

**GOVERNMENT OF 1[Khyber Pakhtunkhwa]  
LABOUR DEPARTMENT**

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**NOTIFICATION**

Peshawar, the 4th May, 1993.

No. SOL 1-17/93/198 — . In Exercise of the powers conferred by section 6 of the Workers' Children (Education) Ordinance, 1972 (Ordinance No. XI of 1972) the Government of 2[Khyber Pakhtunkhwa] is pleased to make the following rules regulating services of the employees of 3[Khyber Pakhtunkhwa] Workers' Children Education Board and prescribing terms and conditions of service for the persons appointed thereto, namely:

**THE 4[Khyber Pakhtunkhwa] WORKERS' CHILDREN  
EDUCATION BOARD (EMPLOYEES) SERVICE RULES, 1993.**

PART-I — GENERAL

1. **Short title, Application and Commencement.**— (1) These rules may be called the 5[Khyber Pakhtunkhwa] Workers' Children Education Board (Employees) Service Rules, 1993.

(2) They shall apply to the employees of the 6 [Khyber Pakhtunkhwa] Workers' Children Education Board.

(3) They shall come into force at once.

2. **Definitions.**— In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:—

- (a) "Accused" means an employee of the Board against whom action is taken under these rules;
- (b) "Allowance" means a recurring or non-recurring payment other than pay;
- (c) "Appellate Authority" means the Officer or Authority next above the competent authority;
- (d) "Appointing Authority" in relation to a post means a person authorised under rule 4 to make appointment to that post;
- (e) "Secretary" means the Secretary of the Board;
- (f) "Authority" means the Board or the Chairman of the Board in relation to powers delegated to him;
- (g) "Authorised Officer" means an officer authorised by the authority to perform the functions of an authorised officer under these rules;
- (h) "Pay Scale" means the Pay Scales for time being sanctioned by the Government in which a post or group of post is placed;

1. Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.
2. Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.
3. Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.
4. Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

- (i) "Board" means the<sup>1</sup>[Khyber Pakhtunkhwa] Workers' Children Education Board constituted under section 6 of the Workers' Children (Education) Ordinance, 1972 (Ordinance No. XI of 1972);
- (j) "Chairman" means the Chairman of the Board;
- (k) "Employee" means a person engaged for service under the Board on a post carrying a pay scale;
- (l) "Government" means the Government of the<sup>2</sup>[Khyber Pakhtunkhwa];
- (m) "Initial Recruitment" means appointment made otherwise than by promotion or transfer;
- (n) "Month" means a calendar month;
- (o) "Pay" means the amount drawn monthly by an employee as pay and includes special pay, personal pay and other emoluments declared by the authority to be pay;
- (p) "Penalty" means a penalty which may be imposed under these rules; and
- (q) "Post" means a post sanctioned in connection with the affairs of the Board.

## PART-II GENERAL CONDITIONS OF SERVICE

**3. Method of Appointment.**— (1) Appointment to posts shall be made by any of following methods, namely:—

- (a) by promotion or transfer; and
- (b) by initial recruitment.

(2) The method of appointment, qualifications, age and other conditions shall be as laid down in the appendix to these rules;

Provided that such relaxation in the upper age limit, as may be admissible to a candidate for appointment to a post in Government, shall also be admissible to a candidate for appointment to a post in the Board.

**4. Appointing Authority.**— Appointment to various posts in pay scales shall be made;—

- (a) in case of posts carrying Pay Scale 1 to 16 by the Chairman;
- (b) in other cases, by the Board.

**5. Appointment by promotion or transfer.**— (1) An employee possessing such minimum qualification as prescribed shall be eligible for promotion to higher post for the time being reserved under the rules for promotion in the service or cadre to which he belongs.

(2) Appointment by promotion or transfer shall be made on the recommendations of an appropriate Promotion Committee to be constituted by the Board.

(3) Appointment by transfer shall be made from amongst the persons holding appointment on regular basis in the same pay scale in which the post to be filled exists.

(4) Persons possessing such minimum qualifications and fulfilling such conditions as laid down for the purpose of promotion or transfer to a post shall be considered by the Promotion Committee for promotion or transfer, as the case may be.

**6. Appointment on Acting Charge or Current Charge Basis.**— (1) If the most senior employee belonging to the cadre or service who is otherwise eligible for promotion, does not possess the prescribed length of service or experience, the appointing authority may appoint him on acting charge basis to a vacant post reserved under the rules for promotion.

