses outdoor and indoor medical attendance and treatment in accordance with the K.P.T. Medical Regulations from time to time to the following extend and subject to the following modifications :-

(i) The term "retired employee" would mean a person who was borne on the permanent establishment at the time of his retirement.

(ii) The term "family" would include wife and minor Children residing with and wholly dependent upon the retired employee.

(iii) Retired employees and their families will be provided with free medical attendance and treatmen, only in the Hospital and Dispensaries maintained by the K.P.T. For the present only outdoor treatmentt will not be admissible.

(iv) Treatment will not be admissible at the residence of the retired employee.

(v) Drugs and medicines may be supplied, if available, at the Hospital/Dispensaries in which the patient receives treatment, but the cost of drugs and medicines purchased from the market will not be reimbursable. Similar bills of outside doctors, specialists, clinics, etc., to whom the patient may be referred, will not be reimbursable.

The above regulations are subject to the following conditions :-

(1) These facilities are strictly in accordance with those allowed to retired Government employees.

2. The medical facilities are provided only by the Karachi Port Trust Dispensaries / Hospitals.

Central Govt. except such charges as were recoverable from him under the rules while in active Government service. If treatment is received in a hospital maintained by a Provincial Govt. the retired Govt. servants shall pay the required charges to the hospital authorities and claim re-imbursement on the strength of a certificate signed by the Administrator/ Superintendent of the hospital himself from the Accounts Officer / Treasury Officer concerned to the extent mentioned above. A copy of such claims will be supplied to the Health Division. The Accounts Officer/Treasury Officer shall deal with such claims like similar claims of serving Govt. servants.

3. This issues with the concurrence of the Ministry of Finance.

To
All Ministries/Divisions
Karachi/Rawalpindi

Sd/- Dr. A. H. Khan
Asst. Director General
Health/Section Officer
(Ex-Officer)

APPENDIX D

(1) RULES FOR ALLOCATION OF RESIDENTIAL ACCOMODATION TO THE KARACHI PORT TRUST EMPLOYEES

1. Allocation of residential accommodation to the Karachi Port Trust employees will be governed by the rules contained hereunder. All matters relating to the allotment of accommodation will be administered by the Engineering Department (Estate Office) and allotment of accommodation to class III and IV employees will be made by an allotment Committee appointed by the Chairman, Karachi Port Trust from time to time. The Head of the Engineering Department shall be the Convenor of the Allotment Committee. Allotment of accommodation to Officers will be made by the Chairman.

2. The Estate Office will maintain a list of accommodation already allotted or which may from time to time become available for allotment. The accommodation shall be classified into eight types donated by eight letters of the alphabet 'A" to 'H'.

3. Such employees who are declared "ESSENTIAL" will normally be considered for allotment of eligible accommodation. In special cases non-essential or lower priority essential employees may also be considered for allotment of accommodation upto about 10% in each type or class of accommodation by the Allotment Committee or the Chairman, as the case may be.

The employees shall be eligible for various classes of accommodation according to their emoluments in their substantive posts, as per table below :

Group No.	Class of Accommodation	Pay in the permanent post
1.	'A' for Officers drawing	Rs.2,400.00 per month and above.
*2.	'B' for Officers	in NPS (20 and 21)
*3.	'C' for Officers	in NPS (18 and 19)
*4.	'D' for Officers	in NPS (16 and 17)
5.	'E' for class III employees drawing	Rs.350.00 and above.
6.	'F' " Class III "	Rs.200.00 to Rs.349.00 P.M.
7.	'G' " Class III "	Rs.115.00 to Rs.199.00 P.M.
8.	'H' " Class IV "	All class IV employees.

4. (i) The Estate Office shall maintain a Priority Register for each class of accommodation separately.

(ii) Seniority of the employee on the Priority Register for allotment of any class of accommodation shall be determined by the date of application on the prescribed Application Form (Annexure 'A') and on the basis of points each applicant gets according to the Formulea of Priority as under:

(i) Service :	One point for each completed year of service. The entire service from date of enrolment to date to be counted.
(ii) Confirmed eligible service for the class of accommodation	Two points for each completed year of service from the date an employee becomes eligible for allotment of a particular type of quarter/flat.

