



**GOVERNMENT OF KHYBER PAKHTUNKHWA,
RELIEF, REHABILITATION & SETTLEMENT DEPARTMENT
EMERGENCY RESCUE SERVICE (RESCUE-1122)**

Dated Peshawar the 27.10.2015

NOTIFICATION

No. SO (Estab) RR&SD / 5-6 /2015/ERS-1122:/Vol-I: In exercise of the powers conferred under Section 29 of the Khyber Pakhtunkhwa Emergency Rescue Service Rescue-1122 Act, 2012 and Emergency Rescue Service Rescue-1122 Amendment Act, 2014, the Council for Rescue-1122 Khyber Pakhtunkhwa, is pleased to make the following Regulations namely:

“KHYBER PAKHTUNKHWA EMERGENCY RESCUE SERVICE REGULATIONS 2015”

**Chapter – I
GENERAL**

1. SHORT TITLE, APPLICATION AND COMMENCEMENT:-

- i. These Regulations may be called the “Khyber Pakhtunkhwa Emergency Rescue Service Regulations 2015”
- ii. These Regulations shall come into force with immediate effect.
- iii. These Regulations shall apply to all the employees and every person paid from the Khyber Pakhtunkhwa Emergency Rescue Service (Rescue-1122) or other source thereof.
 - (a). A person who is serving in the Khyber Pakhtunkhwa Emergency Rescue Service (Rescue-1122) against a sanctioned post and or drawn on deputation from any service or department of the Provincial Government of Khyber Pakhtunkhwa, and/or;
 - (b). A person who is employed on contract for a specific period on specific terms and conditions against a sanctioned post of Rescue-1122.

2. DEFINITIONS:- (1). In these regulations, unless there is anything repugnant to the subject or context, the following expressions shall have the meaning hereby respectively assigned to them as under:-

- i. “Act” means “The Khyber Pakhtunkhwa Emergency Rescue Service Rescue-1122 Act, 2012 ibid (Emergency Rescue Service Rescue-1122 Amendment Act, 2014)”;
- ii. “Government” means Government of Khyber Pakhtunkhwa;
- iii. “Province” means the province of the Khyber Pakhtunkhwa.

- iv. "District" means a district as notified by the Government;
- v. "Chief Minister" means the Chief Minister of the province of Khyber Pakhtunkhwa;
- vi. "Chief Secretary" means the Chief Secretary to government of Khyber Pakhtunkhwa;
- vii. "Appointing Authority" means a person or authority authorized to make appointment to a sanctioned post under these Regulations;
- viii. "Rescue-1122" means Khyber Pakhtunkhwa Emergency Rescue Service.
- ix. "Service" means Khyber Pakhtunkhwa Emergency Rescue Service "Rescue-1122";
- x. "Competent Authority" means the appointing authority;
- xi. "APPENDIX" Means the Schedule-I & II appendix to these regulations.
- xii. "Schedule-I" Means the Appendix to these regulations showing details of all sanctioned/ regular posts of the Service.
- xiii. "Schedule-II" Means the Appendix to these regulations describing the service structure and mode of selection/ appointment/ promotion to each sanctioned/ regular post(s) of the Service.
- xiv. "Board" means the District Emergency Board constituted under section-9 of the Act;
- xv. "Council" means the Khyber Pakhtunkhwa Emergency Rescue-1122 Council constituted under section-5 of the "Khyber Pakhtunkhwa Emergency Rescue Service Rescue-1122 Act, 2012 ibid (Emergency Rescue Service Rescue-1122 Amendment Act, 2014)";
- xvi. "Regular Post" means a post sanctioned without limit of time and carries a defined pay grade/ scale.
- xvii. "Employee" means a person appointed in Rescue-1122 service on regular basis but also includes:
 - i) A person serving in the Service on deputation basis;
 - ii) A person serving in the Service on contract/ Adhoc basis; and
 - iii) A person appointed on temporary basis.
- xviii. "Director General" means any officer posted by the Government as Director General Khyber Pakhtunkhwa Emergency Rescue Service (Rescue-1122);
- xix. "Director" means a Director appointed under these Regulations;
- xx. "District Emergency Officer" means the District Emergency Officer appointed under these Regulations;
- xxi. "Emergency Officer" means an Emergency Officer appointed under these Regulations;

