



KHYBER PAKHTUNKHWA

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA ADMINISTRATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the 08.03.2018.

No EO (Admn) 39-M Allotment Rules, 2018.-In exercise of the powers conferred by section 21 of the Khyber Pakhtunkhwa Provincial Buildings (Management, Control and Allotment) Act, 2018 (Khyber Pakhtunkhwa Act No. II of 2018), and in supersession of the Residential Accommodation at Peshawar (Procedure for Allotment) Rules, 1980 and Allotment Rules, 2015 the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA RESIDENTIAL ACCOMMODATION AT DISTRICTS (PROCEDURE FOR ALLOTMENT) RULES, 2018.

Chapter -I General

1. **Short title, application and commencement.**---(1)These rules may be called The Khyber Pakhtunkhwa Residential Accommodation at Districts (Procedure for Allotment) Rules, 2018.

(2) These rules shall apply to all the districts except district Peshawar.

(3) These rules shall come into force at once.

2. **Definitions.**---In these rules, unless there is anything repugnant in the subject or context, the following expressions shall mean,-

(a) “**Act**” means the Khyber Pakhtunkhwa Provincial Buildings (Management, Control and Allotment) Act, 2018 (Khyber Pakhtunkhwa Act No. II of 2018);

(b) “**allotment order**” means an order, issued by the Estate Officer, specifying the details and terms and conditions of allotment in favour of an allottee;

(c) “**applicant**” means the public office holder, who applies for the residential accommodation under these rules;

(d) “**bachelor hostel**” means an accommodation declared as such under rule 6 of these rules;

- (e) **“field officer”** means public office holder belonging to the cadres of Pakistan Administration Service (PAS), police service of Pakistan (PSP), Provincial Management Service of Khyber Pakhtunkhwa (PMS), Provincial Civil Service (Secretariat and executive group) who can be posted on filed assignment in the District or Divisional Administration, Political Administration of Federally Administration Tribal area and other scheduled posts.
- (f) **“competent authorities”** mean the competent authorities as specified in **Schedule-I**;
- (g) **“Estate officer”** means the Assistant Commissioner in the headquarter of a district;
- (h) **“family member”** means and include spouse, legitimate children of a public office holder, including his parents, real unmarried sisters and minor brothers, residing with him and wholly dependent upon him;
- (i) **“market rent,”** means the market value on monthly rent of a residential accommodation, determined by the Communication and Works Department of Government, in a district, from time to time;
- (j) **“normal rent”** means the total amount equal to the house rent allowance plus five percent of the running monthly basic salary of the allottee;
- (k) **“Schedule”** means the Schedule appended to these rules;
- (l) **“unauthorized occupant”** means a person who possesses a residential accommodation without a valid allotment order, or in whose favour allotment has been cancelled, or expired, as the case may be; and
- (m) **“waiting lists”** mean waiting lists, maintained under rule 9 of these rules.

Chapter – II Eligibility

3. Eligibility.-- (1) All public office holders, who are currently posted in the district, shall be eligible for residential accommodation at that district from the pool, maintained by the Estate Office.

(2) The eligible public office holders, who are unmarried, may be provided bachelor hostels for their accommodation:

Provided that under special circumstances, the unmarried public office holder, may be considered for allotment of house or flat, subject to the condition that his family members shall permanently reside with him.

(3) In cases where both the public office holders, being spouses, are eligible for residential accommodation, under these rules and are serving at the same district, only one of them shall be considered for the purpose of residential accommodation.

(4) The public office holder, who is otherwise eligible for residential accommodation, but owns a house either in his own name or in the name of his family member at the district, or his spouse is in occupation of residential accommodation of Government, Federal Government or autonomous body, corporation or agency, as the case may be, in the district shall not be considered for the purpose of providing residential accommodation under these rules.

(5) A public office holder shall, at the time of allotment, submit an affidavit, on a stamp paper, to the Estate Office with undertaking that he has no house either in his own name or in the name of his family members or his spouse is not in occupation of any residential accommodation of Government, Federal Government, autonomous body, corporation, agency etc., at the district, as the case may be.

(6) If the information, provided under sub-rule (5) above, is found in correct, at any stage, the allotment shall automatically stand cancelled and market rent for such allotment shall be recovered from such allottee for the period the residential accommodation remained in his possession. In addition disciplinary proceedings under relevant efficiency and discipline rules, for the time being in force, may also be initiated against such allottee and he may be declared ineligible for all kinds of residential accommodation in future.

Chapter -III
Types of Residential
Accommodation and Entitlement

4. Pool of residential accommodation.---The Estate Office in a district shall not place its residential accommodation at any other pool, maintained by Government, any other department of Government or its offices at such district, as the case may be.