*Board's Resolution No.602, dated 26-1-83 and sanctioned by the Govt. of Pakistan, Ministry of Communications (Ports & Shipping Wing) Karachi, vide their letter No.5(1)/83 Pt.II dated 16-2-83.

(iii) Marriage Seniority	One point for each completed year of married life.
(iv) Family Element	One point per child upto a maximum of 3 points for 3 children or more who are staying with the parents.

(v) Every employee occupying an accommodation or awaiting the allotment of an accommodation on the Priority Register shall inform through his department of any change in his status, family elements etc. affecting eligibility for an accommodation.

5. An employee will be eligible for accommodation in his own class only. Where no accommodation in his class is available he may be allotted accommodation in any other class subject to the following conditions :-

(a) He may be allotted accommodation of a higher class provided there is no one on the waiting list of that class, and the employee is prepared to pay the fair rent of the accommodation so allotted to him and subject to his agreement to occupy the next vacancy in his own class.

(b) An employee may be allocated accommodation of a lower class provided there is no employee on the waiting list of the lower class. In making such allocation the Allotment Committee will keep in view the interest of employees of the lower class.

6. The allotee must reside with his family in the accommodation allotted to him subject to the conditions laid down in the Allotment Order.

7. (a) The allottee shall occupy the accommodation wihtin a month of the receipt of allotment letter; failure to do so shall render the order of allotment liable to cancellation and the allottee's name shall be struck off from the Priority Register.

(b) The sub-rule (a) of rule 7 may not apply in cases where an allottee is, for genuine reasons not in a position to take over the allotted quarter within a month of receipt of the allotment letter, but agrees to occupy the quarter

retirement is due to him or the leave preparatory to retirement is less than 2 months, or he is dismissed, discharged or removed or has resigned etc., from the service, or allotment terminated, electric and water connections shall be disconnected from the quarter and he shall be ejected from the quarter.

(a) 4 months time shall be given to the widows of the deceased employees for vacation of Karachi Port Trust quarters to enable them to arrange alternate accommodation.

14. An employee, who fails to vacate the accommodation after his retirement, dismissal, resignation, discharge or removal etc., from the service as stated in Rule 13 above, shall not be paid the Board's Contribution and Special Contribution, (Gratuity), Pension etc.

15.(i) If an allottee is found guilty of breach of the rules of allotment of accommodation, his allotment may be cancelled whereupon he shall vacate the accommodation, failing which he may be suspended from K.P.T. service. He may also be debarred from allotment of accommodation for specified period, as decided on the merit of each case.

(ii) If the behaviour or action of an allottee, causes nuisance or trouble in the area or his presence in the locality is considered not desirable or the accommodation is required for any other purpose of the Karachi Port Trust, the allotment may be cancelled and the allottee shall hand over vacant possession of accommodation to Karachi Port Trust or shift to the accommodation of his class or otherwise if available any where in Karachi Port Trust Area.

16. No accommodation shall be allotted by the Chairman/ Allotment Committee to a single individual so long as there are married employees on the waiting list or single men with dependents.

*17. The use and occupation charges will be recovered from the occupant who does not vacate the Karchi Port Trust quarter within the period as provided in Rule 12, 13 and 13(a) at the following rates :-

1. 'A'	Class	accommodation	Rs. 250.00 per day.
2. 'B'	"	"	Rs. 200.00 per day.
3. 'C'	"	"	Rs. 150.00 per day.
4. 'D'	"	"	Rs. 120.00 per day.
5. 'E'	"	"	Rs. 60.00 per d ay.
6. 'F'	"	"	Rs. 40.00 per day.
7. 'G'	"	"	Rs. 30.00 per day.
8. 'H'	"	"	Rs. 20.00 per day.

