

**THE KHYBER PAKHTUNKHWA PROVINCIAL HOUSING AUTHORITY
EMPLOYEES (CONDUCT) REGULATIONS, 2022.**

1. **Short title and commencement:** - (1) These regulations shall be called the Khyber Pakhtunkhwa Provincial Housing Authority Employees (Conduct) Regulations, 2022.

(2) They shall come into force at once.

2. **Extent of application:-** These regulations shall apply to every person, whether on duty or on leave within the Khyber Pakhtunkhwa Provincial Housing Authority including the employees of the Provincial Housing Authority deputed to serve under the other Authority or Provincial Government or Federal Government but excluding:-

“Employees of the Provincial Government or Federal Government or other Authority deputed to serve under the Provincial Housing Authority, whose conduct shall be regulated by the mutually agreed terms and conditions of the deputation or the conduct rules of the respective government”.

3. **Definitions:-** (1) In these regulations, unless there is anything repugnant in the subject or context;

(a) “Act” means the Khyber Pakhtunkhwa Provincial Housing Authority Act, 2005.

(b) “Government” or “Provincial Government” means the Government of the Khyber Pakhtunkhwa;

(c) “Authority employee” means a person to whom these regulations apply;

(d) “Member of an Authority employee’s family” includes:-

(i) his wife, children and step children, parents, sisters and minor brothers, residing with and wholly dependent upon the Authority employees; and

(ii) any other relative of the Authority employees or his wife when residing with and wholly dependent upon him; but does not include a wife legally separated from the employee of Provincial Housing Authority or a child or step-child who is no longer in anyway dependent upon him, of whose custody the employee of Provincial Housing Authority has been deprived by law;

(e) “Province” means the Khyber Pakhtunkhwa.

(f) “Authority” means the Authority specified in section-3(3) of the Act;

(g) “Director General” means Director General of PHA.

(2) Reference to a wife in clause (d) shall be construed as reference to the husband where the Authority employee is a woman.

4. **Repeal:-** The Khyber Pakhtunkhwa Housing Authority Employees Conduct regulations, 2022 shall substitute the Khyber Pakhtunkhwa Housing Authority Employees Conduct Rules 2010 on its repeal, but such repeal shall not affect anything duly done or suffered under those rules.

4. A No Authority employee shall-

(a) accept or obtain or agree to accept or attempt to obtain from any person for himself or for any other person, any gratification (other than legal remuneration) as a motive or reward such as is mentioned in section 161 of the Pakistan Penal Code; or

(b) do or forbear to do any official act or show or forbear to show, in the exercise of his official functions, favour or disfavor to any person or render or attempt to render any service or disservice to any person, in violation or contravention of any provision of any law for the time being in force, or of rules made under Article 119 or 139 of the Constitution of the Islamic Republic of Pakistan, or any other law for the time being in force, in a manner which may appear to facilitate acceptance or obtaining or agreeing to accept or attempting to obtain from any person for himself or for any other person any gratification, whatsoever, other than the legal remuneration, as a motive or reward; or

(c) accept or obtain or agree to accept or attempt to obtain for himself or for any other person, any valuable thing without consideration or for a consideration which he knows to be inadequate, from any person whom he knows to have been, or to be likely to be, concerned in any proceedings or business transacted or about to be transacted by him, or having any connection with the official functions of himself or of any Government Servant/Public Servant to whom he/she is subordinate, or from any person whom he knows to be interested in or related to the person so concerned; or

(d) misappropriate, dishonestly or fraudulently, or otherwise convert for his/he own use or for the use of any other person any property entrusted to him or under his/her control as a Public Servant or willfully allow any other person to do so; or

(e) obtain, by corrupt, dishonest, improper or illegal means, or seek for himself or for any other person, any property, valuable thing, pecuniary advantage or undue favour; or

(f) possess, directly or through his dependents or benamidars, any movable or immovable property or pecuniary resources, disproportionate to his/her known sources of income, which he cannot reasonably account for"

(g) shall attend such functions and meetings in which Islamic moral values are not regarded or which are in violation of such values like functions of music and dancing by women etc.

5. **Gift:-** (1) Save as otherwise provided in these regulations, no employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall, except with the prior sanction of the Director General in anticipation of the subsequent approval of the Authority, accept or permit any member of his family to accept, from any person any gift, the receipt of which will place him under obligation to the donor. If the offer of a gift cannot be refused without causing undue offence, it may be accepted and delivered to the Khyber Pakhtunkhwa Provincial Housing Authority for decision as to its disposal.

