

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

1. **Short title, commencement and applications.**- (1) These regulations may be called Khyber Pakhtunkhwa Provincial Housing Authority Leave Regulations, 2022.

(2) They shall apply to employees of the Khyber Pakhtunkhwa Provincial Housing Authority.

(3) They shall come into force at once.

2. **Admissibility of leave to employee.**- Leave shall be admissible to the employees of the Khyber Pakhtunkhwa Provincial Housing Authority at the rates, for the purposes, on the terms & conditions specified in each case, expressed in terms of days and may be sanctioned by the leave sanctioning authority at his discretion keeping in view the legitimacy of the request, exigency of services and the grounds on which such leave has been applied for: -

i. An employee of Khyber Pakhtunkhwa Provincial Housing Authority shall be entitled for 04 days earned leave (on full pay) in a calendar month, provided that his attendance in that month is not less than 16 days.

ii. The leave so earned shall be recorded in the leave account /service book of the employee concerned.

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

3. **When leave earned: -**

a. The service rendered by an employee entitles him to earn leave in accordance with these regulations. However, such leave shall not be earned during the period of any kind of leave/vacation.

b. An employee of the Khyber Pakhtunkhwa Provincial Housing Authority on deputation to foreign service in Pakistan shall be entitled to earn leave creditable in his leave account in the parent department minus the leave availed of by him during the period of such deputation on his repatriation to the parent cadre, provided that the borrowing department shall contribute the leave salary to the Khyber Pakhtunkhwa Provincial Housing Authority accounts.

4. **Grant of leave on full pay .-** (1) The maximum period of leave (on full pay) may be allowed to an employee at a stretch, by the leave sanctioning authority, to the following extent:

- | | | |
|-------------|--|----------|
| i. | Without Medical Certificate | 120 days |
| ii. | With Medical Certificate | 180 days |
| Plus | | |
| iii. | On medical grounds once in the entire service subject to availability of leave in the leave account of the employee concerned. | 365 days |

(2) The maximum period of leave at clause- (i) and (ii) of sub-regulation (1) shall be independent of each other and may be allowed in combination of each other.

(3) Leave on full pay is debitable on the leave account of an employee as follow:-

(a) 1 month-----30 days

(b) 1 day ----- 1 day

5. **Grant of leave on half pay.-** (1) Leave on full pay may be converted into leave on half pay, at the option of the employee concerned.

(2) Debits to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one- half counting as one full day's leave on full pay.

(3) The request for such conversion shall be specified by the employee concerned in his/her application for grant of leave.

(4) There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.

(5) Leave on half pay is debitable on the leave account of an employee as follow:-

(a) 1 month-----15 days

(b) 2 days----- 1 day

6. **Leave not due.-** (i) leave not due may be granted on full pay to an employee of the Khyber Pakhtunkhwa Provincial Housing Authority against the leave to be earned in future, for a maximum period of three hundred and sixty five days during the entire service subject to the condition that in the first five years of service, the quantum of leave so granted shall not exceed ninety days in all;

Provided that:-

- i. such leave may be converted into leave on half pay
- ii. such leave shall be granted only when there are reasonable chances of the employee of the authority's resuming duty on expiry of leave.
- iii. such leave shall be granted sparingly and to the satisfaction of the sanctioning authority and shall be admissible only to regular employees of the Khyber Pakhtunkhwa Provincial Housing Authority.

7. **Leave salary.**- (1) Leave pay admissible during leave (on full pay) shall be the greater of-

- (a) the average monthly pay earned during the the twelve complete months immediately preceding the month in which the leave begins; and
- (b) the rate equal to the rate of pay drawn on the day immediately before the beginning of the leave.

(2) when leave on half pay is taken, the amount calculated under clause (a) and (b) of the sub-regulation (1) shall be halved to determine the greater of the two rates.