- xxii. "Advisor or consultant or Expert" means a person of desired competence and skills and qualified by education generally drawn from high degree of broad administrative, professional or technical knowledge and experience to perform specific task in a particular field/area for specific period on specific terms and conditions;
- xxiii. "Emergency" means a serious and potentially dangerous situation requiring immediate remedial action such as an accident, hazardous material incident, fire, explosion, natural or manmade disaster and medical emergencies; to save human life, habitation and to restore essential services etc.;
- xxiv. "Emergency Area" means the area affected by an emergency;
- xxv. "Prescribed" means prescribed by these regulations;
- xxvi. "Rescuer" means an employee of Rescue-1122 appointed under section-14 of the Act;
- xxvii. "Rescue Station" means a place where an office of the Rescue-1122 is established for operational activities;
- xxviii. "Selection/promotion Board" means a Board constituted under these Regulations for appointments/promotions in BPS-17 and above;
- xxix. "Selection/promotion Committee" means a Committee constituted under these regulations for appointments/promotions in BPS-16 and below;
- xxx. "Training" means mandatory training for newly recruited employees as specified in these Regulations;
- xxxi. "Training Academy" means a purpose-built training institute, established for the purpose of imparting training to the employees of Rescue-1122 or other organizations;
- xxxii. "Training Committee" means a committee constituted under these regulations for making recommendation for selection of employees for any training;
- xxxiii. "Official Tour" means a journey performed by employees of Rescue-1122 in the public interest as desired by the Competent Authority;
- xxxiv. "Countersigning Officer" means the officer one step next to the reporting officer;
- xxxv. "Honorarium" means the remunerations which may be granted to an employee of the authority on accomplishment of the special work of an occasional nature in addition to employee normal duties.
- xxxvi. "Lien" means right of an employee to hold substantively, a permanent post to which employee has been appointed and confirmed.
- xxxvii. "Penalty" means a penalty as prescribed in these Regulations.

3. **Cadre and Posts:** All employees of the Rescue-1122 shall fall under rescue cadre against their sanctioned post.

4. **Appointment:** All appointments in service of Rescue-1122, whether by initial recruitment or otherwise, shall be made in accordance with the procedure laid down in these regulations.

5. **Pay, Pension, Allowances and Compensations:** (1) The employees of the Rescue-1122 shall be entitled to receive pay and allowances equal to the rate as notified by the Government from time to time and adopted by the Rescue-1122, as well as additional allowances allowed by the Government.

(2) The regular employees of Rescue 1122 shall be entitled to receive gratuity, general provident fund, benevolent fund and all other related remunerations as per Government policy.

(3) Officers and officials on deputation to the Rescue-1122 shall draw their salary and allowances as drawn from the lending agency immediately, prior to their deputation to the Rescue-1122, or as mutually agreed between the lending agency and Rescue-1122.

Chapter – II

APPOINTMENT AND PROMOTION

PART I

General

6. **Appointing Authority:** Following shall be the authorities competent to make appointments to various posts as appearing against them:

- | | |
|---|---------------------------|
| a) Chairman of the Council | Posts in BPS 19 |
| b) Administrative Secretary of the department | Posts in BPS-17 to 18 |
| c) Director General Rescue-1122 | Posts in BPS-16 and below |

7. **Methods of Appointment:** Appointment to posts shall be made on recommendation of the Selection/ Promotion Board or Selection/ Promotion Committee from among the candidates having the prescribed educational qualifications and experience. The recommendations shall be formulated on completion of a competitive process, or selection on merit cum fitness through following methods:

- By initial recruitment in accordance with Part-II of chapter-II.
- By promotion in accordance with Part-III of chapter-II.
- By transfer in accordance with Part-IV of chapter-II.
- By temporary appointment in accordance with Part-V of chapter-II.

