

PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar the 16 Nov, 2015

No.PA/KP/EO/2015/10701.--- In exercise of the powers conferred by section 12 of the Provincial Assembly of Khyber Pakhtunkhwa (Salaries and Allowances of Members) Act, 1974 (Khyber Pakhtunkhwa Act XI of 1974), read with Section 7B thereof, in pursuance of approval by Assembly, Speaker of the Provincial Assembly of Khyber Pakhtunkhwa is pleased to make the following rules for the allotment and occupation of residential accommodation in the Provincial Assembly Members' Hostel, Peshawar:-

1. Short title and commencement. - (1) These rules may be called the Provincial Assembly of the Khyber Pakhtunkhwa Hostel (**Allotment and Occupation of residential accommodation**) Rules, 2015.

2. Definitions. - (1) In these rules, unless the context otherwise requires-

- (a) "Allottee" means a person who holds an allotment order under these rules;
- (b) "Assembly" means the Provincial Assembly of Khyber Pakhtunkhwa;
- (c) "Family" includes the spouse of an allottee and his children;
- (d) "Hostel" means the building provided by the Govt. of Khyber Pakhtunkhwa for residential accommodation of Members and includes any other building, for the time being under the administrative control of the Assembly for providing residential accommodation to the members;
- (e) "member" means a member of the Assembly;
- (f) "non-member" means a person other than a member and parliamentary secretary;
- (g) "Parliamentary secretary" means a member so appointed or designated by the chief minister under any law for time being in vogue;
- (h) "room" means a single room accommodation in a hostel but does not include a suite;
- (i) "Secretary" means Secretary of the Assembly, and includes any person for the time being performing the duties of the Secretary;
- (j) "Speaker" mean the Speaker of the Assembly; and

(k) "suite" means a suite of rooms in a hostel meant to be used a single unit.

(2) The words and phrases used and not defined in these rules shall have the same meaning as are respectively assigned to them in the Constitution and the Khyber Pakhtunkhwa Provincial Assembly (Salaries, Allowances and Privileges of members) Act 1974.

3. Eligibility of Allotment. - (1) A suite and a room in a hostel is reserved for the exclusive use or occupation by a member and his family , on payment of such rent and other charges as are prescribed under these rules.

(2) The Speaker may reserve such number of suites and rooms as he may determine for the exclusive allotment, on priority basis to the lady members or visiting guests.

Provided that subject to availability, accommodation in hostel may be provided, free of rent to official visiting guests.

(3) Subject to availability of accommodation and the provisions of sub-rule (4), a suite or a room may be allotted to a non-member, on payment of such rent and other charges as are prescribed under these rules.

(4) An allotment to a non-member may be cancelled at any time, if the said accommodation is required for occupation by a member.

4. Procedure for allotment. - (1) Allotment of a suite or a room may be made either on an application, or on a request made through electronic media (telephone, fax, e-mail or web).

(2) A request for allotment made through electronic media shall be reduced in writing and shall be deemed to be an application received under these rules and shall be processed accordingly.

(3) While making a request through an application or otherwise, it shall also be certified that the applicant is not disqualified for allotment under these rules.

(4) The applications received or deemed to have been received shall be entered in a register in the same order in which they are received.

(5) The allotment shall be made by the Secretary or by any other officer so authorized by him, according to the priority of the receipt of the applications.

(6) Notwithstanding anything in sub-rule (5), the Speaker may order allotment of a suite or a room to a lady member in preference to a male member, but while passing any such order, the inter se priority amongst the lady members shall be kept in view.

(7) A suite or a room shall not be occupied without a valid allotment order issued by the Secretary or an officer authorized by him in this behalf.

5. Bar on allotment. - No room shall be allotted in favour of any person- (a) against whom any dues on account of any former allotment are recoverable; or (b) whose allotment had earlier been cancelled on account of violation of the rules.

Explanation: For the purpose of this rule, “person” means member, non-member and parliamentary secretary as defined in paragraph ‘e’ and ‘f’ of sub rule (1) of rule 2.

6. Prohibition. - (1) A member shall be allotted one suite or one room at a time. Provided that subject to availability, an additional suite or room may be allotted to a member on payment of such rates as prescribed in these rules.