(2) Acting charge appointment may be made against posts which are likely to fall vacant for a period of six months or more. Current charge appointment may be made against vacancies occurring for less than six months.

1. Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.  
2. Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

(3) Acting charge appointment shall be made on the recommendation of Promotion Committee.

(4) Acting charge appointment shall not confer any vested right for regular promotion to the post held on acting charge basis.

**7. Appointment by Initial Recruitment.**— Initial appointment shall be made on the recommendation of Selection Committee after vacancies reserved for initial recruitment in Basic Pay Scale, except vacancies in Pay Scale 1-4, have been advertised in newspaper, provided that age shall be reckoned on the first January of the year in which posts are advertised.

**8. Eligibility.**— (1) No person shall be appointed to a post unless he is found, after such medical examination as the Board may prescribe, to be in good mental and bodily health and free from physical defect likely to interfere in the efficient discharge of his duties.

(2) A candidate for appointment shall be a citizen of Pakistan and bonafide resident of [Khyber Pakhtunkhwa].

(3) (i) No person, not already in Board service, shall be appointed to a post unless he produces a certificate of character from the Principal of academic institution last attended and also certificates of character from two responsible persons, not being his relatives, who are well acquainted with his character and antecedents.

(ii) Notwithstanding anything contained in clause (i) of sub-rule (3) of rule 8, an appointment by initial recruitment shall be subject to the verification of character and antecedents of the candidate or the person appointed, to the satisfaction of the Appointing Authority.

**9. Probation.**— A person appointed to a post on regular basis shall remain on probation for a period of two years, if appointed by initial recruitment, and for a period of one year, if appointed otherwise.

**Explanation.**— Officiating service or service spent on deputation to a corresponding or a higher post may be allowed to count towards the period of probation.

**10.** If the work or conduct of the person during the period of probation has, in the opinion of the Appointing Authority, not been found satisfactory, the Appointing Authority may, notwithstanding that the period of probation has not expired:

- (a) dispense with his services, if he has been appointed by initial recruitment; or
- (b) revert him to his former post, if he has been appointed otherwise, or if there be no such post, dispense with his service.

**11. Confirmation.**—

(1) On satisfactory completion of the probationary period, an employee shall be confirmed; or

(2) If his work has, in the opinion of the Appointing Authority, not been found satisfactory; it may:

- (a) dispense with his services, if he has been appointed by initial recruitment; or
- (b) revert him to his former post, if he has been appointed otherwise, or if there be no such post, dispense with his services;
- (c) extend the period of probation by a period not exceeding one year in all and during or on the expiry of such extended period, pass such orders as it could have passed during or on the expiry of the initial probationary period.

**Explanation-I.**— If no orders have been made by the day following the completion of initial probationary period, the period of probation shall be deemed to have been extended.

**Explanation-II.**— If no orders have been made by the day on which the maximum period of probation expires, the probationer shall be deemed to have been confirmed in his appointment provided he holds a substantive post from the date on which the period of probation was last extended or deemed to have been so extended.

12. **Seniority.**— (1) For proper administration of a service, cadre or post, the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or post to be prepared, but nothing therein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or post, as the case may be.

(2) The seniority list shall be revised at least once in a calendar year, preferably in the month of January.

13. (1) The seniority interse of employees appointed to a service, cadre or post shall be determined:—

(a) in the case of persons appointed by initial recruitment, in accordance with the order of seniority assigned by the appointing authority; provided that persons selected for appointment in an earlier selection shall rank senior to the persons selected in a later selection.

(b) in the case of employees appointed otherwise, with reference to the dates of their continuous regular appointment in the post; provided that employees selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their interse seniority as in the lower post. In case the date of continuous appointment of two or more employees in the lower post/grade is the same, the employees older in age shall be treated senior.

(2) The seniority in various cadres of employees appointed by initial recruitment vis-a-vis those appointed otherwise shall be determined with reference to the dates of their regular appointment to a post in that cadre; provided that if the two dates are the same, the person appointed otherwise, shall rank senior to the person appointed by initial recruitment.