(2) If any question arises whether receipt of a gift places an employee under obligation to the donor, the decision of the Authority shall be final.

(3) If any gift is offered by the head or representative of a foreign state, the employee concerned should attempt to avoid acceptance of such a gift, if he/she can do so without offending the donor. If, however, he cannot do so, he shall accept the gift and shall report its receipt to the Authority for orders as to its disposal.

(4) An employee may accept gifts offered abroad or within Pakistan by official dignitaries of foreign government of comparable or higher level;

Provided that the value of the gift in each case does not exceed fifty thousand rupees. If the employee concerned is desirous to retain the gift in question worth more than fifty thousand rupees, can retain it on payment of the difference as evaluated under sub-regulation (5). In any other case, the gift may be offered to Khyber Pakhtunkhwa Provincial Housing Authority.

(5) For the purpose of sub-regulation (4), the value of the gift shall be assessed through a committee constituted by the Authority for this purpose. If the value of the gift exceeds fifty thousand rupees, the recipient may be allowed to retain the gift, if he so desires, on payment of a sum worked out in the following manner: -

(a) where the value of the gift exceeds fifty thousand rupees but does not exceed one lac rupees, twenty-five percent of the value of the gift in excess of twenty-five thousand rupees (e.g. 1,00,000- 50,000= 50,000 x 25% i.e. Rs. 12,500/-); or

(b) where the value of the gift exceeds one lac rupees, 25% of so much of the value as exceeds fifty thousand rupees but does not exceed one lac rupees plus fifteen percent of so much of the value as exceeds one lac rupees (e.g. if the gift valued Rs. 5,00,000, the payment to be made by the recipient be calculated in the manner that; Rs. 50,000 off, 25% of Rs. 50,000 = Rs. 12,500/- (+) 15% of the remaining Rs. 4,00,000 i.e. Rs. 4,00,000 x 15%= Rs. 60,000 + Rs. 12,500/= Rs. 72,500/=) may be deposited in the Khyber Pakhtunkhwa Provincial Housing Authority's funds.

(6) The recipient shall be responsible for reporting the receipt of the gift to the Authority.

6. Acceptance of Foreign Awards:- No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall except without approval of the Authority a foreign award, title or medal etc.

Explanation:- For the purpose of this regulations, the expression "approval of the Authority " means prior approval in ordinary cases and ex-post facto approval in special cases where sufficient time is not available for obtaining prior approval.

7. Public demonstration in honor of the employees or raising of funds by them: (1) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall encourage meetings or reception to be held in his/her honor or presentation of addresses of which the main purpose is to praise him/her;

Provided that the head of Pakistan Mission Abroad, while so posted may attend public meeting or entertainment held in his honor

(2) No employee shall take part in raising funds, except:-

(a) for any public or charitable purpose, with the prior permission of the Authority; or

(b) for a charitable object connected with the name of an employee of the Khyber Pakhtunkhwa Provincial Housing Authority or person recently quitted the Khyber Pakhtunkhwa Provincial Housing Authority service with the prior permission of the Authority or the Director General, as the case may be ;

8. Subscriptions:- No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall, except with the prior sanction of Authority or the Director General, as the case may be, ask for or accept or in any way participate in the raising of any subscription or other pecuniary assistance in pursuance of any object whatsoever.

9. **Lending and Borrowing:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall lend money to, or borrow money from, or place himself under any pecuniary obligation to, any person of Khyber Pakhtunkhwa Provincial Housing Authority within the local limits of his authority or any person with whom he has any official dealings:

Provided that an employee may:-

- i. deal in the ordinary course of business with a joint stock company, bank or a firm of standing, the House Building Finance Corporation or registered cooperative societies under Cooperative Societies Act-1927; and
- ii. accept a purely temporary loan of small amount, free of interest, from a personal friend or the operation of a credit account with a bonafide tradesman.

10. **Declaration of property:-** (1) Every employee of Provincial Housing Authority shall, at the time of entering into service, make a declaration to Government, through the usual channel, of all immovable and movable properties including shares, certificates, securities, insurance policies, cash and jewelry.

(2) Every Employee of Provincial Housing Authority shall submit to Government, through usual channel, an annual declaration of income, assets and expenses for the financial year, ending on 30th June, showing any increase or decrease of property as shown in the declaration under sub-regulation (1) or the last annual return, as the case may be." and

(3) Declaration of Assets Proforma shall be opened in the concerned section each year and entered into the relevant database.