(3) employees of the Authority's shall be entitled to the leave pay at the revised rate of pay if a general revision and pay of public servants takes place or an annual increment occurs during the period of leave of the public servant.

8. **Special Leave to female employees.**- A female employee may, on the death of her husband, be granted special leave on full pay not exceeding 130 days. This leave shall not be debited to her leave account and will commence from the date of death of her husband. For this purpose she will have to produce death certificate issued by the competent authority either along with her application for special leave or; if that is not possible, the said certificate may be furnished to the leave sanctioning authority separately.

9. **Maternity Leave.** - (1) Maternity leave may be granted on full pay, not debitable to the leave account, to a female employee to the extent of ninety days in all from the date of its commencement or forty five days from the date of her confinement, whichever, is earlier.

(2) Such leave may not be granted for more than three times in the entire service of a female employee.

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

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

(5) Maternity leave may be granted in continuation of or in combination with, any other kind of leave including extraordinary leave as may be due and admissible to a female employee.

(6) Leave application for maternity leave shall be supported with the medical certificate of the authorized medical practitioner.

10. Disability leave.- (1) Disability leave may be granted up to a maximum of seven hundred and twenty days on such medical advice as the competent medical authority may consider necessary, to an employee, disabled due to injury, ailment or disease which is otherwise curable but requires a prolonged treatment.

(2) The leave salary during disability leave shall be equal to full pay for the first one hundred and eighty days and on half pay for the remaining period.

11. Extraordinary leave (leave without pay).- (1) Extraordinary leave may be granted on any ground upto a maximum period of five years at a time; provided that the public servant to whom such leave is granted has been in continuous service for a period of not less than ten years. In case a public servant has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the leave sanctioning authority. This leave can be granted irrespective of the fact whether a public servant is a permanent or temporary employee.

(2) The maximum period of extraordinary leave without pay combined with leave on full pay and leave on half pay shall be subject to the limit of 5 years. The maximum period of extraordinary leave without pay that would be admissible to a public servant who has rendered continuous service for a period of not less than 10 years shall be 5 years less the period of leave on full pay and leave on half pay so combined.

(3) "Extraordinary leave may be granted retrospectively in lieu of absence without leave"

12. Leave on medical certificate.-leave applied for on medical certificate shall not ordinarily be refused. The authority competent to sanction leave may, however, at its discretion, secure a second medical opinion of the competent medical authority.

13. Leave Preparatory to Retirement. - The maximum period upto which a public servant may be granted leave preparatory to retirement shall be 365 days only. It may be taken subject to availability in the leave account, either on full pay or partly on full pay and partly on half pay, or entirely on half pay, at the discretion of the public servant and it will not extend beyond the age of superannuation.

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

15. **Ex-Pakistan Leave.** - (1) Leave Ex-Pakistan may be granted on full pay to a public servant who applied for such leave or who proceeds abroad during leave, or takes leave while posted abroad or is otherwise on duty abroad and makes a specific request to that effect.

(2) The leave pay to be drawn abroad shall be restricted to maximum of rupees three thousands per month.

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

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

(5) Leave Ex-Pakistan will be regulated and be subject to the same limits and conditions as prescribed in regulations 4, 5 and 11.

16. **Assigning reasons for leave.**- It shall not be necessary to specify the reasons for which leave has been applied, so long as that leave is due and admissible to a public servant.

17. **Commencement and end of leave.**- Instead of indicating whether leave starts /ends in the forenoon or afternoon, leave shall commence from the day following that on which an employee hands over the charge of his/her post. It shall end on the day proceeding the day he/she resumes duty.

18. **Absence after the expiry of leave.**- Unless his/her leave is extended by the leave sanctioning authority, an employee who remains absent (except for circumstances beyond his/her control), after the expiry of his/her leave shall not be entitled to any remuneration for the period of such absence and double period of such absence shall be debited against his/her leave account. Such debit shall if there is insufficient credit in the leave account, be adjusted against future accumulation. Such double debit shall not preclude and disciplinary action that may be considered necessary under any Rules/Regulations for the time being in force, after affording a reasonable opportunity to the employee concerned to justify his/her absence.