14. **Termination of Service.**— (1) The service of an employee may be terminated without notice:—

(i) during the initial or extended period of his probation;

Provided that, where such employee is appointed by promotion on probation or, as the case may be, is transferred from one grade/cadre or post to another grade, cadre or post, his service shall not be so terminated so long as he holds a lien against his former post in such grade, cadre or post, as the case may be;

(ii) on the expiry of the initial or extended period of his employment;

(iii) on his being declared medically unfit for further service by an authorised Medical Officer;

(iv) in pursuance of provision contained in a written contract between an employee and the Board;

(v) on his attaining the age of 60 years.

(2) Where, on the abolition of a post or reduction in the number of posts in a cadre or grade, the services of employee are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or grade.

(3) Notwithstanding the provisions of sub-rule (1) but subject to the provisions of sub-rule (2) of rule 14, the service of temporary employee shall be liable to termination on fourteen days notice or pay in lieu thereof.

(4) **Notice of discharge on the abolition of the post to permanent employee.**— Reasonable notice should be given to permanent employee before his services are dispensed with on the abolition of his office. If, in any case, notice of at least three months is not given and the officer has not been provided with other employment on the date on which his services are dispensed with, then, with sanction of the authority competent to dispense with his services, pay for the period by which notice actually given to him falls short of three months, may be paid to him but the contributory provident fund shall not be payable for the period in respect of which he receives pay in lieu of notice.

15. **Resignation.**— (1) An employee who wishes to resign from the service of the Board must give 14 days notice in writing otherwise he shall be liable to surrender 14 days pay in lieu of notice. The Appointing Authority may, in exceptional cases, waive off the requirement of notice period.

(2) No employee may tender his resignation or notice of resignation while he is on leave. In such a case he shall be deemed to have left the Board's service without notice on the day he proceeded on leave. The provision of this rule can be relaxed by the Appointing Authority in exceptional cases.

(3) An employee who has submitted his resignation may not leave his post unless his resignation is accepted and he has properly handed over the charge of his post/office and has been duly relieved by the authority. Absence from duty after submission of resignation without valid reasons may render the employee liable to disciplinary action and to declaration of period as unauthorised absence.

16. **Posting and Transfer.**— (1) Every employee shall be liable to serve anywhere in the Province under the Provincial Government or Local Authority or Corporation or Body set up or established by the Provincial Government.

Provided that where an employee is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

(2) The Chairman shall have full powers to transfer an employee to a particular post in the service or cadre.

### PART-III

#### (A) — CONDUCT AND PENALTIES

17. **Grounds of Penalty.**— (1) Where an employee, in the opinion of the authority:

- (a) is inefficient or has ceased to be efficient; or
- (b) is guilty of misconduct; or
- (c) is corrupt, or may reasonably be considered corrupt because:—
  - (i) he is, or any of his dependents or any other person through him or on his behalf is, in possession (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income; or
  - (ii) he has assumed a style of living beyond his ostensible means; or
  - (iii) he has a persistent reputation of being corrupt; or
- (d) is engaged in subversive activities, or is reasonably suspected of being associated with others engaged in subversive activities or is guilty of disclosure of Board secrets to any unauthorised persons, and his retention in service is, therefore, prejudicial to national security or the interests of Board, the Appointing Authority or such other authority as may be empowered by appointing authority, may impose on him one or more penalties.

(2) **Misconduct means:** Conduct prejudicial to good order or service discipline or contrary to these rules or unbecoming of an office and a gentleman and includes:—

- (a) any act on the part of employee to bring or attempt to bring political or other outside influence directly to bear on Board or authority in respect of any matter relating to the appointment, promotion, transfer, punishment or other conditions of service of an employee;
- (b) wilful, in-subordination or disobedience of any reasonable and lawful orders of superiors;
- (c) theft, fraud, misappropriation or embezzlement in connection with the Board Funds or any wilful damage to or loss of Board's property;
- (d) giving or taking bribes or any illegal gratification;
- (e) late attendance and absence without legitimate cause or approval of the competent authority; -
- (f) drunkenness/intoxication of causing disorderly and indecent incident within office premises;
- (g) making of false and misleading statements;
- (h) conviction by a court of law for an offence of moral turpitude;

- (i) favouritism, nepotism and misuse of powers;
- (j) striking or inciting others to strike work in contravention of provisions of any law or rules;
- (k) breach of any rule, regulation or standing order of the Board;
- (l) taking part in politics and in any election to a legislative body;
- (m) propagation and taking part or indulgence in sectarian creeds; and
- (n) unauthorised communication of official documents or information.

