

KORANGI FISHERIES HARBOUR AUTHORITY

INDEX

S. NO	DESCRIPTION	Page No To From
1.	Korangi Fisheries Harbour Ordinance 1982 Ordinance No. XVI of 1982	2 to 13
2	Notification Korangi Fisheries Harbour Authority Board of Directors (Meetings) Regulations, 1984.	14 to 19
3	Ordinance No. XXII of 19 85 to Amend The Korangi Fisheries Harbour Authority Ordinance 1982	20 to 21
4	Employees (Service) Regulations, 1988	22 to 31
5	Korangi Fisheries Harbour Authority (Efficiency & Discipline) Regulation -1988	32 to 37
6	Employees Contributory Provident Fund Regulations, 1994	38 to 45
7	Medical (Facilities) Regulations,	46 to 48
8	Amendment in The Korangi Fisheries Harbour Authority Employees (Service) Regulations, 1988	49

THE GAZETTE OF PAKISTAN

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD MONDAY, JULY 12, 1982

PART – I

Acts, Ordinance, President's Orders and Regulations including Martial
Law Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

(Law Division)

Islamabad, the 12th July 1982

No. F. 17(I)/82/Pub. –The following Ordinance made by the President is hereby published for general information:-

ORDINANCE NO. XVI OF 1982

AN

ORDINANCE

To provide for the establishment of Korangi Fisheries Harbour Authority

WHEREAS it is expedient to provide for the establishment of an Authority within the limits of Port Qasim for making all arrangements for the planning, construction , operation , management and maintenance of Korangi Fisheries Harbour for exploiting fisheries resources beyond territorial waters.:

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

THE GAZETTE OF PAKISTAN, EXTRA, JULY 12, 1982 (PART-1)

Now, therefore, in pursuance of the Proclamation of the fifth day of July 1977, and in exercise of all power enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:

CHAPTER -1

PRELIMINARY

1. **Short title, extent and commencement-** (1) **This Ordinance may be called the Korangi Fisheries Harbour Ordinance 1982**

(2) It extend to the whole of the Korangi Fisheries Harbour

(3) It shall come into force at once

2. **Definitions.** In this Ordinance, unless there is anything repugnant in the subject or context:-

a) **“agency”** means any department or organization of the Federal Government or a Provincial Government and includes a corporation or other body set up or controlled by such Government :

b) **“Authority”** means the Korangi Fisheries Harbour Authority established under section 4;

c) **“Board”** means the Board of Directors constituted under section 6;

d) **“Building”** includes any factory, industrial or business establishment, shop, godown, warehouse, house, outhouse, hut, hutment, shed garage, stable, well or platform and any other material. But does not include a temporary structure make for purposes connected with agriculture;

e) **“Chairman”** means the Chairman of the Board:

f) **“Fish”** means any species of fish or aquatic animal including whales, seal , ` ` porpoises, turtles, shell-fish, oyster, crustaceans, ascidians, and spawn and eggs of such animal ;

g) **“Harbour area”** mean the area falling within the limits of Korangi Fisheries Harbour as may be defined for the purposes of this Ordinance;

h) **“Land”** includes buildings and benefits arising out of land and things attached to the earth or permanently fastened to anything attached to the earth and the foreshore and the bed of sea;

i) **“Local Body”** means a local council or council constituted under a law relating to local government;

j) **“member :** means a member of the Board;

- k) regulations” means regulations made under this Ordinance ;
- l) rules” means rules made under this Ordinance ; and
- m) “vessel” includes any fishing boat and fishing craft of whatever size and in whatever way propelled which is for the time being employed in fishing;

THE GAZETTE OF PAKISTAN EXTRA, JULY 12, 1982 (PART 1)

3. **Declaration of Harbour area-** (1) The Federal Government may, by notification in the official Gazette, within the limits of Port Qasim, define the limits of Korangi Fisheries Harbour for the purposes of this Ordinance; and may from time to time, by a like notification, alter such limits.

(2) The limits defined under clause (1) may include any wharves, buildings and other works made on behalf of the public for convenience of traffic, for safety of vessels or for the improvement ,maintenance and good government of the Harbour.

CHAPTER II Establishment of the Authority

4. **Establishment of the Authority –** (1) There shall be established an Authority to be known as the Korangi Fisheries Harbour Authority for carrying out the purposes of this Ordinance.

(2) The Authority shall be a body corporate, having perpetual succession and a common seal, with power ,subject to the provisions of this Ordinance, to acquire and hold property, both movable and immovable, and shall by its name sue and be sued.

5. **Management –**(1) The general direction and administration of the Authority and its affairs shall vest in the Board , which may exercise all powers and do all acts and things which may be exercised or done by the Authority

(2) The Board in discharging its functions shall act on sound principles of fisheries harbour planning , construction , operation, management and maintenance and shall be guided on questions of policy by such directions as the Federal Government may , from time to time , give

(3) If any question arises as to whether any matter is a matter of policy or not, the decision of the Federal Government shall be final.

6. **Constitution of the Board –**(1) The Board shall consist of not less than seven and not more than eleven members, including the Chairman, consisting of-

- a) the Chairman , to be appointed by the Federal Government;
- b) the Managing Director of the Authority ;
- c) a Representative of the Government of Sind;
- d) the Director, Marine Fisheries Department;

- e) the Director , Fisheries Department, Government of Sind;
- f) a nominee of the Fish Processors' Association;
- g) a nominee of local fisherman's association; and
- h) such other members as the Federal Government may appoint.

(2) The Chairman and members, other than ex-officio members, shall unless the Federal Government otherwise directs, hold office for a period of three years.

(3) Any person ceasing to be Chairman or member of the Board by reason of the expiry of the term of his office shall be eligible for re-appointment for another term of three years or for such shorter term as the Federal Government may decide.

(4) No act or proceeding of the Board shall be invalid merely on the ground of the existence of any vacancy in , or any defect in the constitution of, the Board

(5) The Chairman and any member may by writing under his hand addressed to the Federal Government ,resign his office:

Provided that his resignation shall not take effect until accepted by the Federal Government.

7. Duties and functions of Chairman and Members-(1) The Chairman and members shall discharge such duties and perform such functions as are assigned to them by or under this Ordinance.

(2) Until the Board is duly constituted, the Chairman shall, subject to such directions as the Federal Government may, from time to time give, exercise the powers, discharge the duties and perform the functions of the Board.

8. Headquarters of the Authority and meetings of the Board – (1) Until the Authority establishes its headquarters elsewhere within the Harbour area; its headquarters shall be situated at Karachi.

(2) The meeting of the Board shall be held at such times and places and in such manner as the regulations may provide:

Provided that, until regulations are are made in this behalf, the meetings of the Board shall be held as and when convened by the Chairman.