8. **Selection/ Promotion Board and Committee:** Selection/ Promotion Board and Committee shall be constituted for conducting test/interviews of candidates and making Recommendations to Appointing Authority for initial recruitment and promotion to posts in basic pay scale 17 and above or equivalent as under:-

(i) **Selection/ Promotion Board for posts in BPS 17 & above: -**

- | | |
|--|-------------------|
| a) Secretary Relief, Rehabilitation & Settlement Dept. (Administrative Secretary) | Chairman |
| b) Director General Rescue-1122 | Member |
| c) Representative of Establishment Department (Not below the rank of Additional Secretary) | Member |
| d) Director Finance Rescue-1122 | Member |
| e) Director of concerned cadre/wing of Rescue-1122 | Member |
| f) Director Administration Rescue-1122 | Member/ Secretary |

(ii) **Selection/ Promotion Committee for posts in BPS 16 & below: -**

a) Director General Rescue-1122	Chairman
b) Representative of Establishment Deptt:	Member
c) Concerned District Emergency Officer	Member
d) Representative of RR&S Deptt:	Member
e) Director of concerned Cadre/Wing of Rescue-1122	Co-opted Member
f) Assistant Director (Administration) Rescue-1122	Member/ Secretary

PART – II
Initial Recruitment

9. **Advertisement of Vacancy:** (1) All vacancies to be filled in by initial appointment shall be advertised in national and regional newspapers as well as on the Rescue-1122's website.

10. **Fulfillment of Prescribed Conditions:** On receipt of applications, the Administration Wing of Rescue-1122 shall prepare a short list of candidates for each post who fulfills the prescribed conditions including educational qualifications, experience and the age limit for the post as laid down in Schedule – II to these regulations.

11. **Domicile:** Citizens of Pakistan having valid domicile of the Khyber Pakhtunkhwa province and Federally administrated tribal areas (FATA) shall be eligible for appointment to a post in the Rescue 1122 whereas preference will be given to locals and provided that domicile of female before marriage shall be the place of her birth while after marriage district of domicile of her husband shall be considered her domicile.

12. **Relaxation in Upper Age Limit:** As per Government Policy.

13. **Submission and verification of certain documents on arrival:** (1) Candidate offered appointment in the Rescue-1122 shall submit the verified copies of the following documents to the Rescue-1122 at joining time besides joining report.

a) **Certificate of Medical Fitness:** Candidate offered appointment shall provide a certificate issued by a Medical Superintendent of Police and Services Hospital or any other designated tertiary care Hospital on prescribed format, to the effect that the candidate is in good mental and bodily health and is not suffering from any form of physical defect/disability/illness/infectious disease which is likely to hinder discharge of duties.

b) **Educational Qualifications:** Besides submission of verified documents by the appointee, the Service may carry out authentication/verification of educational certificate(s) and degree(s) provided by an appointee, from respective Education Boards and Universities if deems necessary.

(2) The Service may verify the Character and antecedents of the appointee by means of Police verification, and if in the opinion of the Appointing Authority the character and antecedents are satisfactory, the appointee may assume charge of the post. In case certificate(s) /degree(s) are found fake at any stage the employee shall be immediately removed from service along with criminal proceedings against the culprit.

PART-III
Appointment by Promotion

14. **Conditions Prescribed for Promotion:** (1) Subject to provision of these regulations an employee fulfilling the following conditions, shall be considered for promotion to a higher post reserved for promotion in the cadre to which an employee belongs in the order of seniority;

- Seniority
- Qualifying Service,

- c) Eligibility threshold (minimum score/marks in PERs/ACRs)
- d) Qualifications as prescribed for promotion,
- e) Relevance of Experience
- f) Training etc.
- g) Physical Fitness Certificate

(2) Time scale promotion will be given to the employees of rescue 1122 as per Provincial Government Policy.

15. Selection/ Promotion Board & Committees: The Selection/ Promotion Board & Committee shall function as Promotion Board & Committees within their respective jurisdictions as specified in 8 (i) & (ii) of these regulations.

16. Manner of Processing: (1) The Selection/ Promotion to posts in BPS 19 and below shall be made by respective appointing authorities on the recommendation of the concerned Selection/ Promotion Board & Committee.

(2) The Selection/ Promotion Board & Committee shall consider eligible employees in order of seniority and either:

- a) Recommend an employee for promotion; or
- b) Recommend an employee for supersession on the ground of being unfit for promotion at the time of consideration for the reason to be recorded in writing; or
- c) Defer consideration of promotion of an employee in case:
 - i. the service record is incomplete or any other document or information required by the Selection/ Promotion Board & Committee for determining employee's fitness for promotion is not available; or
 - ii. disciplinary or departmental proceedings are pending against the employee whose promotion case comes up for consideration before the Selection/ Promotion Board & Committee; or
 - iii. the employee does not possess the requisite length of service; or
 - iv. the employee's seniority is sub-judice;

Provided that in case of deferment a vacancy shall be reserved for the employee or if it is filled, it shall be subject to the condition that when the employee is subsequently promoted without having been superseded, the arrangement shall be reversed and thereupon the junior employee shall stand reverted to lower post.