5. Designated residential accommodation.---(1) The Estate Officer may, with the approval of competent authority, designate residential accommodation for holders of certain posts, specified by Government, from time to time, which shall be allotted only by the holders of such posts during their incumbency.

(2) The designated residential accommodation shall be immediately vacated by its allottee upon transfer from such specified post and under all circumstances shall, within seven (07) days of such transfer, hand over the possession of such designated residential accommodation to his successor through Estate Office, irrespective of the fact that an alternate residential accommodation has been allotted to him or not.

(3) The incumbent public office holder of designated residential accommodation shall be responsible for payment of rent and all kinds of dues and utility bills during his stay, in the same manner as in the case of any other allotted residential accommodation.

6. Bachelor hostel.---(1)The competent authority may, from time to time, on need basis, declare any residential accommodation, from its pool, as bachelor hostel to provide residential facility for unmarried public office holders.

(2) The procedure for allotment or cancellation, as provided in these rules, shall not apply to bachelor hostels. The Establishment and Administration Department may specify standing operating procedures, from time to time, to be applicable for the allotment, occupation, vacation and management of such bachelor hostels.

7. Entitlement categories of residential accommodation.---The Deputy Commissioner shall, within thirty days of the commencing of these rules, classify the residential accommodation in a District into different categories, as specified in the **Schedule II**, in accordance to the basic pay scales of the public office holders:

Provided that if the exigency of the situation requires so, the Deputy Commissioner, may, from time to time, by notification, change such categories of residential accommodation by including new residences, as the case may be.

Chapter -IV
Registration, Allotment and
Change of Accommodation

8. Registration of public office holders.---(1)The eligible public office holder shall, on an application form, as specified in **Schedule-III**, alongwith other relevant documents, for the purpose of allotment, apply to the Estate Office, through his department, which shall acknowledge and certify the particulars given in such application form as correct.

(2) The Estate Office shall, after receiving and acknowledging the application, so submitted under sub-rule (1), register such public office holder in the general waiting list, maintained by it and issue him a registration card with specific number as specified in **Schedule-IV** by declaring him as an applicant on the basis of first come first serve.

9. Maintenance of waiting lists.---(1)The Estate Office shall maintain separate waiting lists of applicants, drawn out from the general waiting list, according to their entitlement and relevant category, as specified in **Schedule-V**.

(2) The applicant or an allottee, as the case may be, upon promotion, become entitled to a better category of residential accommodation, thus the case for which he originally applied, shall apply to Estate Office and his name shall be placed at the bottom of the relevant category of such waiting list. Where the allottee is in possession of a residential accommodation, he may continue to retain such residential accommodation till such time a better residential accommodation is allotted to him.

(3) The Estate Office shall publish, on yearly basis, on the official web portal of the district, all the waiting lists, from time to time.

(4) Waiting lists for field officers, general officers and employees in BPS-01 to BPS-16 shall be maintained category wise, separately.

10. Seniority in waiting lists.---(1) Seniority of applicants, in the relevant waiting list, shall be determined from the date of his registration with Estate Office.

(2) If the date of registration or entitlement of two or more applicants is the same, then the seniority in the waiting list shall be determined on the basis of length of service in that particular grade or pay-scale and if the length of service in that grade or pay-scale is also same then seniority shall be determined from the date of birth, with elder being senior.

(3) If an applicant, before he is allotted the residential accommodation at the district, is transferred or sent on deputation, he shall carry his seniority with him at the next station of posting and shall be allotted residential accommodation there on the basis of his date of application or entitlement to the class of residential accommodation:

Provided that if such applicant, on his transfer or posting outside the district, did not avail any residential accommodation during such posting, he shall regain his seniority on reposting to the said district.

11. Mode of allotment of residential accommodation.---(1)The Estate Officer shall, with the approval of competent authority, in cases where he is not competent authority, allot, cancel, exchange or as the case may be, vacate the residential accommodation.

(2) The competent authority shall approve the allotment of residential accommodation upon availability to the senior most public office holder from the relevant waiting list, strictly according to merit.

Provided that field officers shall be allotted residential accommodation on preferential basis.

(3) Allotment, in each class and category, shall be subject to the terms and conditions, as laid down in the allotment order, as specified in **Schedule-VI**.

(4) The Estate Office, due to solid reasons or justification, may cancel any allotment, made subject to vacation or other conditions, without serving any prior notice, if the allottee has not taken over the possession of the said residential accommodation within the time, as specified by the Estate Office.

(5) An allottee, who is transferred out of the district, before taking possession of the residential accommodation, his allotment shall stand cancelled automatically and shall be treated as per sub-rule (3) of rule 10 of these rules.