CHAPTER –III

POWER AND DUTIES OF THE AUTHORITY

9. **Powers of the Authority** – (1) Subject to the other provisions of this Ordinance, the Authority may take such measures and exercise such powers as may be necessary for the carrying out of the purposes of this Ordinance.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Authority may-

- a) Incur any expenditure approved in the budget necessary for carrying out the purposes of this Ordinance.
- b) Acquire any land in the Harbour area
- c) hold, control and administer the property and the funds of the Authority including funds for specific purposes.
- d) enter into and perform all such contracts as it may consider necessary ;
- e) cause removal of any works obstructing the execution of any of its schemes:
- f) seek and obtain advice and assistance for the preparation of any planning scheme or for the execution of any schemes from any local body or agency and such local body or agency shall give the advice and assistance sought by the Authority to the best of its ability , knowledge and judgment and additional expenditure, if any involved in giving such advice or assistance shall be borne by the Authority
- g) undertake the planning, detailed designing and supervision of the construction work required for the Harbour Area.
- h) Select and engage consultants to assist in the planning, detailed designing and supervision of the construction work required for the Harbour area;
- i) procure all goods and services necessary for construction of the Harbour area, and execute such construction work;
- j) undertake the efficient operation of Harbour facilities and carry out maintenance and repairs or Harbour structures, buildings, installations, internal roads and equipment and undertake periodic inspection of all facilities to ensure that they meet statutory standards of safety and hygiene.
- k) ensure that essential utilities are provided and are maintained to a high standards;
- l) regulate traffic within the Harbour area and make necessary security arrangements.
- m) acquire hold and dispose of property, both movable and immovable, provided that the Board shall not be competent to acquire or dispose of any immovable property without the previous approval of the Federal Government ;

- n) regulate, determine and administer all matters concerning the Authority and do all such acts and things as are necessary for the purpose.
- o) submit the budget of the Authority to the Federal Government for approval.
- p) arrange for the Audit of the accounts of the Authority
- q) with the previous approval in writing of the Federal Government , raise funds and borrow money on such terms as may be approved by the Federal Government ; and
- r) carry out any other important work not specified in this section, if necessary and appropriate for carrying out the purposes of the Authority.

(3) The Authority shall frame-

- (a) a scale of charges to be levied for the use of utility services, for registration of fishermen, producers, buyers, retailers, wholesalers, processors, ship chandlers , exporters of fish and fish products, users of all types of vehicles and transport and hotel management, hawkers, shopkeepers, who may use the premises of the Harbour area, and also such other charges which the Board may deem fit and necessary to generate funds fro the operation, repairs, maintenance, up-keep and effective management and control of the Harbour area;
- (b) rules for appropriate arrangements for a wholesale auction of fish on the premises of the Harbour area, and cause the auction fees to be received therefrom to be credited to the account of the Authority for the purpose of funding of the operation, maintenance , repair and upkeep of the Harbour area; and
- (c) regulations for the recovery of charges, fees or levies which may be due to the Authority for the use of its facilities of the Authority, under the general supervision of the Board.

10. **Managing Director** – (1) The Federal Government shall select and appoint a whole-time managing Director to serve as a member of the Board and to exercise effective control over, and make all decisions necessary for, the smooth functioning of the day to day affairs of the Authority, under the general supervision of the Board.

(2) In particular and without prejudice to the generality of the foregoing power, the Managing Director shall-

- (a) be responsible for, and have the authority necessary for overseeing and implementing in an expeditious and efficient manner, the construction of the Harbour area:
- (b) have effective control of the Harbour area as a wholesale fish market and all other water front installations and establishment to be built by the Authority .
- (c) subject to the concurrence of the Federal Government and the Board , have the power to frame rules and regulations for the effective planning , construction , operation, management and maintenance of the Harbour area;

- (d) subject to the rules allot or lease suitable plots of land to private individuals or firms for the establishment of boat building yards, fish processing industries, ice plants cold storage facilities and related ancillary activities;
- (e) have the power and responsibility to-
 - (i) exercise, administrative control over the personnel of the Authority.
 - (ii) exercise, in respect of the Authority such other management, administrative and financial powers as deemed appropriate by the Authority.
 - (iii) submit the annual budget proposals of the Authority to the Board
 - (iv) maintain the accounts of the Authority
 - (v) prepare the annual report of the Authority for the Board and the Federal Government.
 - (vi) exercise such powers as the Board may delegate to him ; and
 - (vii) act on behalf of the Authority , in any emergency, subject to the obligation to report such action to the Board at its next meeting and to seek the Board's ratification of any action so taken.

CHAPTER IV

ESTABLISHMENT

11. **Appointment and functions of Directors, etc.**(1) The Board shall appoint a Director of Administration, a Director of Operations, a Harbour Master and an Engineer having such qualifications and such terms and conditions as may be prescribed by regulations.

(2) The Director of Administration shall supervise the personnel, accounts, public relations and general administration and shall also keep records and statistics.

(3) The Director of Operations shall supervise management of market, control maintenance of on-shore transport within the Harbour area and be responsible for general harbour management, including docking and quaywall activities, maintenance of navigational aids, operation of stores within the Harbour and supervision of the Harbour.

(4) The Harbour Master shall supervise the security services for on-shore facilities and shall assist the Director of Operations in the supervision of the Harbour.

(5) The Engineer shall assist the Managing Director during the period of construction work in the Harbour area in overseeing and monitoring the planning, designing and construction of the Harbour facilities.

12. **Recruitment, conditions of the service for offices, servants, etc.** –The Authority shall, by regulations made with the prior approval of the Federal Government, lay down the procedure for the appointment of its officers and servants, and the terms and conditions of their service, including the constitution and management of a provident fund for them, and shall be competent to take disciplinary action against them.

13. **Members and officers to be public servants**-The Chairman , members, officers and servants of the Authority shall, when acting or purporting to act in pursuance of any of the provisions of this Ordinance , be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860)

14. **Indemnity**-No suit, prosecution or other legal proceedings shall lie against the Authority, the Board the Chairman or any member officer or servant of the Authority in respect of anything in good faith done or intended to be done under this Ordinance.

15. **Delegation of powers to Chairman etc.** –The Authority may by general or special order, delegate to the Chairman or a member or an officer of the Authority any of its powers, duties or functions under this Ordinance, subject to such conditions or limitations as may be specified in the order.

CHAPTER V **FINANCE**

16. **Korangi Fisheries Harbour Authority Fund**-(1) There shall be formed a fund to be known as the “Korangi Fisheries Harbour Authority Funds “ which shall vest in the Authority and shall be utilized by the Authority to meet the charges in connection with its functions under this Ordinance.

(2) To the credit of the Korangi Fisheries Harbour Authority Fund shall be placed.

- a) grants made by the Federal Government ;
- b) loans obtained from the Federal Government;
- c) grants made by local bodies;
- d) sale proceeds of movable and immovable property and receipts for services rendered;
- e) loans obtained by the Authority with the special or general sanction of the Federal Government.;
- f) foreign aid and loans obtained from any source outside Pakistan with the sanction of, and on such terms as may be approved by the Federal Government;
- g) Proceeds of all charges and recoveries made under this Ordinance ; and
- h) All other sums receivable by the Authority.

17. **Budget – (1)** In the month of November each year, the Authority shall submit to the Federal Government for approval a statement of the estimated receipts and expenditure in rupees in respect of the next financial year.

(2) In the manner prescribed by the Federal Government the Authority shall also submit to the Federal Government for approval a statement of the estimated receipts and expenditure in foreign exchange in respect of the next financial year.

(3) The Authority shall obtain specific sanction of the Federal Government in respect of each individual scheme two costing two million and five hundred thousand rupees non-

recurring or five hundred thousand rupees recurring or more to be financed out of the Korangi Fisheries Harbour Authority Fund.

18. **Audit and accounts** – (1) The accounts of the Authority shall be maintained by the Authority in such forms as may be prescribed by the Auditor General of Pakistan consistent with the requirements of this Ordinance.