(3) An employee who is superseded shall not be re-considered for promotion unless has earned one more confidential report for full calendar year after supersessions.

(4) An employee who is deferred will be considered for promotion as soon as the reason for which employee case was deferred, ceases to exist.

17. Fulfillment of Minimum Service. (1) Promotion to posts shall be subject to fulfillment of minimum length of service by the employee as specified below:-

For promotion to posts in BPS-02 to 10	As per Schedule II of regulations
For promotion to post in BPS-11 to 16	As per Schedule II of regulations
For promotion to post in BPS-17	3-5 year service in BPS-16
For promotion to posts in BPS-18	5 year service in BPS-17
For promotion to posts in BPS-19	12 year service in BPS-17 & 18 or 07 years in BPS-18

(2) Periods of extra-ordinary leave or any other period of service which is not reckoned as service qualifying for pension shall not be counted towards prescribed length of service for promotion.

PART - IV **Appointment by Transfer**

18. Posting through Transfer Basis: (1) Where the competent authority considers it to be in public interest to fill a post reserved under these regulations for promotion and the most senior employee belonging to the cadre concerned, who is otherwise eligible for promotion, does not possess the prescribed length of service, the competent authority may fill up the post through transfer of officer/ official from other Government Departments.

(2) Transfer appointment shall be made against posts which are likely to remain vacant for a period of one year or more.

(3) On appointment on Transfer basis, the employee will assume full responsibilities of the post and exercise all statutory, administrative and financial powers vested in the regular incumbent of the post.

(4) Transfer based appointee shall not be eligible for absorption, promotion or for any purpose including the inter-se-seniority of the incumbents in the Rescue cadre, nor shall it confer any vested right for regular promotion to the post held by the Officer/ Official.

PART - V **Acting Charge/Additional Charge and Temporary Appointment**

19. Acting Charge Basis: (1) Where the competent authority considers it to be in public interest to fill a post reserved under these regulations for promotion and the most senior employee belonging to the cadre concerned, who is otherwise eligible for promotion, does not possess the prescribed length of service, the competent authority subject to the recommendation of the Selection/ Promotion Board or Committee (as the case may be) may appoint him to the post on acting charge basis.

Provided; that no such appointment shall be made, if the prescribed length of service is short by more than 02 years.

(2) Acting charge appointment shall be made against posts which are likely to remain vacant for a period of six months or more.

(3) On appointment on acting charge basis, the employee will assume full responsibilities of the post and exercise all statutory, administrative and financial powers vested in the regular incumbent of the post.

(4) Acting charge appointment shall not amount to promotion on regular basis for any purpose including the inter-se-seniority of the incumbents in the cadre, nor shall it confer any vested right for regular promotion to the post held on acting charge basis.

20. Additional Charge: If a post falls vacant and it is not possible to fill it in the prescribed manner, the Director General may entrust additional charge of the vacant post to another employee of the same grade at the same station for a period of three months or less.

21. Current Charge of higher Post: The charge of vacant post may be given to the senior most employee in the cadre present at the station, if the employee is otherwise fit and eligible for promotion, with the approval of the relevant appointing authority; Provided that the arrangement shall not exceed six months.

22. Temporary Appointments in case of impending disaster or emergency: (1) The Director General Rescue-1122 may hire a person(s) over and above the sanctioned strength of the Authority on fixed pay on need basis due to exigency of the situation as an interim arrangement for a period not exceeding 60 days on such terms and conditions as may be specified on the recommendation of the Administration Wing of Rescue-1122.

(2) The fixed salary of the person(s) so hired shall not exceed the salary of a regular employee of the same category and shall not be entitled to any fringe benefits.

23. Appointment of Legal Advisor/ Consultant: (1) The Service may hire for a specific period, Legal Advisor(s)/ Consultant(s), as it may consider necessary on such terms and conditions as it may deem suitable provided that funds for the purpose are available.

(2) The terms and conditions of hiring of Legal Advisor(s)/ Consultant(s), so engaged by the Service shall be properly determined.