12. Special reserved quotas.---(1)For the purpose of allotment to the son, daughter or spouse of a retired or deceased allottee, as the case may be, who is otherwise eligible for allotment, a separate waiting list, as specified in **Schedule-V**, shall be maintained by the Estate Office.

(2) It shall be the responsibility of a son, daughter or spouse of the retired allottee or deceased allottee, as the case may be, to report to the Estate Office, regarding such occurrence and apply, in case he has not applied earlier, in the manner, as prescribed in rule 8 of these rules.

(3) The allotment, under sub-rule (1), shall be made by the Estate Officer with the approval of competent authority, in cases where he himself is not the competent authority, at the rate of three ratio one (3:1) per year.

13. Exchange of residential accommodation.---(1) The competent authority may allow an allottee to change his residential accommodation with another vacant residential accommodation in accordance with his entitlement on the first come first get basis subject to the availability of such residential accommodation:

Provided that exchange of residential accommodation shall be at the sole discretion of the competent authority and it shall not be claimed as of right by an allottee.

(2) Mutual exchange of residential accommodation between the allottees may be allowed by the competent authority, subject to the condition that both the residential accommodations are of the same category and none of the allottees are due for retirement in the next three years and both the allottees have resided in their residential accommodations for a minimum period of five years.

Chapter -V **Vacation and Occupation**

14. Vacation of residential accommodation.---(1)At the time of vacation of residential accommodation, the allottee shall hand over its possession to the Estate Office, through vacation report, as specified in **Schedule-VII**, by obtaining a provisional no objection certificate from the Estate Officer, in this regard, as specified in **Schedule-VIII**. The Estate Office shall make an assessment of the residential accommodation and recover any outstanding dues, rents, utility bills and the cost of any damage, caused by the allottee to such residential accommodation, other than normal wear and tear, before issuing the final no objection certificate, as specified in **Schedule-IX**.

(2) The allottee, on vacation of residential accommodation, shall clear all utility bills of such residential accommodation and produce copies of up-to-date utility bills, paid by him.

(3) Transfer of possession of residential accommodation shall not be delayed for want of clearance of utility bills, making up of deficiencies or damage in the said residential accommodation or for repair and maintenance, as the case may be.

(4) In case of posting or deputation of an allottee, within the country or abroad, as the case may be, the Accountant General, Khyber Pakhtunkhwa, the District Accounts Office or the department of the allottee, as the case may be, shall not release the house rent allowance till the issuance of final no objection certificate by the Estate Office.

(5) The Estate Officer shall refer the case of defaulter allottee to the Accountant General, Khyber Pakhtunkhwa, the District Accounts Office or his department, as the case may be, for the recovery at source of dues from his emoluments.

(6) The allottee or his family member, as the case may be, may be issued a provisional no objection certificate, as specified in **Schedule VIII**, at the time of retirement or in case of death of such public office holder, in order to process the pension case; provided that all dues are paid upto date. The final no objection certificate, as specified in **Schedule-IX**, shall be assigned after satisfactory recovery of dues at source from his emoluments.

(7) An applicant, who has joined on transfer or posting from another station, shall produce a no demand certificate in respect of residential accommodation, if any, occupied by him at the previous station, before he is allotted residential accommodation at the place of new posting.

15. Occupation of allotted residential accommodation.---(1) On receipt of an allotment order, the allottee shall take over possession of the residential accommodation from the Estate Office, within one month of such allotment order, and sign the occupation certificate, as specified in **Schedule X**, along with a receipt for all fittings and fixtures.

(2) The outstanding bills or dues of services for the intervening period from the date of vacation of previous allottee till the date of occupation by current allottee shall be paid by the later.

(3) Where an allottee does not occupy the residential accommodation, within stipulated time, without any cogent reason, such allotment order shall be considered as cancelled with (01) prior written notice and in that case the allottee shall have no claim for his seniority in future.

Chapter -VI **Retention of Residential Accommodation**

16. Retention in case of death during service.---(1)The widow of the deceased allottee shall be entitled to retain the residential accommodation until such time the allottee would have superannuated, had he remained alive, subject to a minimum period of three years, whichever is earlier:

Provided that in case of death of a female allottee, the widower can retain the residential accommodation for a maximum period of one year only.

(2) The retention of residential accommodation, under sub-rule (1) above, shall be subject to the payment of normal rent by the widow or widower of deceased allottee, as the case may be. The normal rent, in this case, shall be presently applicable for the grade or scale of deceased allottee, fixed by Government, from time to time. The normal rent shall either be deducted, at source, from the emoluments of the deceased allottee by the Accountant General, Khyber Pakhtunkhwa, District Accounts Office, the drawing and disbursing officer of the department of the deceased allottee or it shall be deposited by the widow or widower, as the case may be, into the Government treasury, on monthly basis and record of such deposits shall be submitted to the Estate Office.