(2) The account of the Authority shall be audited by not less than two auditors who are chartered accountants within the meaning of the Chartered Accountants Ordinance, 1961 (X of 1961) appointed by the Federal Government in consultations with the Auditor General of Pakistan on such remuneration to be paid by the Authority, as the Federal Government may fix.

(3) Notwithstanding the provisions of sub-section (2), the Auditor General of Pakistan may, either of his own motion or upon request received in this behalf from the Federal Government, undertake such audit of the accounts of the Authority at such time as may be considered necessary, and the Authority shall, at the time of such audit, produce the account books, and connected documents at such place or places as the Auditor General may fix, and furnish such explanations and information as the Auditor General or an officer authorized by him in this behalf may ask for.

(4) Every auditor appointed under sub-section (2) shall be given a copy of the annual balance sheet of the Authority, and shall examine it together with the accounts and vouchers relating thereto and shall have a list delivered to him of all books kept by the Authority; and shall at all reasonable times have access to the books, accounts and other documents of the Authority and may in relation to such accounts examine any officer of the Authority.

(5) The auditors shall report to the Federal Government upon the annual balance sheet and accounts and in their report state whether in their opinion the balance sheet is a full and fair balance sheet containing all necessary particulars and properly drawn up so as to exhibit a true and correct view of the state of the Authority's affairs, and, in case they have called for any explanation or information from the Board, whether it has been given and whether it is satisfactory.

(6) The Federal Government may at any time issue directions to the auditors requiring them to report to it upon the adequacy of measures taken by the Authority for the protection of the interests of the Federal Government and of the creditors of the Authority or upon the sufficiency of their procedure in auditing the accounts of the Authority, and may at any time enlarge or extend the scope of the audit or direct that a different procedure in audit be adopted or that any other examination be made by the auditors if in its opinion the public interest so requires.

(7) The Authority shall comply with every direction issued by the Federal Government for the rectification of matters objected to in audit.

19. **Account.**-The Authority shall, with the prior approval of the Federal Government open an account in any scheduled Bank in Pakistan-

CHAPTER VI

PENALTY AND PROCEDURE

20. **Penalty** –Whoever contravenes any provision of this Ordinance or any rule or regulation made or scheme sanctioned there under shall, if no other penalty is provided for such contravention, be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

21. **Penalty for evading rates**, etc- Any person who removes or attempts to remove, or abets within the meaning of the Pakistan Penal Code (Act XLV of 1860) the removal of goods, vessel, animal or vehicle with the intention of evading payment of tolls, dues, rates or charges lawfully payable in respect thereof shall be punishable with fine which may extend to two thousand rupees.

22. **Compensation for damage to property of Board –(1)** In case damage or mischief is done to any wharf, dock , quay, jetty, pier or work constructed or acquired by the Authority under this Ordinance by any vessel through the negligence of the master thereof or of any of the mariners or persons employed therein, not being in the service of the Authority , any Magistrate of the first class having jurisdiction in the Harbour area may , on the application of the Board and on declaration by it that payment for such damage or mischief has been refused or has not been made on demand, issue a summons to the master or owners of such vessel, requiring him to attend on a day and at an hour named in the summons to answer questions touching such damage or mischief.

(2) If, at the time appointed in the summons, and whether the persons summoned appear or not , it is proved that the alleged damage was done through such negligence as aforesaid , and that the pecuniary amount of the same does not exceed two thousand rupees , the Magistrates may issue warrant of distress, under which a sufficient portion of boats, masts, ropes, cables, anchors or stores of the vessel may be seized and sold to cover the expenses of and attending the execution of the distress , and the pecuniary amount of damage as aforesaid, and such amount shall be paid to the Authority out of the proceeds of the distress.

23. **Cognizance of Offences**-No court shall take cognizance of any offence punishable under this Ordinance except on a complaint in writing made by the Authority or an officer authorized for the purpose by the Authority.

24. **Recovery of dues as arrears of land revenue** – All fees and sums due on account of property for the time being vested in the Authority and all arrears of tolls, charges rates and dues imposed under this Ordinance or any rules or regulations may be recovered as arrears of land revenue, in addition to the other modes provided by this Ordinance.

CHAPTER VII

MISCELLANEOUS

25. **Submission of yearly reports and returns**-(1) The Authority shall submit to the Federal Government as soon as possible after the end of every financial year but before the last day of December next following a report on the conduct of its affairs for that year.

(2) The Federal Government may, after giving sufficient notice to the Authority, require, it to furnish the Government with

- (i) any return, statement , estimates, statistics ,or other information regarding any matter under the control of the Authority ; or
- (ii) a report on any subject with which the Authority is concerned ; or
- (iii) a copy of any document in the charge of the Authority; and the Authority shall comply with every such requisition.

26. **Members not personally liable-** No member shall be liable for any contract, made or expense incurred by or on behalf of the Board; but the funds from time to time in the hands of the Board shall be liable for and chargeable with all contracts made in the manner provided in this Ordinance.

27. **Limitation of suits, etc-** (1) No suit shall be commenced against any member, officer or servant of the Authority for anything done or purporting to have been done in pursuance of this Ordinance without giving to such person one month's previous notice in writing of the intended suit and of the cause thereof, nor after six months from the accrual of the cause of such suit.

(2) In the case of a suit for damage, if tender of sufficient amends shall have been made before the suit was brought the plaintiff shall not recover more than the amount so tendered and shall pay all costs incurred by the defendant after such tender.

28. **Board not responsible for certain acts of its officers and servants-**The Board shall not be responsible for any defeasance, malfeasance or non-fiancée of any officer or servant appointed under this Ordinance or of any assistant or deputy of any such officer or any person acting under, the authority or direction of or in subordination to any such officer, assistant or deputy , nor for any damage sustained by any vessel in consequence of any defect in any of the moorings, hawsers or other things belonging to the Authority which may be used by such vessel:

Provided that nothing in this section shall protect the Board from a suit in respect of damages to or loss of goods landed or shipped by them or retained in their custody.

29. **Power to dispose of land-**The Authority may retain, or may lease, sell, exchange, rent or otherwise dispose of any land vested in it.

30. **Power of Authority to make rules and regulations –** The Authority may, with the prior sanction of the Federal Government, make rules and regulations for carrying out the purposes of the Ordinance.

31. **Control of Federal Government over acts and proceedings of Board-** All acts and proceedings of the Board shall be subject to the control of the Federal Government, and the Federal Government may suspend or modify any such acts or proceedings.

32. **Dissolution of Authority and transfer of its assets and liabilities-**(1) The Federal Government may , by notification in the official Gazette , declare that the Authority shall be dissolved on such a date as may be specified in such notification, and the Authority shall stand dissolved accordingly.

(2) On and from the said date –

- (a) (i) all properties, funds and dues placed at the disposal of the Authority by the Federal Government ; and
- (ii) all properties, funds and dues exchanged for, derived from, or otherwise attributable to, the properties, funds and dues referred to in sub-clause (i), which immediately before the said date, were held by or were realizable by the Authority.

shall vest in, and be realizable by the Federal Government.