PART VI

Probation and Confirmation

24. Probation Period: (1) Persons appointed to posts by initial recruitment shall be on probation for a period of one year.

(2) The appointing authority, if considers necessary may extend the probation period for another year or as may be specified at the time of appointment.

(3) On successful completion of the probation period, the appointing authority shall, by specific order terminate the probation of the officer or official concerned within two months after the expiry of probation period prescribed in sub-clause(1);

Provided; that if no specific order regarding termination of the probation period of the official or officer concerned is issued within two months, the period of probation shall be deemed to have automatically terminated.

25. Confirmation: (1) An employee appointed by initial appointment to a post shall on satisfactory completion of probation be eligible for confirmation.

(2) The confirmation shall be made only against a regular post.

(3) Two or more employees shall not be confirmed in the same post and at the same time or in post in which another employee holds a lien,

(4) An employee shall be considered for confirmation strictly in order of seniority.

(5) No confirmation shall be made against the post vacated on dismissal, removal or compulsory retirement of an employee until the appeal, if any, against such dismissal, removal or compulsory retirement is conclusively decided.

CHAPTER III

PART I

POSTING AND DEPUTATION

26. Transfer to Equivalent Post: (1) An employee shall be liable to serve on any equivalent post within the Rescue-1122 Headquarters or in field offices within the cadre.

27. **Authority Competent to transfer:** The Director General Rescue-1122 of the Authority shall be competent for posting / transfers of employees (BS-01-16) in Emergency Rescue Service (Rescue 1122). However, Competent Authority for posting / transfers of officers in BS-17 & above shall be the Administrative Secretary.

28. **Deputation:** (1) Appointment by deputation to a post in the Rescue-1122 shall be made sparingly and only in the interest of the Service.

(2) The Competent Authority may allow any of its employees to proceed on deputation to the Government Departments or Autonomous Bodies as per Government Policy.

29. **Conditions of Deputation:** (1) The appointing authority may appoint on deputation a Federal or a Provincial Government servant or an employee of an Autonomous Body set up or managed by such Government who is holding an appointment on regular basis against a relevant equivalent post in Service.

(2) The appointment shall be made with the consent of the lending authority for such period and on terms and conditions as may be mutually agreed between the lending and borrowing entities.

30. **Deputation within Pakistan:** (1) The Rescue-1122 may in public interest allow transfer of an employee, who has successfully completed probation period and has served in the department for a minimum 05 years may be allowed deputation initially for a period of three years, extendable at the request in writing of the borrowing authority by another one year, to the Federal Government, a Provincial Government or any organizational setup managed/ controlled by such Government, on such terms and conditions as may be mutually agreed upon between the lending and borrowing authorities.

31. **Return to Department for consideration of promotion:** An employee may be considered for promotion only after resumption of duty in the department. The employee shall be given timely intimation when due for promotion so that the employee can earn at least one performance evaluation report for one year before case comes up for consideration. If an employee resumes duty then promotion case shall be considered in normal course. If an employee does not resume duty in the department, promotion case shall be deferred till return or on the expiry of period of deputation and earning performance evaluation report for one calendar year after resuming duty.

32. **Condition for fresh deputation:** An employee who returns from deputation shall not be considered again for deputation until has served in the department for a continuous period of five years.

33. **Training:** The Chairperson or as the case may be, the Director General after approval of the Administrative Secretary / Chairman of the Council may require an employee to undergo such training abroad or within the country respectively for such period and on such terms an employee may specify. In case of foreign training, the trainee shall execute a surety bond to the effect that after completion of the training, the employee shall serve in the Service for a period of five years, failing which the employee shall pay the cost double to the entire expenditure incurred on the training besides initiation of disciplinary action. All the newly recruited employees of Rescue-1122 shall undergo the mandatory basic training from Emergency Service Academy for a minimum period of six months. In case the selected candidate fails to pass the basic mandatory course, will stand terminated and will have no right of appeal in any court of law. Only Disaster/Emergency/Rescue related training shall be allowed to the employees of the Rescue-1122 maximum length of training.

34. **Leave:** The Government of Khyber Pakhtunkhwa Civil Servants Revised leave Rules 1981 (as and when updated) are hereby adopted for the employees of Khyber Pakhtunkhwa Emergency Rescue Service (Rescue-1122).