18. An employee who has already attained the age of 52 years shall not normally be allotted an accommodation.

19. All departments of K.P.T. shall maintain a list of the quarters allotted to their employees and submit by 10th of each month a consolidated Monthly Rent Allowance Deduction Return in the prescribed form (Annexure 'B') to the Estate Office for posting in the Rent Register. If no rent allowance is deducted from an employee, reason for not doing so shall be mentioned in the said Return. In no circumstances the name of an employee having accommodation shall be struck off from the Return unless he ceases to be an employee of the K.P.T. Where the employees have been allotted quarters free of rent, a list of such employees shall also be sent to the Estate Office by the concerned departments.

20. In order to afford assistance to bachelors or single Class IV employees whose services are considered very essential, dormitory blocks or other suitable types of accommodation may be set apart for, them in which several such bachelors or single employees may be jointly accommodated and occupation charges shall be paid by the allottees in the manner laid down in Rule 21.

21. Allottee of a quarter shall pay occupation charges monthly which will be recovered by deduction in the monthly Pay Bills in the following manner.

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*Board's Resolution No.855, dated the 27th April, 1983 and sanctioned by the Government of Pakistan, Ministry of Communications (Ports & Shipping Wing), Karachi vide their letter No. 3-22/68-P.II (Pt), dated the 25th May, 1983.

6. Officers proceeding on leave of any kind may, if they wish, vacate such quarters and rent shall cease from date of vacation. They may, however, retain a lien for the re-occupation of the quarters as soon as possible on return from leave.

7. An Officer proceeding on leave of any kind who does not remove his effects from or vacate his quarters shall be required to pay the full rent to the Trustees provided that he shall be allowed to sublet the quarter as follows:

To an officer of the Port Trust who would ordinarily be entitled to allotment of such quarters or in the event of no such officer wishing to take the quarters to such person or persons not in the employ of the Trustees as may be approved by the Chairman provided that the officer shall not charge such person rent in excess of the rent charged to the officer by the Trustees for quarters and for the furniture, if such is provided.

8. In the case of quarters sublet to persons not in the employ of the Trustees, rent will be recovered in the usual manner from the officer retaining a lien on the quarters and the officer will have to make his own arrangements for recovery from the sub-tenant and re-occupation of the quarters.

* In cases where an officer is unable to sublet his quarter and the Port Trust are also not able to find to tenant, the officer may be allowed to keep his effects without payment of rent of the quarters at the discretion of the Chairman.

Also where an officer agrees in writing to his furniture being rented with the quarters, the officer may be allowed to leave the furniture in the quarters, without payment of rent for the quarters subject to the condition that should the quarters be rented with the furniture the rent for the furniture will be paid to the officer concerned. If on the other hand, the incoming tenant will not rent the furniture, the furniture will be removed and stored where convenient at the cost of the officer to whom the furniture belongs.

9. Any point arising in connection with the occupation of quarters and not being capable of decision under the above rules, will be submitted to the Chairman for decision.

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*Amended under Commissioner in Sind's Memorandum No.P-446 G dated the 22nd November, 1929, General Department.

APPENDIX D-II

(3) RULES FOR OCCUPATION OF HOUSES AND SHOPS IN THE KEAMARI INDIAN VILLAGE

(Approved under Board's Resolution No.290, dated the 1st September, 1933)

1. For each of the five classes of houses in the Port Trust Indian Village, Keamari, the Labour Welfare Officer will maintain a separate list of applicants for such houses. Names will be entered in the list in order of priority of application preference being given to applicants in the regular and direct employ of the Port Trust.

2. On a house falling vacant, it will be offered to the applicant at the top of the Labour Welfare Officer's respective lists. Should he refuse it for any reason whatsoever, then his name will go to the bottom of the list for that class, or another class if the applicant so desires, and that particular house will be offered to the next applicant on the list for that class of house.

The rent chargeable on houses allotted to individuals in the direct and regular employ of the Port Trust in this manner, will be as follow :-

Small Houses (Including Improvement)	Rs. 4.00 p.m.
Small Houses (Improved)	Rs. 4.50 p.m
Old Medium Sized Houses	Rs. 6.00 p.m.
Large Houses	Rs. 8.00 p.m.
New Medium Sized Houses (Cement)	Rs. 8.00 p.m.