18. **Penalties.**— (1) The following are the minor and major penalties namely:—

(a) Minor Penalties:—

- (i) Censure;
- (ii) withholding for a specific period, promotion or increment, otherwise than for unfitness for promotion or financial advancement in accordance with the rules or orders pertaining to the service or post;
- (iii) recovery from pay of the whole or any part of any pecuniary loss caused to Board by negligence or breach of order.

(b) Major penalties:—

- (i) reduction to a lower post, grade or time scale, or to lower stage in a time scale;
- (ii) compulsory retirement;
- (iii) removal from service ; and
- (iv) dismissal from service.

(2) Removal from service does not, but dismissal from service does, disqualify for future employment.

(3) In this rule, removal or dismissal from service does not include the discharge of person:—

- (a) appointed on probation, during the period of probation, or in accordance with the probation or training rules applicable to him; or
- (b) appointed, otherwise than under a contract, to hold a temporary appointment, on the expiration of the period of appointment; or
- (c) engaged under a contract, in accordance with the terms of the contract.

#### (B) — INQUIRY AND IMPOSITION OF PENALTIES

19. **Initiation of Proceedings.**— (1) If on the basis of his own knowledge or information placed before him, the authority is of the opinion that there are sufficient grounds for proceeding against an employee, he shall direct the authorised officer to proceed against such employee.

(2) Where no authorised officer stands designated in respect of the accused employee the authority shall simultaneously appoint an officer senior in rank to the accused to perform the function of an authorised officer.

20. **Procedure to be observed by authorised officer.**— (1) In case when an employee is accused of subversion, corruption or misconduct, he may be placed under suspension by authority or with the prior approval of authority, by the authorised officer, or he may be required by the authorised officer to proceed on leave, provided that any continuation of such leave or suspension shall require approval of the authority after every three months.

(2) The authorised officer shall decide whether in the light of facts of the case or the interest of justice an inquiry should be conducted through an enquiry officer or enquiry committee.

(3) If the authorised officer decides that it is not necessary to conduct an enquiry, he shall:—

- (a) by an order in writing, inform the accused of the action proposed to be taken in regard to him and the grounds of the action.
- (b) give him a reasonable opportunity of showing cause against that action provided that no such opportunity shall be given when the authority is satisfied that in the interest of the security of Pakistan on any part thereof, it is not expedient.

(4) Within seven days of the receipt of the explanation of the accused or within such further period as may be allowed by the authority at the written request of the authorised officer, the authorised officer shall determine whether the charge has been proved. If it is proposed to impose a minor penalty, he shall pass orders accordingly. If, however, the authorised officer considered it to be a case of major penalty, he shall forward the case to the authority alongwith the explanation of the accused, and his own recommendations regarding the penalty to be imposed.

(5) If under sub-rule (2) an Inquiry Officer or Inquiry Committee is appointed, the authorised officer shall:—

- (a) frame a charge and communicate it to the accused together with statement of the allegations explaining the charge and of any other relevant circumstances which are proposed to be taken into consideration;
- (b) require the accused within a reasonable time, which shall not be less than seven days or more than fourteen days from the day the charge has been communicated to him, to put in written defence directly before the inquiry officer or the Inquiry Committee, as the case may be.

(6) The authorised officer immediately after communicating the charge to the accused under sub-rule (5) shall forward such record or copies thereof and such other material as is necessary for the conduct of the enquiry to the Inquiry Officer or the Inquiry Committee, as the case may be.

(7) In case two or more employees are to be proceeded against jointly under these rules, the authority or, as the case may be, the authorised officer, designated or authorised, for the employee senior most in rank shall be the authority or, as the case may be, the authorised officer in respect of all such accused.

**21. Procedure to be observed by the Inquiry Officer or Inquiry Committee.**— (1) The inquiry officer or the committee, as the case may be, shall enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and where any witness is produced by one party, the other party shall be entitled to cross-examine the witnesses against him.

(2) If the accused fails to furnish his explanation within the period specified, the Inquiry Officer or the Inquiry Committee, as the case may be, shall proceed with the inquiry.

(3) The Inquiry Officer or the Committee, as the case may be, shall hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing. However, every adjournment, with reasons therefor shall be reported forthwith to the authorised officer. Normally no adjournment shall be for more than a week.