(3) In order to retain the residential accommodation, a duly attested no marriage certificate, shall be submitted by the widow to the Estate Office, on six monthly basis. The residential accommodation, during the period as specified in sub-rule (1) above, shall be withdrawn from such widow, if she chooses to remarry.

17. Retention in case of retirement.---(1) An allottee, upon his retirement, may retain the allotted residential accommodation for a grace period of maximum six months from the date of his retirement, on payment of normal rent:

Provided that where an allottee is re-employed by Government, in any public body, commission or an autonomous institution, as the case may be, in any capacity, within six months of his retirement, and if he is already in possession of the residential accommodation, he may be allowed to retain such residential accommodation upon payment of double market rent of the residential accommodation for a maximum period of one year, including the grace period of six (06) months.

(2) An allottee, who has resigned, dismissed, removed or compulsorily retired from service, as the case may be, may retain the allotted residential accommodation for a maximum period of three months on payment of normal rent.

18. Retention in case of transfer.---(1)An allottee, who is transferred out of district in any department, organization, board, authority and Commission etc., or is posted within district to an ineligible department, organization, authority board and Commission etc., he may retain the residential accommodation on the following terms:

- (a) one year on payment of normal rent; and
- (b) subsequent one year on payment of market rent:

Provided that such retention shall only be allowed if the allottee did not avail residential accommodation in his new place of posting and family members of the allottee are also resides with him in such residential accommodation:

Provided further that no further extension shall be allowed beyond the permissible period mentioned above.

(2) An allottee, who is a domicile holder of the Province or Federally Administered Tribal Areas, as the case may be, and is transferred out of the Province, he shall be entitled to retain the allotted residential accommodation upon deduction of normal rent, till such time he is allotted residential accommodation in any other Province or maximum for a period of two years, whichever is earlier:

Provided that such retention shall be subject to the production of a certificate by the allottee that no official accommodation in such Province has been provided to him or his family members are residing in the residential accommodation retained at district.

(3) In case an allottee, being field officer, is posted on field assignments, within the Province, he shall be entitled to retain residential accommodation in the district, in addition to the designated accommodations at the station of posting, till such time he is posted in the field, subject to deduction of normal rent of the designated accommodation and market rate of the residential accommodation retained at the district.

(4) An allottee, who is otherwise not an employee of Government, when posted against a post in a department, whose employees are ineligible for the pool accommodation of Estate Office, on deputation or transfer basis at the district or outside district, shall vacate the allotted residential accommodation in no later than one month upon transfer from Government:

19. Retention in case of leave, deputation, training etc.---(1) An allottee may retain the residential accommodation during all kinds of leave, deputation , training etc., within or outside the Province on the following terms:

- (a) one year from the date of availing leave or joining deputation or training, as the case may be, on payment of normal rent; and
- (b) subsequent one year on payment of market rent.

(2) No further extension shall be allowed beyond the permissible grace period mentioned in clauses (a) and (b) of sub-rule (1) above:

Provided that in case the allottee is borne on the cadre of Provincial Management Services, Provincial Civil Services (Civil Secretariat and Executive Groups), Pakistan Administrative Services or Police Service of Pakistan, as the case may be, on deputation to a post under Government at the district, he shall retain the residential accommodation on market rent after one year of his posting as such till he is posted there.

Chapter -VII
Cancellation, Ejectment
And penalties

20. Use of allotted residential accommodation.---(1)The residential accommodation shall be used only for residential purposes. No part of the residential accommodation shall be handed over, surrendered or sub-letted to any person, nor shall it be used for any commercial purposes.

(2) If an allottee is found guilty of contravening the provision of sub-rule (1) above, his allotment shall be cancelled ab-initio and market rent for the entire period shall be charged from him, in addition to initiating disciplinary proceedings under relevant disciplinary rules, for the time being in force, and disqualifying him for any further allotment of residential accommodation.

21. Possessing more than one residential accommodation.---No allottee shall retain more than one residential accommodation anywhere at the same time, except as provided in sub-rule (3) of rule 18 of these rules. In case of contravention, all allotments in his name shall be cancelled and he shall be charged market rent for the duration of possessing additional residential accommodations over and above his entitlement, in addition to initiating disciplinary proceedings against him under the relevant disciplinary rules, for the time being in force, and disqualifying him for any further allotment of residential accommodation.

22. Possessing accommodation both by husband and wife.---In case of violation of sub-rule (2) or sub-rule (3) of rule 3, both residential accommodations shall be cancelled, and they shall be charged market rent for the duration of possessing additional accommodations, in addition to initiating disciplinary proceedings against them under the relevant disciplinary rules, for the time being in force, and disqualifying them for any further allotment of residential accommodation.