35. Medical Attendance Rules: Medical attendance rules 1959 of the Government of Khyber Pakhtunkhwa are hereby adopted.

36. Travelling/ Daily Allowance Rules: The Khyber Pakhtunkhwa travelling allowance rules 1980 are hereby adopted.

37. Compensation: The Service shall provide financial assistance to the family of employee who die while in service, regardless whether he holds a contract or regular appointment. The financial assistance shall be equivalent to the amount of the assistance admissible to a civil servant in the same basic scale as per provincial government policy.

2) If an employee dies in line of duty or becomes invalided for the service due to any disability while performing Rescue operation, the service shall pay the compensation at par with police in the province and may recruit his/ her one sibling in the service.

PART II

38. Retention of lien: On confirmation in a permanent post, an employee shall acquire a lien in that post and shall retain it during the period when an employee:

- a) performs duties of that post;
- b) holds a temporary post other than a post in the cadre to which an employee was originally appointed;
- c) holds a post on deputation outside the Service;
- d) is on joining time or transfer to another post;
- e) is under suspension; and
- f) is on leave duly approved by the competent authority.

39. Termination of Lien: (1) Notwithstanding the consent of an employee, his/ her lien on a post shall not be terminated until acquires lien on any other post in the Service.

(2) The lien of an employee, who is reduced in rank or reverted to a lower post as a consequence of disciplinary proceedings, shall be terminated against the post from which an employee is reduced in rank, or reverted to a lower post, as the case may be.

(3) The authority shall decide about the lien of an employee who, through proper channel, joins any other service on regular basis outside the Service in a government department or an autonomous body or an organization set up or managed by the Federal or Provincial Government after being selected through a regular selection process, may hold lien against present post in the Service only for two years or during the period of probation for the new appointment whichever is less subject to the condition that it does not hamper the function of the Department.

Chapter-IV SENIORITY

40. Inter-se-seniority of Employee: (1) For proper administration of a cadre or post, the appointing authority shall cause to be prepared and maintained a seniority list of the members for the time being of such cadre or holders of such posts, but nothing contained herein shall be construed to confer any vested right to a particular seniority in such cadre or post.

(2) Subject to clause (1) above, seniority of an employee shall be reckoned in relation to other employees belonging to the same cadre or post, whether serving in the same cadre or post or not, as provided in these regulations.

41. Inter-se-Seniority on Initial Appointment: (1) The seniority of an employee on initial appointment to a cadre or post shall take effect from the date of regular appointment to the post to which the employee was initially appointed.

(2) Persons initially appointed through an earlier selection process shall rank senior to those appointed through subsequent selection.

(3) If two or more persons are appointed through the same selection or recruitment process, their inter-se-seniority shall be determined in order of merit assigned to them by the competent selection forum. If no merit was assigned, the person older in age shall stand senior.

42. Inter-se-Seniority on Promotion: Seniority in a cadre or post to which an employee is promoted, shall take effect from the date of regular promotion to that post;

Provided that:

- a) Employees who are promoted to a higher post on an earlier date shall be senior to those employees who are promoted to such posts on a later date.
- b) Employees selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter-se-seniority as in the lower post except those superseded; and
- c) An employee eligible for promotion who is inadvertently omitted from promotion in the original reference or whose case is held up in circumstances beyond employee's control while juniors are promoted to the higher post shall, on promotion without having been superseded, regain seniority with the original batch.

CHAPTER V

PART I

TERMINATION, REVERSION AND DISMISSAL

43. Termination of service: (1) The service of an employee may be terminated without notice by the appointing authority during the initial or extended period of probation;

(2) Notwithstanding anything contained in clauses (1) the service of a person in temporary employment shall be liable to be terminated on one month notice or pay in lieu thereof.

44. Termination of Irregular Appointment: The appointment of a person, which has been made otherwise than in accordance with the prescribed methods of appointment, shall be terminated any time by the appointing authority after recording the reason and affording him an opportunity of showing cause.

45. Reversion, Dismissal or Removal from Service: (1) An employee appointed to a higher post on officiating basis shall be liable to reversion to lower post;

(2) No employee shall be dismissed or removed from service or reduced in rank by an authority subordinate to that by which an employee was appointed.