19. **Encashment of Leave Preparatory to Retirement.-** Where a public servant/employee opts not to avail the leave preparatory to retirement admissible to him/her under regulation 13, he/she shall be allowed leave salary for the period for which leave preparatory to retirement is admissible, subject to maximum of 365 days. For the purpose of lump sum payment in lieu of leave preparatory to retirement only the senior post allowance will be included in the leave pay so admissible. The payment of leave pay in lieu of leave preparatory to retirement may be made to the public servants either in lump sum at the time of retirement or may at his/her option, be drawn by him/her month wise, in arrears, for and during the period of leave preparatory to retirement.

20. **In service Death etc.-** (1) In case an employee of the Khyber Pakhtunkhwa Provincial Housing Authority dies, or is declared permanently incapacitated for further service by a medical board, while in service, a lump sum amount equal to leave pay upto one hundred and eighty days out of the leave at his/her credit shall be made to his/her family as defined for the purpose of family pension or, as the case may be, to the public servants,

(2) For the purpose of lump sum payment under sub regulation (1) above, the senior post allowance will be included in the "leave pay" so admissible.

21. **Recall from leave.-** If an employee of the Khyber Pakhtunkhwa Provincial Housing Authority is recalled to duty compulsorily with the approval of the leave sanctioning authority, from leave of any kind, which he/she is spending away from his/her headquarters, he/she may be granted single return fare plus daily allowance as admissible on tour from the station where he/she is spending his/her leave to the place where he/she is required to report for duty. In case he/she is recalled to duty at headquarters and his/her remaining leave is cancelled, the fare then admissible shall be for one way journey only. If the order of recall to the public servant is optional then the concession above mentioned will not be admissible.

22. **Any type of leave may be applied.-** An employee may apply for any type of leave which is due and admissible to him/her and it shall not be refused on the ground that another type of leave should be taken in the particular circumstances, for example public servant may apply for extraordinary leave or leave on half pay even if leave on full pay is otherwise due and admissible to him/her, or he/she may proceed on extraordinary leave followed by leave on half pay and full pay rather than on full pay, half pay and without pay.

23. **Combination of different types of leave.-** One type of leave may be combined with joining time or with any other type of leave otherwise admissible to the employee;

Provided that the leave preparatory to retirement shall not be combined with any other kind of leave.

24. **Employee on leave not to join duty before expiry of leave.-** Unless he/she is permitted to do so by the authority which sanctioned his/her leave a public servant on leave may not return to duty before the expiry of the period of leave granted to him.
25. **Leave due may be granted on abolition of post etc.-** (1) When a post is abolished, leave due to the public servant, whose services are terminated in consequence thereof, shall be granted without regard to the availability of post for the period of leave.
- (2) The grant of leave in such cases shall, so long as he/she does not attain the age of superannuation be deemed automatically to have also extended the duration of the post and the tenure of its incumbent.
26. **Handing /Taking over of charge when proceeding on/return from leave etc.** (1) An employee proceeding on leave shall hand over the charge of his/her post, if he/she is in Grade-16 and above, he/she shall, while handing over charge of the post, sign the charge relinquishment report.
- (2) If leave Ex-Pakistan has been sanctioned on medical ground, the public servant shall take abroad with him/her copy of the medical statement of his/her case.
27. **Assumption of charge on return from leave etc.-** (1) A public servant, on return from leave, shall report for duty to the authority that sanctioned his/her leave and assume charge of the post of which he/she is directed by that authority unless such direction has been given to him/her in advance.
- (2) In case he/she is directed to take charge of a post at a station other than that from where he/she proceeded on leave, travel expenses as on transfer shall be payable to him/her/
28. **Accounts office to maintain leave account.-** (1) Leave account in respect of the employees shall be maintained as part of his/her Service Book.
- (2) The Accounts Office of Provincial Housing Authority shall maintain the leave accounts of public servants of whom they were maintaining the accounts immediately before the coming into the force of these regulations.
29. **Leave to lapse when employee quits service.-** All leave at the credit of an employee shall stand lapsed when he/she quits service.
30. **Leave application, its sanction, etc.-** (1) Except where otherwise stated, an application for leave or for an extension of leave must be made to the head of office where a public servant is employed and, in the case of the head of office to the next-above administrative authority and the extent of leave due and admissible shall be stated in the application.