(4) Where the Inquiry Officer or the Committee, as the case may be, is satisfied that the accused is hampering, or attempting to hamper the progress of the enquiry, he or it shall administer a warning, and if thereafter, he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the enquiry in such manner as he or it thinks best suited to do substantial justice.

(5) If the accused absents himself from the enquiry on medical ground he shall be deemed to have hampered or attempted to hamper the progress of the enquiry unless medical leave applied for by him, is sanctioned on the recommendation of a Medical Board. Where, in view of the serious condition of the accused, it may not be possible for him to appear before the Medical Board, the Board shall examine him at his residence of which complete address must always be given in the leave application and at which he must be available.

(6) The Inquiry Officer or the Committee, as the case may be, shall complete inquiry proceedings within a period of 60 days commencing from the last date of submission of the written defence by the accused and shall within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authorised officer, submit his or its findings and the grounds thereof to the authorised officer.

(7) The authorised officer, on receipt of the report of the Enquiry Officer or Enquiry Committee, shall determine whether the charge has been proved. If it is proposed to impose a minor penalty, he shall after affording the accused an opportunity of showing cause against the action proposed, pass orders accordingly. If it is proposed to impose a major penalty, he shall forward the case to the authority along with the charge sheet, a statement of allegations served on the accused, explanation of the accused, the findings of the Enquiry Officer or the Enquiry Committee, as the case may be, and his own recommendations regarding the penalty to be imposed. In case it is proposed to drop the proceedings, the authorised officer shall submit the case with all relevant material/documents to the authority for appropriate orders.

(8) *Appearance of Counsel.*— No party to any proceedings under these rules before the authority, the authorised officer, an Enquiry Committee or Appellate Authority shall be represented by a lawyer.

**22. Action by the Authority.—**

- (i) In the case of any proceedings, the record of which has been reported for orders under sub-rule (4) of rule 20 and sub-rule (7) of rule 21, the authority may pass such orders as it deems fit.
- (ii) But before imposing a major penalty, the authority shall afford the accused an opportunity of being heard in person, either before himself or before an officer senior in rank to the accused designated for the purpose. After taking into consideration the record of such personal hearing prepared by the officer so designated, the authority may pass such orders as it deems fit.

**23. Certain Rules not to apply in certain cases.**— Where an employee is convicted of an offence involving moral turpitude which has led to a sentence of fine or imprisonment, he may after being given a show cause notice and being unable to satisfy the authority by his reply, be dismissed, removed from service or reduced in rank without following the procedure laid down in rules 19, 20, 21 and 22.

**24. Powers of Enquiry Officer/Enquiry Committee.**— The Enquiry Officer or the Enquiry Committee appointed to conduct an enquiry against an employee of the Board shall have the powers of a Civil Court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) recording evidence on affidavits; and
- (d) issuing commissions for examination of witnesses and documents.

**25. Right of Appeal.**— (1) Person aggrieved by an order passed or penalty imposed under the rules relating to terms and conditions of his service may, within thirty days from the date of communication of the order to him, prefer an appeal to the authority next above the authority competent to impose penalty. Provided, where the order is passed by the Board, there shall be no appeal but the employee may submit a review petition.

Provided further that appellate or reviewing authority, as the case may be, may condone the delay in preferring the appeal or review petition for a further period of 60 days if it is satisfied that the delay was for the reasons beyond the control of the appellate or that the earlier appeal or review petition was not addressed to the concerned authority.

(2) The Appellate Authority may decide the appeal within 90 days from the date of submission of appeal. If no final order could be passed after 90 days, the appellant may:

- (a) either wait for such authority to pass final order on his appeal and then file an appeal before the appellate court against such order within a period of 30 days;
- (b) or may file an appeal before the court within 30 days against the earlier order of the Board's authority after the right of appeal has accrued on him.

(3) Where the order of the Competent Authority affects more than one employee, every affected employee shall prefer the appeal separately.

(4) Where the aggrieved employee has died, the appeal or review petition, as the case may be, may be preferred, or if already preferred by such employee before his death, may be pursued by any or all of his legal heir or heirs provided that the benefit likely to accrue on the acceptance of such appeal or review petition shall be admissible to all of his legal heirs.

#### PART-IV

#### PAY AND ALLOWANCES, MOVE-OVER, LEAVE, CONTRIBUTORY PROVIDENT FUND AND OTHER MATTERS

26. **Pay.**— (1) An employee of the Board shall, in accordance with the rules, be entitled to pay and allowances sanctioned for the post to which he has been appointed for so long as he holds the post, provided that when appointment is made on current charge basis or by way of additional charge, his pay shall be fixed in the manner prescribed for Government Servants.