Provided that this sub-rule shall not be applicable where an employee is dismissed or removed from service on the ground of conduct which has led to conviction by a court of law.

PART II

Resignation and Retirement

46. Resignation: (1) Subject to these regulations, an employee may resign in writing from post. The resignation shall not become effective unless it is accepted by the appointing authority.

(2) If an employee after submission of resignation is allowed by the competent authority to withdraw it before it is accepted, the resignation shall be deemed to have been withdrawn.

(3) The resignation of an employee shall not be accepted if any disciplinary proceedings are being contemplated or are in progress.

(4) An employee submitting resignation shall be required to clear all liabilities or dues payable by him/her and hand over property and record of the Service to a nominated person at the time of acceptance of the resignation.

(5) The resignation shall be submitted to the appointing authority by an employee through proper channel which shall be accompanied with original application of resignation along-with inter-alia following information/certification:

- a) No disciplinary proceeding are pending or being contemplated against him;
- b) Whether employee is required to serve the Rescue-1122 for a specified period of time, or any bond or undertaking in connection with the grant to leave, course of instructions or training, etc. and if so, whether that period has expired, and if not, whether any money spent on an employee training is payable/recoverable or has been paid by the employee; and
- c) All other liabilities and dues, recoverable have been discharged/paid by him.

47. Retirement from Service: An employee who holds operational post i.e. Naib Qasid, Mali, Sweeper, Security Guard, Office Attendant, Driver, Helper, Operator, Auto Mechanic, Divers, Electrical Technician, Fire Rescuer, DERT Rescuer, Emergency Medical Technician, Computer Telephone & Wireless Operator, Lead Fire Rescuer, Wireless Technician, Shift Incharge, Diving Supervisor, Computer Operator, Audio Video Cameraman, Transport Maintenance Incharge, Station Coordinator, Station House Incharge, Emergency Officer, District Emergency Officer shall retire from service on completion of the fiftieth year of his/ her age. An employee who holds official/clerical/administrative post shall retire from service on the completion of sixtieth year of his/ her age (attaining the age of superannuation), provided that the appointing authority may agree on the recommendations of Service Review Board/ Committee to retire the employee earlier.

48. Premature Retirement: After completion of 25 year service, an employee may be retired with benefits in following circumstances:

- a) On employee's own request; or
- b) On recommendation of the Service Review Board or Committee constituted by the Service.

49. Retirement on Medical Grounds: (1) An employee who by physical or mental infirmity is declared permanently incapacitated by the Standing Medical Board shall be retired on disability/invalidity basis.

(2) An employee will be invalidated within thirty days of the receipt of Medical Certificate or if employee is on leave or is granted leave as a special case, on the expiry of such leave whichever may be later.

CHAPTER VI CONDUCT

50. Special offences and Penalties: Following are added for efficient performance;

(1) If an official:

- a. Fails to follow the appearance, dress or customs of the Service in accordance with the conduct regulations or instructions of the Superiors, and shall be liable to deduction of Emergency Incentive Allowance which shall be one third deductions for the first failure, two thirds for the second and complete deduction for the third failure during a calendar month.

- b. Fails to follow proper procedure of handing over and taking over while leaving or reporting to duty; shall be liable to deduction of one tenth of emergency allowance for each failure.
- c. Fails to maintain an official document; shall be liable to deduction of one tenth of emergency allowance for each failure.
- d. Fails to maintain the cleanliness of a vehicle, equipment, official building; shall be liable to deduction of one tenth of emergency allowance for each failure.
- e. Fails to perform emergency duty as the vehicle becomes off road due to failure to efficiently maintain or get timely repairs done; shall not be entitled to the emergency allowance for those number of days in which the vehicle remains off road.
- f. Fails to follow the use of personal protective equipment while responding to an emergency; shall be liable to deduction of one tenth of emergency allowance for each failure.
- g. Activates emergency light and siren other than for responding to an emergency within a city; shall be liable to deduction of one tenth of emergency allowance for each failure.
- h. Fails to follow traffic rules while not attending an emergency; shall be liable to deduction of one tenth of emergency allowance for each failure.
- i. Fails to follow the instruction of Director General, an employee shall be liable to one third deduction of emergency allowance for the first failure, two thirds for the second failure and complete deduction for the third during a calendar month.
- j. Is late for emergency duty without proper intimation or permission from the reporting officer; shall be liable to deduction of one third of emergency allowance for the first late arrival, two thirds for the second and complete deduction for the third late arrival during a calendar month.
- k. Is found negligent during performance of duty; shall be liable to deduction of emergency allowance which shall be one tenth deduction for each negligence and the same may be increased depend on the nature of the emergency.
- l. Any driver if found negligent/ responsible for the accident of any official vehicle; shall be liable for the recovery of 50% of the total repair cost or as deemed appropriate by the competent authority.
- m. leaves the duty without prior permission; shall be liable to deduction of one third deduction of emergency allowance for each failure during a calendar month
- n. If found absent from duty without prior permission of the reporting officer; shall be liable to one fifth deduction of salary with allowance for each day's absence.
- o. Internally causes or spreads a false alarm or rumor during duty hour in Rescue Stations; shall be liable to deduction of full emergency allowance of the one month.