- (2) An audit report shall not be necessary before the leave is sanctioned.
- (3) When an employee of Provincial Housing Authority submits a medical certificate for the grant of leave, it shall be by an authorized medical attendant in the form attached to these regulations.
- (4) Leave as admissible to an employee of Provincial Housing Authority under these regulations may be sanctioned by Secretary Housing for BS-17 and above and Director General, Provincial Housing Authority for BS-16 and below.
- (5) In cases where all the applications for leave cannot, in the interest of public service, be sanctioned to run simultaneously, the authority competent to sanction leave shall, in deciding the priority of the applications consider:
 - (i) whether, and how many applicants can, for the time being, best be spared;
 - (ii) whether any applicants were last recalled compulsorily from leave; and
 - (iii) whether any applicants were required to make adjustment in the timing of their leave on the last occasion.

31. Study leave.- (1) Study leave shall be granted to an employee intending proceeding for a study course/training within country or abroad for enhancement of his/her academic qualification contributive to his/her profession. Such leave shall be granted on half pay for a maximum period of 02 years, subject to the condition that his/her service should not be less than five years and more than twenty years. Extraordinary leave (without pay) may also be combined with the study leave and in that case the condition of the maximum period shall not apply. However, the study leave with half pay shall not exceed two years and the maximum period of extraordinary leave (without pay), so combined shall not be more than the leave admissible under regulation 12 of these regulation.

(2) The aforesaid leave shall also be subject to the execution of a surety bond to the effect that the employee shall be liable to return to the Khyber Pakhtunkhwa Provincial Housing Authority and serve for at least five years after his/her return failing which he/she shall be liable to pay the bonded amount which should not be less than 5.00 million.

(3) Study leave will be sanctioned by the Authority.

32. Casual Leave (1) Khyber Pakhtunkhwa Provincial Housing Authority's employee is not entitled to causal leave as of right. Casual leave is granted by way of grace to enable Khyber Pakhtunkhwa Provincial Housing Authority's employee to attend their private affairs of casual nature. It is entirely within the discretion of the sanctioning authority either to sanction or refuse leave;

(2) Casual leave may not ordinarily exceed ten days at a time. The sanctioning authority may, however, grant leave up-to 15 days at a time under special circumstances;

(3) Casual leave may be granted in conjunction with Saturday and Sunday or public holidays but not with any other kind of leave or joining time. When it is combined with holidays the total period shall not exceed 15 days at a time.

(4) Casual leave may be sanctioned under the authority of the Director General or head of the department by the immediate superior officer of the Khyber Pakhtunkhwa Provincial Housing Authority's employee.

(5) Casual Leave in respect of Director General, Provincial Housing Authority may be sanctioned by the Secretary Housing Department.

FORM-1

FORM OF MEDICAL CERTIFICATE

Signature of the applicant _____

MEDICAL CERTIFICATE FOR EMPLOYEES OF PROVINCIAL HOUSING
AUTHORITY RECOMMENDED FOR LEAVE OR EXTENSION

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

Dated,

the Government Medical Attendant

FORM-II

APPLICATION FOR LEAVE

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

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

Signature of applicant

10. Remarks and recommendation of the Controlling Officer.

11. Certified that leave applied for is admissible under Regulation.....

Signature

Designation

12. Report of Audit Office.

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

Signature

Designation