(2) An employee of the Board shall receive pay and allowances or other emoluments admissible to him out of Board's Funds.

(3) The scales of pay of the employees, subject to adoption by the Board, shall be the same as may be admissible to the same category of employees of the Provincial Government.

(4) The pay of the employee shall be fixed in the same manner as prescribed by the Provincial Government from time to time.

27. **Allowances.**— (1) *Travelling Allowance and Daily Allowance:* An employee of the Board shall be entitled to travelling allowance and daily allowance at such rates and on such conditions as admissible to a servant of the Government and shall, mutatis mutandis, be governed under the [Khyber Pakhtunkhwa] Travelling Allowance Rules, 1980.

(2) *Washing Allowance:* The employees in BPS-1 to 4 who are required to wear official uniform provided by the Board shall be allowed Washing Allowance at the rate of Rs. 25/- per month.

(3) *House Rent Allowance:* All employees not provided with accommodation by the Board and posted at Peshawar shall be entitled to House Rent Allowance at 45% of the minimum of the relevant Pay Scale. At all other places this allowance will be allowed at 30% of the minimum of relevant Pay Scale.

(4) *Conveyance Allowance:* The Conveyance Allowance shall be admissible to employee posted at Peshawar at the rates given below with indexation:—

(i) <i>Employees drawing pay of RS. 1,650/- per month and above:</i>		
(a) Those maintaining motor car not registered for commercial purposes:	..	Rs. 355/-
(b) Others	..	Rs. 193/-
(ii) Government servants drawing pay of Rs. 850/- per month and above but less than Rs. 1650/- p.m. and maintaining Motor Cycle/Scooter.	..	Rs. 130/-
(iii) Others.	..	Rs. 96/-

(5) *Medical Facilities:* An employee of the Board, his family members and parents shall be entitled to medical facilities on the same scale and conditions as applicable to a servant of the Government.

28. **Move-Over.**— (1) Employees in BPS-1 to 19 shall be allowed move-over to the next higher pay scale with effect from 1st December of the year in which the employee concerned completes one year of such service at the said maximum as counts for increment under the rules.

(2) Employee's eligibility for move-over shall be governed by the move-over policy of the Provincial government.

29. **Leave.**— An employee of the Board shall, *mutatis mutandis*, be allowed leave in accordance with the [Khyber Pakhtunkhwa] Civil Servants Revised Leave Rules, 1981 provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority.

30. **Gratuity.**— (1) Gratuity shall be admissible on:—

- (i) Death;
- (ii) Termination of Service;
- (iii) Resignation.

(2) The grant of gratuity shall be subject to the condition that the employee has not been guilty of misconduct and his service has been declared as satisfactory by the appointing authority.

(3) The gratuity shall be payable at the rate of one month's pay on the basis of last pay drawn for each completed year of service provided that the employee has rendered at least 10 years service with the Board.

(4) If the service of an employee is 5 years or less than 10 years at the time of his termination/resignation, the gratuity admissible shall be 20 days pay calculated on the basis of the rate admissible to him immediately before termination/resignation for every complete year of service or any part thereof in excess of 5 months.

(5) In case of death of an employee, the gratuity will be payable at the following rates:—

- |   |     |  |
|---|-----|--|
| (i) Service of 5 years and less than ten years. | ... | 20 days for each complete year of service. |
| (ii) Service of 10 years or more.               | ... | 30 days for each complete year of service. |

**Explanation-I:** Service for the purpose of this rule includes duty as well as leave with salary.

**Explanation-II:** No gratuity shall be payable for service of less than 5 years.

31. **House Building and Conveyance Advances.**— Subject to availability of funds, the Board may allow advances for construction and repair of houses and for purchases of conveyances. The grant of advances and recovery thereof shall be regulated under para 249 to 263-A of the General Financial Rules and instructions issued by the Government from time to time.

32. **Selection Grade.**— The employees shall be entitled to the grant of selection grade to the posts as allowed by the [Khyber Pakhtunkhwa] Government and the same shall be governed by the rules prescribed by the Government.

33. **Advance Increments.**— Advance increments shall be allowed to the officials in BPS-1 to 15 for possessing or acquiring educational qualification over and above the qualifications prescribed in the Recruitment Rules. The grant of advance increments shall be governed by the rules of the Government.