- (b) all properties, funds and dues, other than those referred to in clause (a) which, immediately before the said date, were vested in or were realizable by the Authority shall vest in and be realizable by the Federal Government or such agency as the Federal Government may determine, and its decision thereon shall be final.
- (c) all liabilities which immediately before the said date, were enforceable against the Authority shall be assumed by and be enforceable against the Federal Government or such agency as the Federal Government determines under clause (b) , as the case may be;
- (d) for the purpose of completing the execution of any scheme which has not been fully executed by the Authority and of realising properties, funds and dues referred to in clauses (a) and (b) , the functions of the Authority under this Ordinance shall be discharged by the Federal Government or by the agency determined by the Federal Government under clause b) , as the case may be;
- (e) the agency referred to in clauses (b) (c) and (d) shall keep such accounts of all moneys respectively received and expended by it under this Ordinance as the Federal Government may prescribe.

33. **Removal of difficulties**-If any difficulty arises in giving effect to any of the provisions of this Ordinance, especially in respect of the adjustment of the powers , functions and jurisdiction of the Authority under this Ordinance and those of the Port Qasim Authority under the Port Qasim Authority Act. 1973 (XLIII of 1973) , the Federal Government may make such order as may appear to it to be necessary or expedient for the purpose of removing the difficulty .

GENERAL
M. ZIA-UL-HAQ
President

C.A. REHMAN
Secretary

The Gazette of Pakistan

EXTRAORDINARY

PUBLISHED BY AUTHORITY

KARACHI THURSDAY AUGUST 16, 1984

PART II

**Statutory Notifications containing Rules and Orders issued by
all Ministries and Division of the Government of Pakistan and their
Attached and Subordinate Offices and the Supreme Court of Pakistan**

Joint Secretary / Director General Ports and Shipping

KORANGI FISHERIES HARBOUR AUTHORITY

NOTIFICATION

Karachi, the 11th June 1984

S.R.O. 32 (KE) 84:

In exercise of the powers conferred by section 30 of the Korangi Fisheries Harbour Authority, Ordinance, 1982 (XVI of 1982), the Korangi Fisheries Harbour Authority, with the prior sanction of the Federal Government, is pleased to make the following Regulations, namely:-

1. Short title and commencement- (1) These regulations may be called the **Korangi Fisheries Harbour Authority Board of Directors (Meetings) Regulations, 1984.**

(2) They shall come into force at once.

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

- a) “committee” means a special committee or a standing committee set up by the Board;
 - b) “emergency” meeting” means an emergency meeting to discuss an urgent matter;
 - c) “meeting” means a regular meeting of the Board;
 - d) “motion” means a proposal made by a member relating to any matter which may be discussed in meeting;
 - e) “Ordinance” means the Korangi Fisheries Harbour Authority Ordinance , 1982 (XVI of 1982) ;
 - f) “Presiding Officer” means , in relation to a meeting any person who is presiding over that meeting in the absence of the Chairman;
 - g) “resolution” means a resolution proposed to be moved by a member in a meeting ;
 - h) “Secretary” means the Secretary of the Board: and
 - i) “special meeting” means a special meeting convened to discuss a particular subject;
- (2) All other expressions used but not defined in these regulations shall have the same meanings as specified in the Ordinance.

3. Manner of submission of cases to the Board – (1) The Secretary shall with the approval of the Chairman, draw up agenda of the meetings.

(2) A separate working paper may be prepared by the Secretary giving a concise and lucid background and relevant facts of the case and the points for decision.

(3) The working paper shall be self contained as far as possible and shall include as appendices such relevant papers as may be necessary for the proper appreciation of the case and financial implication, if any, of any case shall also be mentioned in the working paper.

(4) No case shall be discussed unless the working paper relating to it has been circulated:

Provided that the Chairman or the Presiding Officer may dispense with the requirement of this sub-regulation if he is satisfied that the circumstances were such that the working paper could not be supplied.

4. Method of disposal-(1) Case referred to the Board shall be disposed of-

- (a) by discussion at a meeting;

(b) by discussion at meeting of committee

Provided that the decisions of the committee shall be ratified by the Board unless the Board has authorised otherwise;

c) by the Chairman, in case of urgency or other exceptional circumstances, in such manner as he may direct, but such cases shall be reported to the Board at the earliest opportunity

(2) The Board may set up committees and lay down their terms of reference at the time of their setting up.

(3) Such committees may be standing or special committees according as they are appointed to deal with a class of cases or a particular case.

5. Appointment of Secretary-(1) The Chairman shall appoint a secretary on such terms and conditions as the Board may determine.

(2) The following shall be the duties of the Secretary, namely-

a) to convene meetings of the Board and committees;

b) to attend all meetings and record proceedings in the Minute Book ,sign it and get the signatures of the Chairman or the Presiding Officer.

c) Prepare the agenda, working papers and their circulation to members; and

d) to keep the attendance register of the members

6. Meetings – (1) The notice of a meeting shall be accompanied by the agenda of the meeting, together with working papers.

(2) A notice of ten days will be given for a meeting except that special or emergency meetings may be convened at three days notice and all notices shall be sent by registered post

7. Validity of decisions despite want of notice- No decision of the Board shall be invalid merely on the ground that the notice of the meeting at which the decision was taken was not served upon or received by any member.

8. Quorum-(1) No business shall be transacted at any meeting unless four members are present throughout the meeting;

Provided that no quorum shall be necessary at a meeting adjourned for want of quorum.

(2) Except as provided in sub-regulation (1), any business transacted in the absence of quorum shall be invalid and shall not appear in the Minute Book.

9. Adjournment of meetings- A meeting may be adjourned by the Chairman or the Presiding Officer on any of the following grounds namely:-

- (i) for lack of quorum, provided that no meeting shall be adjourned for want of quorum until thirty minutes have passed from the time fixed for the commencement of the meeting;
- (ii) in case a meeting is adjourned for lack of quorum (after waiting for half an hour) it shall stand adjourned to the same day and time next week whereupon the members so present shall be deemed to be the quorum irrespective of the number specified in regulation 8; or
- (iii) for any other reason considered to be sufficient by the majority of the members present.

10. **Suspension of meeting.** - In case of grave disorder at a meeting, the Chairman or the Presiding Officer may suspend any meeting for a period to be specified by him.

11. Postponement of meetings: A meeting may be postponed by the Chairman either on his own motion for reason to be recorded in writing or on a written request signed by a majority of the total number of members of the Board.

12. **Motions and resolutions-**(1) A member who desires to bring forward any business at a meeting or to move a resolution shall give a written notice thereof not less than seven days before the meeting.

Provided that the Chairman may, in his discretion allow a motion or resolution at a shorter notice or without notice.

- (2) All notices of motions and resolutions shall be included in the agenda
- (3) Motions and resolutions allowed by the Chairman after the dispatch of the agenda shall be circulated among the members as soon as possible after their receipt.
- (4) The Chairman may, in his discretion to be exercised for sufficient reasons, refuse to allow any motion or resolution to be moved.
- (5) A motion or resolution may be moved only by the member giving the notice, and if a motion or resolution is not moved, it shall be deemed to have been withdrawn.
- (6) A motion or resolution may not be moved in a form different from that in which it appears in the notice unless the Chairman or the Presiding Officer, as the case may be, in his discretion, permits it to be moved in an altered form.
- (7) At any time before a motion or resolution has been put to vote, it may be withdrawn by its mover with the leave of the meeting, and no discussion on a withdrawn motion or resolution shall be allowed.