(2) No pet or other animals shall be brought and kept within the premises of the hostel.

(3) No person other than the allottee and his family shall stay in a hostel.

(4) An allottee shall not hand over the possession of the suite or the room allotted to him to any person **who is not entitled to use or occupy the same under these rules.**

(5) No public gathering shall be held in the Hostel.

(6) **No allottee shall use the suite or room allotted to him as the place of business.**

(7) No additional furniture, lighting point, fan, heater or other electric installation, except those provided in a suite or a room, shall be made use of by an allottee, and no such articles shall be removed from the said place.

7. Charges. - (1) A member occupying a suite or a room during the period of term of duty shall not be entitled to claim Accommodation Allowance admissible to him under the Khyber Pakhtunkhwa Provincial Assembly (Salaries and Allowances of Members) Act, 1974 (Act XI of 1974).

(2) **A member who occupies a suite or a room in hostel during the period of his term of duty shall pay rupees three thousand for suite, and rupees two thousands for room per month.**

(3) A member who occupies an additional suite or room in the hostel during the period of residence of duty or otherwise shall pay rupees eight thousand for suite and six thousand for room per month.

Provided that only one suite or room would be allotted as an additional to honorable Members subject to the availability.

(4) A Parliamentary Secretary occupies a suite in the hostel shall pay rupees fifteen thousand and for room rupees twelve thousand per month.

(5) A Parliamentary Secretary occupies an additional suite or room shall be rupees fifteen thousand per month.

(6) **Non-member.** A non-member shall pay rent @ Rs. 1200/- per day for a suite and Rs. 700/- per day for a room.

8. Surrender of accommodation. - (1) An allottee who wishes to surrender the allotted accommodation, shall intimate the same to the Comptroller **in writing** and shall hand over the physical possession, along with all other articles provided therein, to him.

(2) Notwithstanding any such intimation, an allottee shall be deemed to have vacated the possession at the time when he physically hands over the vacant possession of the suite or the room to the Comptroller.

(3) An allottee shall be liable to pay rent for the entire period of occupation.

(4) An allottee while vacating accommodation shall be liable to pay the cost of the missing articles, if any.

(5) On taking over the possession, the Comptroller shall make an entry to that effect in the relevant register, and shall forthwith inform the Estate Officer and Deputy Director (Finance and Accounts), Provincial Assembly of Khyber Pakhtunkhwa.

9. Unauthorized occupation. - (1) A person shall be deemed to be in unauthorized occupation of a suite or a room if-

- (a) he occupies the same without an allotment order under these rules; or
- (b) he remains in occupation of a suite or a room after his allotment has been cancelled or is deemed to have been cancelled; and
- (c) the suite or the room is actually occupied by a person other than the member and his family or any other allottee.

(2) An unauthorized occupant shall be liable to immediate eviction under orders of the authority competent to make allotment.

(3) An unauthorized occupant shall not be entitled to the facilities extended to an allottee.

(4) An unauthorized occupant shall be charged panel rent @ rupees two thousand per day for a suite, and rupees one hundred and five hundred for a room per day.

10. Furnishings. - (1) A list of furniture/furnishings and electric installations/appliances provided in a suite or a room shall be maintained in respect of each suite

or a room and the allottee will be entitled to the use of such articles during the period of his lawful stay therein.

(2) An allottee shall be responsible for the careful handling of the said articles and shall be liable to make good any damage which is caused on account of negligence or mishandling.

11. Telephone. - Subject to sub-rule (3) of rule 9, a telephone extension shall be provided in a suite or a room for use by the allottee for making local as well as long distance calls on payment of actual charges through the Operator on duty.

12. Violation of the rules. – In case of violation of these rules, the allotment shall be cancelled, and such person shall be disqualified for future allotment of accommodation in a hostel.

13. Repeal. - The Provincial Assembly Members' Hostel (Allotment and Occupation) Rules 1977 are hereby repealed.

By the order of Mr. Speaker

**Special Secretary
Admn:&Finance Provincial Assembly of
Khyber Pakhtunkhwa,**