34. **Contributory Provident Fund.**— (1) The Board will establish Contributory Provident Fund scheme. However, deduction towards contribution to the scheme from monthly pay of employees shall be made at the rate prescribed by the Government as per circular letter No. FD/SO(SR-IV) 43/79/Vol-II, dated 30th November, 1992. The Board shall, every month contribute to the Fund an amount equal to the employee's subscription.

(2) The payment shall be made to the employees in accordance with the rules to be prescribed by the Board.

**Note:** As per instructions of the Federal Government contained in their circular letter No. F.15(3)14/84, dated 16th October, 1984, the Board has adopted Gratuity Scheme for its employees vide Rule 30 above, as such, Contributory Provident Fund Scheme is not allowed simultaneously.

35. **Record of Service.**— (1) The Board shall maintain proper record of the employees in the same manner as maintained by the Government for its servants.

(2) The Secretary or any other officer of the Board shall, every year, write a report on the performance of such employees who have worked for three or more than three months under his supervision.

1. Subs. by the Khyber Pakhtunkhwa Act No IV of 2011.

2. Subs. by the Khyber Pakhtunkhwa Act No IV of 2011.

(3) Adverse remarks shall be communicated to the concerned employee at least by 30th June of the year in which initiated.

36. **General Rules.**— In all other matters not expressly provided for in these rules, employees of the Board shall be governed, where practicable, by such rules as have been or may hereafter be framed for the Government Servants.

37. **Relaxation.**— Any of these rules may, for reasons to be recorded in writing, and with the previous approval of Government be relaxed in individual cases if the Board is satisfied that strict application of the rule could cause undue hardship to the individual concerned.

**APPENDIX**  
[See sub-rule (2) of rule 3]  
**METHOD OF APPOINTMENT, QUALIFICATIONS AND  
OTHER CONDITIONS FOR THE POSTS**

Sl.No.	Nomenclature	Minimum qualification for appointment by initial recruitment/transfer	Minimum Qualification for appointment by promotion	Age limit	Method of recruitment
1	2	3	4	5	6
1.	Administrative Officer	—	—	—	By promotion, on the basis of seniority-cum-fitness, from amongst Superintendents with at least 3 years service as such.
2.	Superintendent	—	—	—	By promotion, on the basis of seniority-cum-fitness, from amongst Assistants and Senior Scale Stenographers with at least 5 years service as such.
3.	Senior Scale Stenographer	i) Matriculation or equivalent qualification from a recognised Board. ii) A speed of 120 words per minute in Shorthand in English and 40 words per minute in typing	—	18-25 years.	i) By promotion, on the basis of seniority-cum-fitness, from amongst Stenographer with at least 2 years service as such. ii) If suitable person is not available for promotion then by initial recruitment.
4.	Assistant	Bachelor's Degree from a recognised University.	—	18-25 years.	(a) 75% by promotion, on the basis of seniority-cum-fitness, from amongst Accountants; and (b) 25% by initial recruitment.
5.	Stenographer	(a) Matriculation or equivalent qualification from a recognised Board; and (b) a speed of 80 words per minute in Shorthand in English and 40 words per minute in typing.	—	18-25 years.	By initial recruitment.
6.	Accountant	—	—	—	By promotion, on the basis of seniority-cum-fitness, from amongst Senior Clerks and Storekeepers with at least 3 years service as such.
7.	Senior Clerk/Store Keeper	—	—	—	By promotion, on the basis of seniority-cum-fitness, from amongst Junior Clerks with at least 2 years service as such.
8.	Junior Clerk	(a) Matriculation or equivalent qualification from a recognised Board; and (b) A speed of 30 words per minute in typing.	—	18-25 years.	(a) 25% by promotion, on the basis of seniority-cum-fitness, from amongst Naib Qasids who have passed SSC Examination, have typing speed of 30 words per minute and 2 years service as such; and (b) 75% by initial recruitment.
9.	Driver	Possessing a valid HTV/LTV Driving Licence with 5 years practical experience.	—	18-25 years.	By initial recruitment.
10.	Naib Qasid	—	—	18-45 years.	By initial recruitment.
11.	Mali	With 2 years experience in gardening.	—	18-45 years.	By initial recruitment.
12.	Sweeper	—	—	18-45 years.	By initial recruitment.