13. **All motions and resolutions shall be seconded-**(1) Motions or resolutions moved but not seconded shall not be spoken on or discussed:

Provided that the mover of a motion or resolution shall be allowed to speak thereon in order to explain the same before it is seconded.

- (2) On a motion or resolution being seconded, the Chairman or the Presiding Officer shall cause the same to be read to the meeting and it shall then be considered to the before the meeting for discussion.

14. Conduct of discussions :- (1) The matter of every speech shall be strictly relevant to the matter before the meeting.

- (2) A member while speaking shall not -
 - (a) use the name of the Chairman the Presiding Officer or any other authority to influence the debate;
 - (b) utter defamatory works or make use of offensive expressions;
 - (c) refer to a matter of fact which is sub-judice;
 - (d) make a personal charge against a member;
 - (e) use his right for willfully obstructing the business of the meeting ; or
 - (f) cast any reflection on the Chairman , the Presiding Office or Government.
- (3) When quotations from documents or references are read out, their original shall, if required by the Chairman or the Presiding Officer, be placed on the table.
- (4) The Chairman or the Presiding Officer may direct the member speaking to discontinue his speech if such member, after being warned by him, persists in irrelevance or in repetition of his own arguments or the arguments used by the other members.

15. Point of order-(1) any member may at any time, submit a point of order for the decision of the Chairman or the Presiding Officer, but in doing so shall confine himself to stating the point

- (2) The point of order shall call in question only the propriety of some portion of the proceedings before the meeting.
- (3) When a point of order has been raised, the member speaking shall suspend his speech.
- (4) The Chairman or the Presiding Officer shall decide all point of order and his decision shall be final.
- (5) No discussion of any point of order shall be allowed without the consent of the Chairman or the Presiding Officer.
- (6) After a decision has been given on a point of order, the member speaking before the point of order was raised shall resume his speech.

16. Preservation of order at the meeting – The Chairman or the Presiding Officer shall preserve order at the meetings and have all powers necessary for enforcing these regulations for conducting the proceedings.

17. Decisions by board –(1) Unless otherwise provided in the rules or regulations, all matters before the meeting shall be decided, as far as possible by unanimous decisions , and in case this is not possible, then by a majority vote of the members present at the meeting.

- (2) In case of equality of votes, the Chairman or the Presiding Officer shall have a second or casting vote.

- (3) No discussion shall be allowed after voting has commenced
- (4) Unless otherwise provided in the rules or regulations, votes may be counted by show of hands, no member shall be compelled to vote.

18. **Procedure regarding disposal of cases by circulation-**(1) when a case is circulated to the members for recording opinion, the Secretary shall specify the time by which opinion should be communicated.

- (2) If a member does not communicate his opinion by the time specified, it shall be presumed that he accepts the recommendations contained in the working paper.
- (3) If a difference of opinion amongst the members is observed in the course of circulation, the Secretary shall, unless the Chairman directs otherwise, obtain observations of the members concerned with a view to reaching agreed conclusions.
- (4) When all opinions have been received and further observations of the members concerned, if necessary, have been obtained or after the time specified has expired, the Secretary shall-
 - (a) in the event of full agreement to the recommendations in the working paper, treat it as a decision of the Board after obtaining the approval of the Chairman and communicate such decision to all members, and –
 - (b) if the Chairman directs that the case be discussed at a meeting, shall circulate the opinions recorded by the members in the form of supplementary working paper.
- (5) Decisions taken as consequence of circulation shall also be ratified in the meeting.

19. **Minute Book-(1)** The Secretary shall be responsible for recording monitoring and safe custody of the Minute Book.

- (2) The Secretary shall draw up in a book to be called the Minute Book the minutes of every meeting recording therein the proceedings of the meeting and also the names of the members, present, and get them authenticated by the signature of the Chairman or the Presiding Officer.
- (3) A copy of the minutes shall be sent to the members within one month of the meeting.
- (4) A member who was present at a meeting may object to the confirmation of the minutes of that meeting by moving an amendment on the ground that any matter is not correctly recorded or expressed therein.
- (5) A member voting against a proposal may request that his dissent may be recorded.

20. **Co-option-**The Board may co-opt in any of its meetings or committees any person whose assistance or advice it considers necessary in connection with the disposal of business, but such persons shall have no right to vote.

21. **Reconsideration of matter once disposed of-**Unless Government otherwise directs, no subject finally disposed of by the Board shall be reconsidered by it within three months of its disposal save on a requisition by not less than two third of the total number of the members of the Board.

22. **Implementation of decisions and resolutions**-The Secretary shall take necessary steps for the implementation of the decisions and resolution of the Board and also prepare a statement of such decisions and resolutions which could not be given effect to, together with reasons thereof, and place the same before the Board at a subsequent meeting.

23. **Traveling and daily allowance to the Chairman**, the members and Secretary of the Board –(1) The daily allowance shall be admissible at the rate of Rs. 36 per day to the local members and at the rate of 90 per day to non local members; provided that when a meeting is held at an expensive station , for example , Karachi , Islamabad or Lahore, daily allowance shall be enhanced to three time of their normal allowance.

24. **Appointment of Presiding Officer**-When the Chairman is prevented or is unable to attend a meeting temporarily; he may nominate one of the members of the Board to act as a Presiding Officer.: Provided that such arrangement shall not be resorted to for more than two consecutive meetings without the permission of the Government

(No. KFHA /A/116/1684

M. RAZI AHMAD
Commodore S.I.(M)
Chairman

The Gazette of Pakistan

EXTRAORDINARY

PUBLISHED BY AUTHORITY

ISLAMABAD, WEDNESDAY, MARCH 13, 1985

PART I

Acts, Ordinance, President's Orders and Regulations including Martial Law Orders and Regulation

GOVERNMENT OF PAKISTAN

**MINISTRY OF JUSTICE AND PARLIAMENTARY AFFAIRS
(Justice Division)**

Islamabad the 13th March 1985

No. F.17 (1)/85-Pub –The following Ordinance, made by the President, is hereby published for general information.

ORDINANCE NO. XXII OF 1985

AN

ORDINANCE

To amend the Korangi Fisheries Harbour Authority Ordinance 1982

WHEREAS it is expedient to amend the Korangi Fisheries Harbour Authority Ordinance, 1982 (XVI of 1982), for the purposes hereinafter appearing;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

Not, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution, the President is pleased to make and promulgate the following Article 89 of the Constitution, the President is pleased to make and promulgate the following Ordinance.

1. **Short title and commencement** – (1) This Ordinance may be called the Korangi Fisheries Harbour Authority (Amendment) Ordinance 1985.

(2) It shall come into force at once.

2. **Amendment of section 27, Ordinance XVI of 1982** – In the Korangi Fisheries Harbour Authority Ordinance 1982 (XVI of 1982) in section 27 in sub-section (1) for the full – stop at the end a colon shall be substituted and thereafter the following proviso shall be added namely:-

“Provided that a suit instituted without such notice shall not be dismissed only on that ground, but the plaintiff shall not be entitled to any costs.”

The Gazette of Pakistan

PUBLISHED BY AUTHORITY

KARACHI WEDNESDAY, NOVEMBER 30, 1988

PART VI

Advertisements and Notices issued by Corporate Bodies and Private Individuals on payment

KORANGI FISHERIES HARBOUR AUTHORITY

In pursuance of section 12 of the Korangi Fisheries Harbour Authority Ordinance, 1982(XVI of 1982) the Korangi Fisheries Harbour Authority with the prior approval of the Federal Government, hereby makes the following regulations,

CHAPTER 1- PRELIMINARY

1. **Short title and commencement** – (1) These Regulations may be called the Korangi Fisheries Harbour Authority **Employees (Service) Regulations, 1988.**

(2) These regulations shall come into force at once.