23. Making structural changes in allotted residential accommodation.---(1) An allottee, except normal repairs and maintenance, shall not carry out any unauthorized additions, alterations or encroachments to the residential accommodation or demolish any part thereof.

(2) Where an allottee, violates the provision of sub-rule (1), his allotment shall be cancelled and he shall be evicted therefrom, subject to the condition that he shall be given seven days prior written notice to explain his position in writing:

Provided that the cancellation order and notice may be withdrawn if the allottee demolishes such unauthorized additions, alterations, encroachments or reconstruct the demolished part at his own cost within a period of one month.

(3) In case of cancellation and eviction, under sub-rule (2) above, costs of demolition of such additions, alterations, encroachments, or reconstructions, as assessed by Government, shall be recovered from such allottee or his family members by the Estate Officer, as arrears of land revenue.

24. Not residing in allotted residential accommodation.---(1)If an allottee or his family member, as the case may be, does not ordinarily reside in the residential accommodation or allows some other person to live therein, his allotment shall be cancelled:

Provided that such an allottee shall be given seven days prior written notice to explain his position in writing before initiating action under this sub-rule.

(2) The Estate Office shall cause such inspections of residential accommodations to be made on periodic basis through its representative whose report shall be considered as final for this purpose.

25. Non-payment of rent.---Where an allottee is found not paying rent for three consecutive months, the allotment shall be liable to be cancelled and the allottee shall be evicted therefrom:

Provided that such allottee shall be given a seven days prior written notice to explain his position before initiating action under this rule:

Provided further that the cancellation order and notice may be withdrawn, subject to payment of rent and penalty at the rate of rupees one hundred (100) per day for the intervening period, if the allottee produces documentary evidence that the same has not been paid for reasons beyond his control.

26. Reporting of promotion, transfer, deputation and death etc.---(1) Within a fortnight of the promotion, transfer, grant of extra-ordinary leave, of an allottee or as the case may be, of his proceeding abroad on training or deputation, the allottee shall be responsible for reporting any such change to the Estate Office.

(2) In the event of death of an allottee, the family member shall be responsible for reporting his death to the Estate office.

(3) Where an allottee or his family member, as the case may be, fails to report such a matter to the Estate Office within stipulated time, his allotment shall be liable to be cancelled and a penalty, at the rate of rupees one hundred (100) per day for such intervening period, shall be imposed:

Provided that such allottee shall be given seven days prior written notice to explain his position before initiating action against him under this sub-rule.

27. Reporting of retirement, dismissal, removal, resignation from service etc.---(1) Within fortnight of the retirement, resignation, removal or dismissal from service, the allottee shall be responsible for reporting any such change to the Estate Office.

(2) Where an allottee fails to report such a matter to the Estate Office, within stipulated time, his allotment shall be cancelled, immediately, and a penalty, at the rate of rupees one hundred (100) per day and charging of market rent for such intervening period shall be charged imposed:

Provided that such allottee shall be given a seven days prior written notice to explain his position before initiating action against him under this sub-rule.

28. Non provision or provision of wrong information to obtain undue benefits.---(1) If at any stage it is found that an allottee has provided wrong information, concerning his seniority, pay scale, entitlement etc., his allotment shall be cancelled ab-initio and market rent shall be recovered from him for the entire duration of allotment, in addition to initiating disciplinary proceedings against him under the relevant rules, for the time being in force and disqualifying him for further allotment of residential accommodation.

(2) Where the Estate Office requires an allottee to submit information pertaining to his service, pay, emoluments or other matters allied with provision of residential accommodation, and the allottee either does not co-operate with the Estate Office or fails to submit such information within fortnight, a penalty of rupees one hundred (100) per day for the intervening period shall be imposed upon such allottee:

Provided that where the allottee does not submit the requisite information despite the imposition of penalty to the tune of rupees three thousand (3000), the allotment shall be liable to be cancelled.

29. Curbing unsocial practices.---(1) An allottee, at the time of allotment, shall submit an undertaking to the Estate Office that he and his family members shall abstain from all such actions or activities as may cause nuisance or inconvenience to his neighbours in the locality.

(2) If an allottee or his family members, as the case may be, found involved in any unsocial or immoral or unethical practices or activities, as the case may be, which may be considered as crimes, the residential accommodation, so allotted, shall be liable to be cancelled

and such allottee shall be evicted therefrom and shall be disqualified for all such future allotments:

Provided that such allottee shall be given seven days prior written notice to explain his position before initiating action against him under this sub-rule.

Explanation.---Resorting to encroachments, littering, uncivilized behaviour or lack of civic sense or involvement in immoral activities may be treated as activities as may cause nuisance for the purpose of these rules.