11. **Disclosures of Assets, Immovable and Liquid:-** The employees of the Khyber Pakhtunkhwa Provincial Housing Authority shall disclose all their immovable as well as liquid assets and expenses during any period in the specified form, as and when required to do so by the management of the Khyber Pakhtunkhwa Provincial Housing Authority.

12. **Speculation and Investment:-** (1) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall speculate in investments. For the purpose of this Regulation the habitual purchase and sale of security of notoriously fluctuating value shall be deemed to be speculated in investments.

(2) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall make, or permit any member of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties.

(3) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall make any investment the value of which is likely to be affected by some event of which information is available to him as an employee and is not equally available to the general public.

(4) If any question arises whether a security or an investment is of the nature referred to in any of the foregoing sub-regulation, the decision of Authority thereon shall be final.

13. Promotion and Management of Companies, etc:- No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall, except without prior sanction of Authority take part in the promotion, registration or management of any bank or company:

Provided that an employee may, subject to the provisions of any general or special order of management of the Khyber Pakhtunkhwa Provincial Housing Authority, take part in the promotion, registration or management of a charitable and non-profitable cooperative society registered under any law for the time being in force.

14. Private trade, employment or work:- (1) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall, except without prior sanction of the Authority, engage in any trade or undertake any employment or work, other than his official duties:

Provided that he may, without such sanction, undertake honorary work of a religious, social or charitable nature or occasional work of a literary or artistic character, subject to the condition that his official duties do not thereby suffer and that the occupation or undertaking does not conflict or is not inconsistent with his position or obligations as an employee but he shall not undertake or shall discontinue such work if so directed by the Khyber Pakhtunkhwa Provincial Housing Authority's administration. An employee who has any doubt about the propriety of undertaking any particular work should refer the matter for the orders of Authority.

Provided further that an employee may, without such sanction, undertake a small enterprise, which absorbs family labour, in which case he/she shall submit details of the enterprise along with declaration of assets.

(2) Notwithstanding anything contained in sub-regulation (1), no employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall associate with any private trust, foundation or any other such organization without prior approval of the Director General.

(3) This regulation does not apply to sports activities and memberships of recreation clubs.

15. **No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall live beyond his means, etc:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall live beyond his/her means or indulge in ostentation on occasions of marriage or other ceremonies.

16. **Subletting of residential accommodation allotted by the Khyber Pakhtunkhwa Provincial Housing Authority:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall sublet residential accommodation or any portion thereof allotted to him/her by the Govt. or Khyber Pakhtunkhwa Provincial Housing Authority for residential purposes.

17. **Insolvency and habitual indebtedness:-** An employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall avoid habitual indebtedness. If an employee is adjudged or declared insolvent or if the whole or portion of his salary is attached or being frequently attached for debt for a period of two years, or is attached for a sum which in ordinary circumstances, he cannot repay within a period of two years, he/she shall be presumed to have contravened these regulation unless he proves that the insolvency or indebtedness is the result of circumstances beyond his/her control.

18. **Report by employee of the Khyber Pakhtunkhwa Provincial Housing Authority in case of his involvement in a criminal case:-** If an employee of the Khyber Pakhtunkhwa Provincial Housing Authority is involved in a criminal case, he/she shall bring the fact of such involvement or conviction, as the case may be, to the notice of the Director General of the Khyber Pakhtunkhwa Provincial Housing Authority, immediately or, if he/she is arrested and released on bail, soon after such release.

19. **Unauthorized communication of official documents or information:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall, except in accordance with any special or general order of the Khyber Pakhtunkhwa Provincial Housing Authority, communicate directly or indirectly any official information or the contents of any official document to any person or organization not authorized to receive it, or to the print & electronic media.

20. **Approach to Members of the Assemblies:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall, directly or indirectly approach any member of the Senate, National Assembly or a Provincial Assembly or any other official or non-official person to intervene on his/her behalf in any matter.

21. **Management etc. of newspapers or periodicals:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall except without prior sanction of the Director General, Khyber Pakhtunkhwa Provincial Housing Authority own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical publications.

22. **Radio-Broadcast and communications to the Press:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall except without prior sanction of Authority, or any other authority empowered by it in this behalf, or in bona fide discharge of his duties, participate in a radio broadcast or television program or contribute any article or write any letter, either anonymously or in his/her own name or in the name of any other person to any newspaper, periodical or electronic media:

Provided that such sanction shall generally be granted if such broadcast or television program or such contribution or letter is not, or may not be considered likely to jeopardize the integrity of the employee of the Khyber Pakhtunkhwa Provincial Housing Authority, the security of Pakistan or friendly relations with foreign states or to offend public order, decency or morality, or tantamount to contempt of court, defamation or incitement to an offence:

Provided further that no such sanction shall be required if such broadcast or television program or such contribution or letter is of a purely literary, artistic or scientific character.