Rent chargeable to other than Port Trust employees are as follows, payable monthly in advance :-

Small Houses (Including Improvement)	Rs. 5.00 p.m. for Individual Tenants Rs. 6.00 p.m. for Firms, Railway, Police etc.

6. The recommendation of the Committee shall be considered by the competent authority for deciding whether the officer/employee concerned should be retained or not.

7. An order of retirement shall be communicated to the employee concerned at least three months before the date of completion of 25 years of service and will be operative on completion thereof.

8. A person retired under these rules shall be entitled to such benefits of Contributory Provident Fund as would have been admissible under the Rules applicable to the person on the abolition of his permanent post.

*8A. A person retired as a result of review undertaken under above Rules and or under Rule 40(1) (a) or 40(1)9(c) on or after completion of 25 years of service shall also be entitled to such Leave Preparatory to Retirement on Full Pay as may be due to him subject to a maximum of 365 days and benefits of Contributory Provident Fund/Pension as the case may be.

(Approved under Board's Resolution No.780, dated the 21st June, 1972 and sanctioned by the Government of Pakistan, Ministry of Political Affairs and Communications (Directorate General of Port & Shipping), Karachi vide their letter No.3-22/68-P.III.(Pt.) dated the 30th August, 1972).

*(Approved by the Board under its Resolution No.275 dated 26.9.1984, and Government of Pakistan, Ministry of Communications (Ports & Shipping Wing), Karachi, vide their letter No.3(24)/84/Pt.II, dated the 4th November 1984).

APPENDIX "F"

REGULATIONS APPLICABLE TO PORT TRUST EMPLOYEES WHO ARE MEMBERS OF THE ARMY IN INDIA RESERVE OF OFFICERS

(Sanctioned by the Central Government under their letter No.12.P(40)/40, dated the 18th June 1940, Department of Communications, subject to the condition that the rates of pay to be allowed to such officers when called up for army service shall not be more liberal than would be admissible in the case of Government Officers in similar circumstances).

The pay, leave and allowances of any employee of the Board who is a member of the Army in India Reserve of Officers will be governed by the following Regulations when such employee is called up for training or to Army service necessitating his absence from Port Trust duties :-

(1) The absentee will retain a lien on his Port Trust appointment and his service in the Army in India Reserve of Officers under the above conditions will count as service for leave, increments of pay and gratuity under the Port Trust Rules.

(2) When called up for training, he will draw the following rates of Port Trust pay in addition to his Military pay :-

(a) When proceeding to carry out his training from his duty appointment, the pay and allowances he would have drawn in his Port Trust appointment but for the training.

(b) While on leave in India, Burma, Ceylon, Great Britain or Northern Ireland, the Port Trust leave pay and allowances which he would have drawn but for the training.

(3) When called for Army Service he will draw such amount as may be decided by the Board when the occasion arises.

(4) A Port Trust employee, while on Army Service will have the option of subscribing to the Provident Fund on the pay he would draw if on duty with the Port Trust and if he elects to exercise the option the Board will make the contribution under its rules then in force.

ANNEXURE 'B'

MONTHLY HOUSE RENT ALLOWANCE DEDUCTION RETURN.

_____DEPARTMENT

S. No.	Name of the occupant	Designation	Department/ Section	Qrt. No. with Block No. at Keamari/ West Wharf/ Manora T.P.X	Amount Recovered	Period		Remarks
						From	To	
1	2	3	4	5	6	7		8

ANNEXURE 'C'

Register For Allotment of Quarters.

S. No.	1
Date of application.	2
Name of the applicant with father's name & designation.	3
Date of Joining K.P.T. service.	4
Date of confirmation & present pay & scale.	5
Date of drawing pay of Rs. 350/- Rs. 200/- Rs. 115/- In substantive post.	6
Whether married if so on what date.	7
Number of children staying with him.	8
Whether declared essential.	9
Department.	10
POINTS: Total Service.	11
POINTS: Total eligible service for this class of accommodation.	
POINTS: Marriage Seniority.	
POINTS: Family element.	
POINTS: Total Points.	
REMARKS.	12