30. Allotments made in violation of these rules.---Government may, at any stage after coming into force of these rules, without any prior notice, cancel the allotments made in violation of these rules.

31. Unauthorized occupation.---The Estate Officer shall, in addition to the powers exercised under the Khyber Pakhtunkhwa Public Property (Removal of Encroachment) Act, 1977 (Khyber Pakhtunkhwa Act No. V of 1977), for the purpose of removing the unauthorized occupant from the residential accommodation, disconnect the services and facilities i.e. water supply, gas, electricity, telephone etc.; from such residential accommodation.

Chapter -VIII **Rent and Its Recovery**

32. Rent.---(1)Unless otherwise specified, normal rent shall be charged from the allottee, for a residential accommodation or designated accommodation, as the case may be.

(2) The rent for bachelor hostel shall be fixed by the Deputy Commissioner concerned, from time to time.

(3) The drawing and disbursing officer of the department to which such allottee belongs shall be responsible for deduction and recovery of the rent. The drawing and disbursing officer of such Department, shall submit an annual certificate or undertaking to the Estate Office that the rent deduction has been made from the allottee:

Provided that where the allottee does not draw his salary from Provincial exchequer, the rent shall be deposited by the allottee in the Provincial treasury, under head of account C-02701 and copies of paid challan shall be submitted to the Estate Office, latest by the 07th of every calendar month.

(4) All the utility bills of the residential accommodation shall be paid by the allottee directly to the relevant service providers for the period commencing from the date of vacation by the previous allottee.

(5) An allottee, who vacates the residential accommodation, shall be allowed withdrawal of house rent allowance only after obtaining final no object certificate from the Estate Office in this regard.

(6) Upon transfer of an allottee from the district, the drawing and disbursing officer of the concerned department is required to verify the last pay certificate of the allottee from the Estate Office before issuance to his new department.

33. Market rent.---The rent, at the rate of such market value, shall be charged from an allottee, in respect of each category of a residential accommodation, as determined and fixed by the Communication and Works Department in a district concerned, on annual basis.

34. Non Payment of rent.---An allottee, who requires to deposit the rent in the Government treasury, as specified in the proviso of sub-rule (3) of rule 32, and does not deposit it within due date, such allottee shall be determined as defaulter by the Estate Office and he shall be issued a notice to clear his all dues within the period as specified in the said notice. In case of non-compliance, the Estate Officer shall request the Accountant General, Khyber Pakhtunkhwa or the

District Accounts Officer or his department, as the case may be, to deduct the amount of rent at source from his salary and other emoluments:

Provided that where the allottee has been dismissed or removed from service, the amount of rent and other charges due on him shall be recoverable as arrears of land revenue.

Chapter -IX
Miscellaneous

35. Appellate authority and appeals.---(1) The public office holder or an allottee, as the case may be, aggrieved from the decision or orders of the Estate Officer or Deputy Commissioner, as the case may be, being competent authorities, under these rules, may file an appeal, in this regard, to the Deputy Commissioner or the Commissioner, as the case may be.

(2) An appeal, under sub-rule (1), shall be made within fifteen days, after the order of the competent authorities, as specified in sub-rule (1), which shall be reduced in writing and be accompanied the aggrieved order and a concise statement by a public office holder or allottee, as the case may be, to the extent of grounds to be agitated.

(3) The appellate authority, as specified in sub-rule (1), after receiving the appeal, shall decide such appeal within thirty days.

36. Second appellate authority.---(1) For the purpose of disposing of appeals, against the orders, passed by the appellate authority, there shall be a second appellate authority, which shall consist of-

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| (a) | Minister for Law, Parliamentary Affairs and Human Rights, Khyber Pakhtunkhwa; | Chairman |
| (c) | a nominee of the Chief Minister, Khyber Pakhtunkhwa; | Member
Member |
| (d) | a representative of Establishment and Administration Department; | Member |
| (e) | a representative of Law, Parliamentary Affairs and Human Rights Department; | Member |
| (f) | Executive Engineer, Communication and Works Department in a district; | Member |
| (g) | head of the office/department of the public office holder or allottee in the district; and | Member |
| (h) | Estate Officer of the district. | Membe-
cum-
Secretary |

(2) An appeal, under sub-rule (1), shall be made within fifteen days, after the order of the appellate authorities, to the second appellate authority, which shall be reduced in writing and be accompanied the aggrieved order and a concise statement by a public office holder or allottee, as the case may be, to the extent of grounds to be agitated.

(3) The second appellate authority, after receiving the appeal, shall decide such appeal within thirty days.

(4) The second appellate authority shall meet in such manner and in such place, as the Chairman may deem fit by keeping in view the time limit, as specified in sub-rule (3) above. The decision of the second appellate authority shall be made on the basis of majority of its members.