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

a) Board means the Board defined in KFHA Ordinance XVI of 1982;

b) “competent authority” means the Board or an officer vested with powers under the Ordinance or under these regulations;

c) “cadre” means the strength of a service or posts in a service as a separate units

d) “duty” includes _____

(i) service as a probationer;

(ii) joining time; and

(iii) period of training in or outside Pakistan after appointment to a post;

a)

e) “employee” means a person who holds a post in the service of the Authority but shall not include _____

- (i) a person who is on deputation to the Authority : and
 - (ii) a person who is employed on contractor on work charge basis or who is paid from contingencies.;
- (f) "initial appointment" means appointment made otherwise than by promotion or transfer
- (g) "joining time" means the time allowed to an employee within which to join a new post or to travel or from a station to which he is posted";
- (h) "permanent post" means a post carrying a definite rate of pay sanctioned without limit of time; and
- (i) "temporary post" means a post carrying a definite rate of pay sanctioned for a limited period of time.

(2) All other words and expressions used but not defined in these regulations shall have the same meaning as they have in the Ordinance;

CHAPTER II- Terms and Conditions of Service

3. **Appointment-**(1) Appointment to the various posts in the Authority shall be made in accordance with the method of appointment as specified in the Schedule to the Regulations, and no person shall be appointed to a post unless he possesses the qualifications and fulfills other conditions specified in the said Schedule.

- (2) Where an appointment is to be made_____
- (i) by promotion it shall be made on seniority-cum fitness basis; and
 - (ii) by deputation it shall be made by borrowing services of a person in service of the Federal Government or a Provincial Government or a local authority or a corporation or a body set up or established by such Government.

(3) The authorities competent to make appointments to various categories of employees shall be as follows:-

Category	B.P.S	Appointing Authority
i) Managing Director	(M-II)	Federal Government
ii) Senior Executive	(BPS-20)	Federal Government
iii) Officers	(BPS-19)	Board
iv) Officers	(BPS-17 & 18)	Board
v) Junior Officers/Staff	(BPS-5-16)	Managing Director
vi) Staff	(BPS-1-4)	Director (Administration)

- (i) Appointment to posts of Chief Executive and Senior Executive shall be made in accordance with Establishment Division's O.M. No. 18/66/81-R.3(ABC), Dated 20th July, 1983 as amended from time to time.
- (ii) Appointment to posts in BPS-19 shall be made on the recommendations of the following Committee;
 - Secretary Food and Agriculture - - - Chairman

- Joint Secretary (Livestock) - - - Member
- Managing Director - - - Member

(iii) Appointment to posts in BPS-12-16 shall be made on the recommendations of the following committee;-

- Managing Director - - - -Chairman
- Joint Secretary (Livestock) - - - -Member
- General Manager PP & D, PQA - - - -Member

(iv) Appointment to post in BPS 12-16 shall be made on the recommendations of the following Committee

- Managing Director - - - -Chairman
- Project Director - - - -Member
- Director Administration - - - -Member
- Any other officer Co-opted by the Chairman of the Committee

(v) Appointment to posts in BPS-1-11 shall be made on the recommendations of the following Committee.

- Director Administration - - - -Chairman
- Deputy Project Director - - - -Member
- Accounts Officer - - - -Member
- Any other officer –co-opted by the Chairman of the Committee

4. **Citizenship** – (1) A person who is not a citizen of Pakistan in terms of Pakistan Citizenship Act 1951 not be appointed in any post. However, this condition may be relaxed for a limited period for those willing to become Pakistani nationals.

(2) A person less than 18 years of age will not be appointed to any post under the Authority.

5. **Provincial representation** – In making appointment by initial recruitment to various posts, rules, policy and instructions issued by the Federal Government regarding provincial/regional quota or presentation shall be followed.

6. **Probationary period** – An employee appointed to a post shall be on probation for a period of one year unless relaxed by the appointing authority.

7. **Confirmation** – (1) A person appointed on probation shall, on satisfactory completion of his probation, be eligible for confirmation, in cadre or post, as the case may be, provided a permanent vacancy exists.

(2) An employee who, during the period of his service, was eligible to be confirmed in any cadre or post retires from service before being confirmed shall not, merely be reason of such retirement be refused confirmation in such cadre or post or any benefits accruing therefrom.

8. **Seniority**-an employee shall ordinarily take seniority in his cadre from the date of his regular appointment.

(a) Temporary service rendered by the employees shall be counted for the purpose of seniority where he is appointed on permanent.

- (b) In case where two or more persons are appointed by promotion or by initial recruitment in the same cadre on the same date, the seniority shall be determined as under:-
- (i) In the case of person s appointed by promotion on the basis of their respective seniority in the cadre from which they are promoted.
 - (ii) In the case of the persons appointed by initial recruitment on the basis of merit. Provided that if two persons are equal in all other respects the elder shall rank senior to the younger, and
 - (iii) A person appointed by promotion in a particular year shall rank senior to the person appointed by initial recruitment in the same year.

(c) The seniority of persons who are on deputation with the Authority but subsequently decide to become the employees of the Authority shall be reckoned from the date of the regular appointment in the Authority.

9. **Resignation** – (1) An employee other than an employee against whom disciplinary proceedings are pending may resign from the service of the Authority in writing. An employee who has tendered his resignation shall continue to be the service of the Authority and perform his duties till such time as his resignation is formally accepted by the appointing authority.

(2) “The appointing authority may, in the public interest, refuse to accept the resignation of an employee”

10. **Termination from service** –(1) The services of an employee may be terminated without notice during or on expiry of the period of the initial or extended period of his probation.

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

(3) Subject to the provisions of sub-regulation (2), the services of an employee in temporary employment shall be liable to termination on fourteen days’ notice pay or pay in lieu thereof.

11. **Retirement**-(1). An employee shall retire from service:-

- (i) On such date, after he has completed twenty-five years of service qualifying for retirement benefits, as the appointing authority may, in the public interest direct; or
- (ii) Where no direction is given under sub-regulation (I) (i), on completion of sixtieth year of his age.

(2) No order under sub-regulation (1) (i) shall be made in respect of an employee unless the appointing authority has informed him in writing of the grounds of which it is proposed make the order and has given him an opportunity of showing cause against it.

(3) An employee other than an employee against whom disciplinary proceedings are pending, may seek retirement from service after completion of twenty five year qualifying service.

Provided that an employee who intends to retire shall, at least three months before the date on which he intends to retire submit a written intimation to the appointing authority indicating the date on which he intends to retire. Such intimation once submitted, shall be final and shall not be allowed to be modified or withdrawn.

(4) The employees of KFHA shall be entitled to such retiring benefits as may be prescribed by the Board with the approval of the Federal Government.

12. **Employment after retirement** (1) A retired employee shall not be re-employed under the Authority unless such reemployment is necessary in the public interest and is made with the prior approval of the Board; provided that re-employment after the age of sixty years will be made with the approval of the Federal Government.