23. **Publication of information and public speeches capable of embarrassing the Federal or any Provincial Government or Khyber Pakhtunkhwa Provincial Provincial Housing Authority:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall, in any document, publish or any public utterance, radio broadcast or television program, or in any Federal/Provincial Government or other manner make any statement of facts or opinion which is capable of embarrassing or the Khyber Pakhtunkhwa Provincial Housing Authority, as the case may be.

Provided that technical and professional staff may publish research papers on technical or professional topics, if such papers do not express views on political issues or on government/Khyber Pakhtunkhwa Provincial Housing Authority policy and do not include any information of a classified nature.

24. **Evidence before Committees:-** (1) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall give evidence before a public committee except with the previous sanction of Director General/Authority.

(2) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority giving such evidence shall criticize the policy nor decision of the Federal or any Provincial Government.

(3) This regulation shall not apply to evidence given before statutory committees which has powers to compel attendance and the giving of answers, nor to evidence given in judicial inquiries.

25. **Taking part in politics and elections:-** (1) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall take part in, subscribe in aid of, or assist in any way, any political movement in Pakistan or relating to the affairs of Pakistan.

(2) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall permit any person dependent on him for maintenance or under his/her care or control to take part in, or in any way assist, any movement directly or indirectly, to be subversive to Government as by law established in Pakistan.

(3) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall canvass or otherwise interfere or use his/her influence in connection with or take part in any election to a legislative body, whether in Pakistan or elsewhere:

Provided that a employee of the Khyber Pakhtunkhwa Provincial Housing Authority who is qualified to vote at such election may exercise his/her right to vote: but if he/she does so, he/she shall give no indication of the manner in which he proposes to vote or has voted.

(4) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall allow any member of his/her family dependent on him/her to indulge in any political activity, including forming a political association and being its member, or to act in a manner in which he himself is not permitted.

(5) An employee of the Khyber Pakhtunkhwa Provincial Housing Authority who issues an address 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 purpose of sub-regulation (3) to have taken part in an election to such body.

(6) The provisions of sub-regulation (3) and (5) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of Government servants required or permitted by or under any law or order of Government, for the time being in force, to be candidates at such election.

(7) If any question arises whether any movement or activity falls within the scope of this regulation, the decision of Authority thereon shall be final.

26. **Propagation of Sectarian Creeds, etc:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall propagate such sectarian creeds or take part in such sectarian controversies or indulge in such sectarian partiality and favoritism as are likely to affect his/her integrity in the discharge of his/her duties or to embarrass the administration or create feelings of discontent or displeasure amongst the employee of the Khyber Pakhtunkhwa Provincial Housing Authority in particular and amongst the people in general.

27. **Employee of the Khyber Pakhtunkhwa Provincial Housing Authority not to express views against the ideology of Pakistan:-** No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall express views detrimental to the ideology or integrity of Pakistan.

28. **Nepotism, favoritism and victimization, etc.:-** No Authority employees shall indulge in provincialism, parochialism, nepotism, favoritism, victimization or willful abuse of office.

29. **Vindication by employee of Provincial Housing Authority of their public acts or character:-** (1) A employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall not, without the previous sanction of Government have recourse to any Court or to the press for the vindication of his/her public acts or character from defamatory attacks. When Government grants sanction to a employee of the Khyber Pakhtunkhwa Provincial Housing Authority to have recourse to a court, PHA will ordinarily bear the cost of the proceedings, but may leave the employee of the Khyber Pakhtunkhwa Provincial Housing Authority to institute them at his/her own expense. In the latter case, if he/she obtains a decision in his favour, Government may reimburse him/her to the extent of the whole or any part of the cost.

(2) Nothing in this regulation limits or otherwise affects the right of a employee of the Khyber Pakhtunkhwa Provincial Housing Authority to vindicate his/her private acts or character.