(5) The decision of the second appellate authority shall be final and binding.

37. Repeal and savings.---(1)The Residential Accommodation at Peshawar (Procedure for Allotment) Rules 1980, the policy for Residential Accommodation at Peshawar – Policy for Allotment 2010, and Residential Accommodation at Peshawar (Procedure for Allotment), Rules 2015 are hereby repealed.

(2) Any allotments made, orders passed, proceedings commenced and actions taken under the rules repealed in clause (1), which are not in contravention to any provision of these rules, shall be deemed to have been validly done, made, passed, commenced and taken, as if these rules were enforced on the day on which such thing, action, or order was done, taken or made.

**SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT.**

Schedule – I

[see rule 2(e)]

COMPETENT AUTHORITIES

1.	Fresh allotments and exchange to officers in BS-17 and above.	Deputy Commissioner of the District.
2.	Special reserved quota in cases of retirement and death	-do-
4	Declaration of Accommodation as Bachelor Hostel and vice versa	-do-
5.	Designation of Residence	-do-
6.	Fresh Allotment and exchange to public office holders in BS-16 and below	Estate Officer
7.	Allotment of Bachelor Hostel	-do-
8.	Fresh Allotment and exchange – BS-1 to BS-16	-do-
9.	Cancellation of Accommodation	-do-

Schedule-II

(see rule 7)

**ENTITLEMENT OF GOVERNMENT SERVANTS FOR ALLOTMENT OF
RESIDENTIAL ACCOMMODATION**

S.No.	Specification.	Entitlement.	Details of Residential Accommodation.
1	Designated Houses	Officers to whom these houses are designated.	
2.	Houses/flats of four bedrooms and above.	BPS- 17 and above	
3.	A-type accommodation consisting of four rooms quarters/flats,	BPS-15 to BPS-16.	
3.	B-type quarters/flats consisting of three rooms.	BPS-12 to BPS-14.	
4.	C-type quarters/flats consisting of two rooms.	BPS-08 to BPS-11	
5.	D-type quarters/flats consisting of one room.	BPS 01 to BPS 07	

Schedule-IV

[see rule 8(2)]

REGISTRATION CARD

#	Field.	Detail.
1	Name:	
2	Father Name:	
3.	Designation with BPS:	
4.	Department:	
5.	Applied for residential accommodation on:	
6.	Your name is placed in the Waiting List:	
7	Your current Waiting List No. is:	

Estate Officer.

Schedule – V

[see waiting lists rule 9(1) and 12(1)]

The following waiting list shall be maintained-

1. Waiting List of general officers in BPS-17 and above.
2. Waiting List of field officers (PAS , PSP and PMS) (BPS 17 and above).
3. Waiting List of Retired/Deceased Quota.
4. Waiting list of A-Type/better residential accommodation.
5. Waiting list of B-Type /better residential accommodation.
6. Waiting List of C-Type residential accommodation.
7. Waiting list of D-Type residential accommodation.

Schedule – VI

[see rule 11(3)]

ALLOTMENT ORDER



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Dated Peshawar the _____

ORDER.

NO. EO(ADMN) _____ The competent authority has been pleased to allot House / Quarter No.....to Mr.....under rule.....of the Residential Allotment at Peshawar (Procedure for Allotment) Rules, 2018, with the following terms and conditions:

The allotment order is valid, subject to the condition that the allottee shall:-

- (a) Produce an affidavit on judicial stamp paper of rupees fifty (50) duly attested by Magistrate 1st Class to the effect that you have no own residential accommodation on at Peshawar at your own name or at the name of your spouse or dependent children and that you shall abide all the terms and condition mentioned in this allotment order as well as the rules under which this allotment is made.
- (b) Take over possession of the residential accommodation from the Estate Office and shall submit the occupation certificate for all fittings & fixtures.
- (c) Provide the copy of CNIC, date of retirement and pay slip for the month of allotment or before.
- (d) Provide the aforementioned requirements within one month; otherwise the allotment order shall stand cancelled, under rule 15(1) of the Allotment Rules, 2018.
- (e) Be personally responsible for deduction of house rent allowance plus 5% maintenance charges (if any) and payment of utility bills, after occupation of residential accommodation, and shall provide copy of pay slip utility bills of next month of allotment showing deductions or payments etc. on failure the allotment order shall stand cancelled under rule 25 of the Allotment Rules, 2018.
- (f) Not sublet the residential accommodation, if found guilty, allotment shall be cancelled recovery through market rent of entire period and disciplinary action for misconduct shall be invoked.
- (g) The allottee or his family member as the case may be shall within fortnight of such occurring mentioned in rule 26 inform the Estate Office, otherwise rule 26 (3) shall be invoked.
- (i) Not carry out any structural alterations or changes without no object certificate of Estate Officer, if found guilty then cancellation and eviction under rule 23 of the Allotment Rules, 2018.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Endst: No. & date of even.