(2) The service of any re-employed person may be terminated on three months' notice on either side or on the payment of three month's pay in lieu thereof.

(3) An employee shall not seek any private employment during leave preparatory to retirement or within two years of his retirement except with the prior approval of the appointing authority.

13. **Posting transfers and duties.**-(1) An employee shall be liable to be posted or transferred to any office of the centers or in projects under the administrative control or management of the Authority in Pakistan.

(2) The Board may at any time, abolish, create or change duties and responsibilities of a post at its discretion.

14. **Service Record**-(1) The record of service of each employee shall be maintained in the form to be specified by the board.

(2) A confidential report on the work and conduct of each employee shall be written in the last month of the calendar year in the relevant form.

(3) An employee shall have no access to his confidential report. He shall however, be informed of adverse remarks relating to remediable defects, if any in order to give him an opportunity to explain his position or to correct himself.

CHAPTER III - PAY AND ALLOWANCE

15. **Initial Pay**-The initial pay of an employee on first appointment shall be the minimum of the scale of pay of the post.

Provided that the Board on first appointment under the Authority may grant not more than six premature increments for the initial fixation of pay in consideration of the fact that suitable persons of requisite qualifications are not available on the minimum of the sanctioned pay scale of the post.

16. **Pay on promotion.** – In the case of promotions from a lower to a higher post, the initial pay in the pay scale pertaining to the higher post shall be fixed in accordance with the rules applicable to the Federal Government employees.

17. **Moving over to next higher pay scale**-An employee who reached the maximum of the scale will be moved over to next higher scale with effect from the 1st December of the next year in accordance with the rules, instructions and procedure applicable to the Federal Government employees.

18. **Special Pay** – The Authority may in appropriate cases also grant special pay with the approval of the Federal Government to any of its employee in consideration of:-

- (i) Specially arduous nature of the duties; or
- (ii) Assistants and Upper Division Clerks holding the post of Cashier etc shall be paid special at the rates and subject to conditions applicable to the Federal Government employees.

19. **Advance Increments or Higher Qualification Allowance** – (a) Advance increments shall be allowed to the officials in relevant Recruitment Rules to the extent given below:

No. of advance increment for obtaining:

		Matric at least 2 nd Divn	F.A. / F.Sc. at least 2 nd Divn	B.A./ B.Sc. at least 2 nd Divn	M.A/M.Sc at least 2 nd Divn
(i)	Where the prescribed qualification is Non-Matric	- 1	2	3	4
(ii)	Where the prescribed qualification is Matric	- Nil	1	2	3
(iii)	Where the prescribed qualification is F.A./ Fsc.	- Nil	Nil	1	2
(iv)	Where the prescribed qualification is B.A. / BSc.	- Nil	Nil	Nil	1

(b) Engineers and Doctors shall also be allowed four advance increments in case they possess or acquire a Post-Graduate degree in their relevant field for which they have not been allowed any qualification pay.

20. **Increment**-(1) All duty in a scale of pay shall count for increments in that scale. Service in an officiating post shall count for increments both in the officiating and in the substantive post. Leave other than leave without pay shall count for increments provided that the Federal Government shall have powers in any case in which it is satisfied that the leave without pay was taken on account of illness or for any other cause beyond the employee's control to direct that extraordinary leave shall be counted for increment.

(2) Employee in all categories will draw increments accruing to them as a matter of course on the first day of December following the completion of at least six months of such service at the relevant stage in that scale as counts for increments .

21. **Combination of appointments**- An employee who is appointed by competent authority to hold substantively, as a temporary measure, or to officiate in two or more independent posts at one time, may be allowed to draw additional pay at such rate and on such conditions as may be determined by the Authority in accordance with the orders applicable to the Federal Government employees.

22. **Conveyance Allowance**-Conveyance Allowance shall be admissible to the employees at such rates and on such conditions as may be approved by the Authority in consultation with the Federal Government.

23. **House Rent Allowance** - The House Rent allowance shall be admissible to the employees not provided with the residential accommodation, at such rate as may be approved by the Authority in consultation with the Federal Government House Rent Allowance may be drawn during leave including L. P.R except extraordinary leave.

24. **Washing Allowance** – Washing Allowance shall be paid to the liveried staff at such rates and on such conditions as may be approved by the Authority in consultation with the Federal Government.

25. **Conveyance Charges** for late Sitting and Overtime Allowance-The non-gazetted employees shall (other than Drivers and Despatch Riders) required to work late for more than two hours beyond the normal working hours or on closed holidays shall be paid conveyance charges for late sitting. The Drivers and Despatch Riders shall be paid overtime allowance. The rates of the remunerations and conditions thereof shall be prescribed by the Authority in consultation with the Federal Government.

26. **Night Duty Allowance** – Night Duty allowance shall be admissible to the employees at such rates and on such conditions as may be approved by the Authority in consultation with the Federal Government.

27. **Honorarium**- The Board may grant honorarium to employees in deserving cases as remuneration for extra work which may be laborious in nature and occasional in character so as to justify a special reward. The amount of honoraria shall not exceed one month's pay of the employee concerned or Rs. 1000 which ever is less in each case. In the case of recurring honorarium this limit applies to the total of recurring payments made to individual in financial year.

28. **Fee**-The Board may permit an employee, if it is satisfied that this can be done without detriment to his official duties or responsibilities, to perform a specified service or series of services for a private person or body or for public or local body and to receive as remuneration thereof a non-recurring or recurring fee subject to the condition in the Authority shall received one third of the fees paid to the employee.

29. **Loan and advances**-Loans and advances may be granted to employees to such an extent and on such terms and conditions as may be determined by the Board in consultation with the Federal Government subject to availability of funds.

30. **Traveling Allowance**- for journey on retirement-(a) An employee shall be allowed T.A. to the extent specified below in respect of journey from the place of his last posting to this home town, performed during leave preparatory to retirement or within six months of retirement.

(i) Actual fare by rail of the class to which he was entitled immediately before his retirement for himself and for each member of his family. For journeys by road between places not connected by rail mileage allowance shall be allowed.

(iii) Cost of transportation of personal effects to the extent admissible to him immediately before retirement for journeys on transfer

- (1) Provided that an employee who is re-employed under the Authority within six months of his retirement and has not drawn T.A. on his retirement may draw it after the termination of such re-employment but within six months thereof;
 - (2) Provided further that the T.A. shall not be paid to an employee who resigns or is dismissed or removed from service as a disciplinary action.
 - (b) Advance payment for expenditure as at (a) above shall be made and treated as final payment.
 - (c) The home town shall be determined according to entries pertaining to the permanent address of the employee in service record.
 - (d) The term "retirement" shall mean retirement on attaining the age of superannuation, or on completing prescribed service limit, or voluntary retirement on completion of 25 years qualifying service or on compulsory retirement.
31. **Employee on deputation with other Organization** – An employee may be permitted to work with other organization subject to specified conditions approved by the Board in accordance with the Federal Government Rules in this regards.

CHAPTER IV- LEAVE

32. **When leave earned-** All service rendered by an employee qualifies him to earn leave in accordance with these regulations but the leave shall not be earned during the period for leave.
33. **Earning and accumulation of leave-**(1) An employee shall earn leave only on full pay which shall be calculated at the rate of four days for every calendar month of the period of duty rendered and credited to the leave account.
- (2) If an employee proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than fifteen days, the leave to be credited for both the incomplete months shall be restricted to that admissible for one full calendar month only.
 - (3) There shall be no maximum limit on the accumulation of such leave. .