(2) The appointing authority may by order in writing, impose one or more penalties upon the accused official on the report of the District Emergency Officer/ Reporting Officer and subject to offering the official an opportunity of hearing.

(3) If an official commits more than three special offences in a month, the competent authority may, after serving a show cause notice and affording the official an opportunity of hearing, terminate the service/ contract of the official subject to one month's notice or one month's pay, in lieu thereof, without assigning any reason.

(4) The Rescue 1122 being essential services will provide the search and Rescue service round the clock. No officer/official can resort to any kind of undesirable activities like strike, agitation, corner meeting, ganging up, conspiring or attempting to call off duty against any decision of the superior which can affect the essential service of Rescue 1122. In case anyone found in any such activity will be liable to major penalty to the extent of termination/ dismissal from service and legal proceeding in a court of law.

51. **Appeal:** If any personnel of the Rescue 1122 is aggrieved by any order issued under these rules within thirty days of communication to him of such order, may prefer an appeal to the next higher authority.

Chapter VII MISCELLANEOUS

52. **Uniform and Ranks:** The Rescue 1122 personnel shall attire olive green color uniform with black shoes, black socks, black belt and red barrete helmet/ cap. The official and officers BPS-12 and above of Rescue 1122 shall use ranks at par with Police.

53. **Declaration of Property:** (1) An employee at the time of first appointment in the Rescue-1122 shall make a declaration of all immovable and movable properties including shares, certificates, securities, insurance policies and jewelry having a total value of Rs.500,000 or more belonging to or held by the employee or member of the family and such declaration shall:

- a) State the district in which the property is situated; and
- b) Give such further information as the Rescue-1122 may, by general or special order, require.

(2) Every employee shall submit an annual return of assets in the month of July showing any increase or decrease of property as shown in the declaration under sub rule (1) or, as the case may be, the last declaration.

54. **Assets to be disclosed:** An employee shall, as and when required by the Service, by general or special order, furnish information about his/ her assets; disclosing liquid assets and all other properties, movable and immovable, including shares, certificates, insurance policies and jewelry .

55. **Employment to be whole time:** (1) Unless in any case it is otherwise provided, the whole time of an employee is at the disposal of the service and he may be employed in any manner required by the service without claim for additional remuneration.

(2) Every member of the service shall be liable to serve anywhere within the province with the prior approval of the Director General Rescue 1122

56. **Delegation of Powers:** The Service may, by general or special order, delegate to any officer subordinate to it any of its powers under the regulations.

57. **Application of Other Rules:** In matters not covered under these regulations or other rules notified by the Service, employees shall be governed by the rules applicable to the civil servants of the Province and the instructions issued from time to time by the Provincial Government in such matters.

58. **Removal of anomalies:** The Rescue 1122 council shall consider and remove any anomalies from time to time if referred by Director General Rescue 1122.

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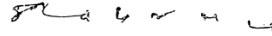
Secretary

Relief, Rehabilitation & Settlement Department,
Government of Khyber Pakhtunkhwa.

Endst. Of even No & date

Copy forwarded to:

1. Principal Secretary to Governor Khyber Pakhtunkhwa
2. Principal Secretary to Chief Minister Khyber Pakhtunkhwa
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa
4. Director General Emergency Rescue Services (Rescue 1122) HQ Peshawar
5. Manager Government Printing Press, Peshawar
6. PS to Secretary RR&SD
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Section Officer (Estab)
RR&S Department