Copy forwarded to the: -

1. Accountant General, Khyber Pakhtunkhwa.
2. Director Provincial Building Maintenance Cell, C&W Department Peshawar.
3. Section Officer (Admn) Administration Department.
4. P.A to Deputy Secretary (Admn), Administration Department.
5. Officer / Official concerned.

ESTATE OFFICER.

Schedule- VII

[see rule 14(1)]

VACATION REPORT

OFFICE OF THE DEPUTY COMMISSIONER



No. EO _____

Dated _____

HANDING / TAKING OVER OF RESIDENTIAL ACCOMMODATION.

Today on _____/20 possession of House/Flat/Quarter
No. _____ Colony _____ has been taken over
from Mr. _____ with the following inventories:

- | | | |
|------------------------------|---|-------|
| a. Ceiling Fan | - | _____ |
| b. Exhaust Fan | - | _____ |
| c. Cooking Range | - | _____ |
| d. Burner | - | _____ |
| e. Gas Heater | - | _____ |
| f. Water Geyser | - | _____ |
| g. Water Tank | - | _____ |
| h. Wash Bason | - | _____ |
| i. Electricity Meter Reading | - | _____ |
| j. SuigasMeter Reading. | - | _____ |

Handed over By

Signature _____

Name _____

Designation _____

Cell No _____

Taken Over By: Rep: of EO

Signature _____

Name _____

Designation _____

Cell No _____

The above mentioned inventory is hereby forwarded to XEN C&W Department
_____ for checking / counting and verification. After verification a copy may be retained by
your office and this list may be sent to Estate Office for record within three (03) days, positively.

Checked / verified by

Name _____

Designation _____

Schedule - VIII

[see rule 14(1) and (6)]



GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DEPUTY COMMISSIONER

EO

Dated the ____/____/____

PROVISIONAL NO OBJECTION CERTIFICATE

This office has no objection on processing/completion of pension papers in respect of Mr./Mst./Miss. _____ Department _____retired/retiring/died during service on _____.However, the Audit Office may withhold 5% of the commutation amount for clearing the outstanding liabilities of any residential accommodation under his possession. The said amount of 5% shall be cleared by the Audit Office on receipt of a final No Objection Certificate from the Estate Office, District----- clearly stating that he has vacated the residential accommodation and that nothing is outstanding against him.

ESTATE OFFICER

District-----

Schedule- X

[see rule 15(1)]

OCCUPATION CERTIFICATE



GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DEPUTY COMMISSIONER

No. _____

Dated _____

TAKING OVER POSSESSION OF HOUSE / FLAT / QUARTER NO.

Today on _____/2018, I _____ have taken over the possession of House / Flat / Quarter No _____ Colony _____, and have occupied it. The residential accommodation has been handed over to me by the Estate Office with the following inventories:

- | | | |
|------------------------------|---|-------|
| a. Ceiling Fan | - | _____ |
| b. Exhaust Fan | - | _____ |
| c. Cooking Range | - | _____ |
| d. Burner | - | _____ |
| e. Gas Heater | - | _____ |
| f. Water Geyser | - | _____ |
| g. Water Tank | - | _____ |
| h. Wash Basin | - | _____ |
| i. Electricity Meter Reading | - | _____ |
| j. SUI Gas Meter Reading. | - | _____ |

Handed over By

Signature _____

Name _____

Designation _____

Cell No _____

Taken Over By

Signature _____


Name _____

Designation _____

Cell No _____

Schedule – IX

[see rule 14(1) and (6)]

	<p style="text-align: center;">GOVERNMENT OF KHYBER PAKHTUNKHWA OFFICE OF THE DEPUTY COMMISSIONER</p> <hr style="border-top: 1px dashed black;"/> <p style="text-align: center;">EO Dated the ____/____/____</p>
-----------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

FINAL NO OBJECTION CERTIFICATE

It is to certify that so far as the Estate Officer, District----- has nothing outstanding against Mr./Mst./Miss. _____. This office has therefore, got no objection in issuing him last pay certificate or clearing pension case.

ESTATE OFFICER.

UNDERTAKING

I undertake to pay if any amount found to be outstanding against me at a later stage from my pay/pension.

Signature

Name in block letters

Designation and Department

Permanent Home Address:- _____

Phone No. _____

Note: Request for NOC should be routed through proper channel a/w copy of CNIC, Pay slip, Retirement order, 2 copies of NOC form duly filled. (paid copies of utility bills in case the applicant is residential accommodation holder.)