

THE PUNJAB EMERGENCY SERVICE LEAVE, EFFICIENCY AND DISCIPLINE RULES 2007

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TEXT

Punjab Emergency Service Leave, Efficiency and Discipline Rules 2007

Dated: Lahore the 16th November, 2007

NOTIFICATION

No. SOE-II-PES (P&D) 1-21/2007. In exercise of the powers conferred upon him under section 26 of the Punjab Emergency Service Act, 2006 (IV of 2006), the Governor of the Punjab is pleased to make the following rules:

1. Short title and commencement. (1) These rules may be cited as the Punjab Emergency Service Leave, Efficiency and Discipline Rules 2007.

(2) These shall come into force at once.

2. Definitions. (1) In these rules:

(a) "Act" means the Punjab Emergency Service Act 2006 (IV of 2006);

(b) "Act XII of 2006" means the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 (XII of 2006);

(c) "competent authority" means the Director General, officer in-charge of a district, Academy or wing of the Service or any other official authorized by the Director General;

(d) "countersigning officer" means the Director General or an officer superior in command to the reporting officer;

(e) "official" means an employee of the Service including an officer or an employee of any governmental organization or department, who is, for the time being, working in the Service; and

(f) "reporting officer" means an official in-charge of a rescue station or control room, emergency officer, officer in-charge of a district, wing of the Service or the Director General.

(2) An expression used in these rules but not defined shall have the same meanings as assigned to it in the Act.

3. Rules in addition to Act XII of 2006.- The provisions of these rules are in addition to the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 (XII of 2006) and an official may be proceeded against under the provisions of the Act XII of 2006.

4. Efficiency and performance evaluation.- (1) The efficiency of an official shall be ensured through regular performance evaluation and the extension in contract appointment or right to apply for a higher post shall depend on the performance evaluation reports of the official.

(2) A reporting officer shall sign the monthly attendance and performance slip of an official under his subordination and shall submit the same to the accounts branch prior to the payment of monthly pay to the official.

(3) A reporting officer shall, at-least on six monthly basis, assess the performance of an official working under his subordination on the performance evaluation form provided by the Service. A countersigning officer shall countersign the form submitted by the reporting officer working under his subordination.

(4) No official of the Service shall be allowed to apply against a higher post in the Service unless he has served for two years in the Service and during which period; the official has exhibited satisfactory performance.

(5) In case of three unsatisfactory performance evaluation reports in two years, the contract of the official may be terminated without an enquiry subject to one month's notice or one month's pay, in lieu thereof and without assigning any reason.

5. **Leave.-** (1) Leave is a privilege and not a right in the Service and the leave may be cancelled at any time in case of any emergency duty or disaster.

(2) An official may obtain casual leave, not exceeding twenty four days per year, with the approval of the competent authority. More than twelve days casual leave at one time shall not be allowed.

(3) A female official may obtain not more than ninety days maternity leave on full pay, once in five years.

(4) An official may obtain leave on medical grounds on the production of a medical certificate under the West Pakistan Medical Attendance Rules, 1959. If medical leave of an official continues beyond a total period of ninety days, his contract may be terminated without assigning any reason.

(5) Leave in between holidays shall be counted along with the holidays.

(6) In case of special circumstances to be recorded in writing, the Director General may allow leave without pay to an official for a period not exceeding ninety days.

(7) No official of the Service shall be allowed to leave the station of duty without prior written permission of the officer in-charge of district, wing of the Service or the Director General.

(8) Hajj or pilgrimage leave for a period not exceeding forty five days with full pay may be allowed to an official once during his employment in the Service and the Director General may allow Umra leave to an official for a period not exceeding thirty days without pay once during the tenure of five years.

6. **Special offences and penalties.-** (1) If an official:

- (a) fails to follow the appearance, dress or customs of the Service in accordance with the conduct regulations or instructions of the Director General, he shall be liable to deduction of uniform two thirds for the second and complete deduction for the third failure during a calendar month;
- (b) fails to follow proper procedure of handing over and taking over while leaving or reporting to duty; he shall be liable to deduction of once tenth of emergency allowance for each failure;
- (c) fails to maintain an official document: he shall be liable to deduction of one tenth of emergency allowance for each failure;
- (d) fails to maintain the cleanliness of a vehicle, equipment or official building; he shall be liable to deduction of one tenth of emergency allowance for each failure;
- (e) fails to perform emergency duty as the vehicle becomes off road due to failure to efficiently maintain or get timely repairs done, he shall not be entitled to the emergency allowance for those number of days in which the vehicle remains off road;

Explanation.- If for any reason, the transport maintenance in-charge or any other official is responsible for the delay in repair, he shall be liable to the same penalty.

- (f) fails to follow the use of personal protective equipment while responding to an emergency, he shall be liable to deduction of one tenth of emergency allowance for each failure;
- (g) activates emergency light and siren other than for responding to an emergency within a city, he shall be liable to deduction of one tenth of emergency allowance for each failure;
- (h) fails to follow traffic rules while not attending an emergency, he shall be liable to deduction of one tenth of emergency allowance for each failure;
- (i) fails to follow the conduct regulations or instructions of the Director General, he shall be liable to deduction of emergency allowance which shall be one third deduction for the first failure, two thirds for the second failure and complete deduction of the third failure during a calendar month;
- (j) is late for emergency duty without property intimation or permission from the reporting officer, he shall be liable to deduction of one third of the emergency allowance for the first late arrival, two thirds for the second and complete deduction for the third late arrival during a calendar month;
- (k) is found negligent during performance of duty, he shall be liable to deduction of emergency allowance which shall be one tenth deduction for each negligence and the same may be increased depending on the nature of the negligence;
- (l) leave the duty without prior permission, he shall be liable to deduction of one third deduction of emergency allowance for each failure during a calendar month; and
- (m) is absent from duty without prior permission of the reporting officer, he shall be liable to one fifth deduction of salary with allowances for each day's absence.

(2) The countersigning officer may, by order in writing, impose one or more penalties upon the accused official on the report of the reporting officer and subject to affording the official an opportunity of hearing.

(3) If an official commits more than three special offences in a month, the competent authority may, after servicing a show cause notice and affording the official an opportunity of hearing, terminate the contract of the official subject to one months notice or one month's pay, in lieu thereof, without assigning any reason.

7. Proceedings under the Act XII of 2006.- An official shall be liable to be proceeded against under the provisions of the Act XII of 2006, if he is:

- (a) guilty of misconduct or any undesirable act;
- (b) guilty of corruption or is reasonably considered to be corrupt;
- (c) inefficient; and
- (d) engaged or is reasonably believed to be engaged in subversive activities, and his retention in service is prejudicial to national

security, or is guilty of disclosure of official secrets to any unauthorized person.

(8) Appeal. (1) Subject to sub-rule (2), an official who has been awarded any penalty under these rules may, within fifteen days from the communication of the order, prefer an appeal against the penalty to the Director General.

(2) If an appeal under these rules is against an order of penalty passed by the Director General, the Government shall be the appellate authority to decide the appeal.

(3) The decision on appeal shall be final and the same shall not be called in question before any forum.

(4) The appellate authority may;

(a) uphold the order of penalty and dismiss the appeal;

(b) Set-aside the order and exonerate the accused official;

(c) modify the order and reduce the penalty; or

(d) Set-aside the order of penalty and remand the case for de novo proceedings in accordance with these rules.