30. **Membership of Service Association:-** (1) No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall be a member, representative of office bearer of any association representing or purporting to represent employee of the Khyber Pakhtunkhwa Provincial Housing Authority, unless such association satisfies the following conditions, namely:-

(a) Membership of the Association and its office bearers shall consist of persons in one and the same "functional unit" and if there is no such functional unit, it may be formed by persons borne on a specific single cadre in or under an Authority;

(b) Office-bearers of the Association shall be elected from amongst members of the Association actually serving. Persons who have retired or have been dismissed or removed from service shall cease to be members of such Association;

(c) The Association shall neither affiliate nor associate with any other body or Association belonging to any other cadre;

(d) The Association shall confine its representations to matters of general interest of Government servants whom it represents and shall not involve itself in individual cases of its members. Also the office bearers and members of the Association shall not participate in the activities of the Association at the cost of their official duties;

(e) the Association shall not engage in any activity or pursue a course of action which its members are individually prohibited to engage in or pursue under these regulations or the instructions issued by Authority from time to time, concerning conduct of Authority's employee and service discipline;

(f) The Association shall not, in respect of any election to legislative body, or to a local authority or body, whether in Pakistan or elsewhere-

- (i) pay or contribute towards any expenses incurred in connection with the candidature for such election.
- (ii) support in any manner the candidature of any person for such election; or
- (iii) undertake or assist in the registration of a candidate for such election;

(g) the Association, shall not-

- (i) issue or maintain any periodical publication except in accordance with any general or special order of Government; and
- (ii) publish, except with the previous sanction of Government, any representation on behalf of its members, whether in the press or otherwise;

(h) The Association shall get its bye-laws or regulation approved by the Appointing Authority, who may at any time require any modification therein or propose regulations or bye-laws, in a particular manner; and

- (i) the Association shall submit annual statement of its accounts and lists of its members and office bearers to the Appointing Authority. Such statement and lists shall be submitted before 1st September every year;
- (ii) the Association shall not represent or purport to represent Authority's employee unless it is recognized by the competent authority;
- (iii) the appointing authority in respect of a cadre shall be the authority competent to recognize the Association of that cadre; Provided that where the cadre consists of higher and lower grades, the authority competent to recognize the Association shall be the appointing authority in respect of the highest post in the cadre; 11
- (iv) an employee of PHA servant who deals with the Association of a particular cadre and is also member of that cadre shall not become office bearer of such Association nor shall he take part in any activity of the Association;
- (v) Authority in its discretion may withdraw recognition of an Association, if in its opinion, such Association has violated any of the conditions of recognition.

31. Restriction on acceptance of membership of certain association:- No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall accept membership of any association or organization whose aims and objects, nature of activities and memberships are not publicly known.

32. Use of political or other influence:- No employee of the Khyber Pakhtunkhwa Provincial Housing Authority shall bring or attempt to bring political or other outside influence directly or indirectly, to bear on Government or any Government servant in support of any claim arising in connection with his employment as such.

33. Approaching Foreign Mission and Aid-Giving Agencies:- (1) No employees of PHA shall approach, directly or indirectly a Foreign Mission in Pakistan or any foreign aid-giving agency in Pakistan or abroad to secure for himself invitations to visit a foreign country or to elicit offers of training facilities abroad.

- (2) Authority's employee should exercise great caution and restraint in the matter of social contacts with members of foreign missions working in Pakistan. They should also avoid casual remarks and observations on official matters in social gathering where foreigners are present.
- (3) Officials of the level of Additional Secretary and below should not receive officials of foreign missions, except with the express permission of the Secretary.
- (4) Authority's employees are prohibited from contacting or making direct approaches to foreign missions in Pakistan in connection with their private business. All such approaches should be made through proper channel i.e through Chief of Protocol of the Ministry of Foreign Affairs.
- (5) Invitations extended by Foreign Missions on the occasions of their National days to officers below the status of Secretaries may be accepted after obtaining permission from the Chief Secretary.
- (6) The participation of officers below the status of Secretary in private functions arranged by foreign diplomats should generally be discouraged. Secretaries and officers of equivalent status, will, however, do so with prior approval of the Chief Secretary.
- (7) Repeated and frequent attendance by officers at private functions held by the same foreign diplomat must be avoided.
- (8) As a general regulation, only those officers who come into official contact with the foreign diplomat concerned should accept invitations.

34. Delegation of Powers:- Authority may, by general or special order, delegate to any officer or authority subordinate to it all or any of its powers under these regulations and may, by such order, prescribe the channel through which reports shall be made to Government and the officers the receipt by whom such reports shall be regarded as receipts of the reports by Government within the meaning of these regulations.

35. Regulation not to be in derogation of any law etc:- Nothing in these regulations shall derogate from the provisions of any law, or of any order of any competent authority, for the time being in force, relating to the conduct of public servants.