34. **Leave on full pay-** The maximum period for leave on full pay that may be granted at one time shall be as follows:-

(a)	Without medical certificate	120 days
(b)	With medical certificate	180 days

35. **Leave to be applied etc in terms of days.** Leave shall be applied for, expressed, and sanctioned in terms of days.

36. **Maternity leave** – (1) Maternity leave may be granted on full pay, outside the leave account to a female employee the extent of ninety days in all from the date of its commencement or forty-five days from the date of her confinement which ever be earlier.

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

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

(4) 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.

(5) A female employee on the death of her husband may be granted special leave on full pay when applied for a period not exceeding one hundred and thirty days.

37. **Recall from leave etc.** (1) If an employee is recalled to duty compulsorily with the personal approval of the head of his office from leave of any kind he is spending away from his headquarters he may be granted a single return fare plus daily allowance as admissible on tour from the station where he is spending his leave to the place where he is required to report for duty.

(2) In case the employee is recalled to duty at headquarters and his remaining leave is cancelled the fare then admissible shall be for one way journey only.

(3) If the return from leave is optional, the employee is entitled to no concession.

38. **Overstay after sanctioned leave etc.** (1) Unless the leave of an employee is extended by the head of his office the employee who remains absent after the end of his leave shall not be entitled to any remuneration for the period of such absentee and without prejudice to any disciplinary action that may be taken against him, double the period of such absence shall be debited against his leave account.

(2) Such debit shall, if there is insufficient credit in leave account, be adjusted against future earnings.

39. **Employee on leave not to join duty without permission before its expiry.** - Unless he is permitted to do so by the authority which sanctioned his leave, an employee on leave may not return to duty before the expiry of the period of leave granted to him.

40. **Leave due may be granted on abolition of post etc.** (1) When a post is abolished, leave due to the employees whose services are terminated in consequence thereof, shall be granted without regard to the availability of a post for the period of leave.

(2) The grant of leave in such cases shall, so long as he 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.

41. **Assumption of charge on return from leave etc.** (1) An employee on return from leave, shall report for duty to the authority that sanctioned his leave and assume charge of the post to which he is directed by the Authority unless such direction has been given to him in advance.

(2) In case he is directed to take charge of a post at a station other than that from where he proceeded on the leave, travel expenses as on transfer shall be payable to him.

42. **Pay during leave.** (1) Leave pay admissible during leave on full pay shall be the greater of:-

- (i) The average monthly pay earned during the twelve complete months immediately proceeding the month in which the leave begins; and
 - (ii) 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 amounts calculated under clauses (i) and (ii) of sub-regulation (1) shall be halved to determine the greater of the two rates.

43. **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 an employee is employed and, in the case of the head of office, to the next above administrative authority.

(2) A medical certificate to be submitted for the grant of extension of leave shall be the one issued by a medical attendant authorized by the Board.

(3) If the leave or its extension is applied for on medical grounds from station where there is no authorised medical attendant the certificate should be from the Civil Surgeon of the District.

(4) In case where the leave applied for by two or more employees would be seen concurrently and the both or all such employees cannot be allowed to proceed on leave without detriment to the interest of service of the Authority, the authority competent to sanction leave, shall decide the priority of the application on such basis as may be administratively convenient.

By order

S.D. MENGAL
Managing Director
Dated 12th October 1988

THE Gazette of Pakistan
Published by Authority

KARACHI, WEDNESDAY, MARCH 22, 1989

PART VI

Advertisements and Notices issued by Corporation Bodies and Private Individuals on payment

KORANGI FISHERIES HARBOUR AUTHORITY
EMPLOYEES (CONDUCT) REGULATIONS, 1988

In pursuance of section 12 of the Korangi Fisheries Harbour Authority Ordinance 1982 (XVI of 1982), the Korangi Fisheries Harbour Authority, with the prior approval of the Federal Government, hereby makes the following regulations, namely:-

1. **Short title and commencement:** - These regulations may be called the Korangi Employees (Conduct) regulations 1988.
 - (2) They shall come into force at once.
2. **Extent of application:** - These Regulation shall apply to all employees of the Authority, whether on duty or on leave, within or outside Pakistan, or while on deputation with the Federal Government or a Provincial Government or any agency, institution or authority.
3. **Definitions-** In these Regulations, unless there is anything repugnant in the subject or context:-
 - (a) "Employee" means an employee and includes an officer and staff of the Authority; and
 - (b) "Family" means, wife, unmarried children and stepchildren, and parents wholly dependent on and residing with the employee.
4. **General conduct;** - Every employee shall conform to and abide by these regulations and obey all lawful orders and directions which may, from time to time, be given by any person or persons under whose jurisdiction , superintendence or control he may , for the time being , be placed
5. **Fidelity and Secrecy:-** Every employee shall maintain strict secrecy regarding the Authority's affairs and the affairs of its establishment and shall not communicate directly or indirectly to his colleagues or employees of other departments or professions or the Press or to any other information media or to the public any documents or information which has come in to his possession in the course of his duties whether from official sources or otherwise unless required to do so or is directed by a superior office in writing in the discharge of his duties. Every employee shall before joining service sign a declaration of fidelity and secrecy.
6. **Gifts:** -(1) Save as otherwise provided in this regulations no employee shall except with the previous sanction of the Board , accept , or permit any member of his family to accept, from any person, any gift the receipt of which will place him under offence , it may be accepted and delivered to the Authority for decision as to its disposal.

- (2) If any question arises whether receipt of a gift places the employee under any form of official obligation to the donor, the decision of the Board thereon shall be final.
- (3) If any gift is offered by the head or a representative of a foreign State the employee concerned should attempt to avoid acceptance of such a gift and shall report its receipt to the Board for order as to its disposal.
- (4) No employee shall receive gifts for any kind for his person or for any member of his family from diplomats, consular and other foreign government representatives or their employees who are stationed in Pakistan.

7. **Public demonstration in honour of employee:** - (1) No employee shall encourage meetings to be held in his honour or presentation of address of which the main purpose is to praise him.

- (2) Notwithstanding anything contained in sub-regulation (1) and employee may:-
 - (i) with the previous permission of his next higher officer, take part in the raising of funds to be expended for any public or charitable purposes; or
 - (ii) with the previous sanction of the Board, take part in the raising of funds to be expended for any public or charitable object connected with the name of any other employee or a person which has recently quitted the service of the Authority.
- (3) When an employee takes part in the raising of funds in accordance with the previous of clauses (i) and (ii) of sub –regulation (2) he shall be required to keep regular accounts and submit them to his next higher officer for scrutiny.

8. **Subscriptions;** - No employee shall, except with the previous permission of the Board, 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:-** (1) No employee shall lend money to, or borrow money from, or place himself under any pecuniary obligation to, any person within the local limits of his authority or any person with whom he has any official dealings:

Provided that the above regulation shall not apply to dealings in the ordinary course of business with a bank or firm of standing

- (2) When an employee is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, to carry on business within the local limits of such authority, he shall forthwith declare the circumstances to the Board through the usual channel.
- (3) The employee shall make the declaration referred to in sub-regulation (2) to the head of his office
- (4) This regulation maybe construed to relate to loans given to or taken from a cooperative society registered under any law for the time being in force relating to the registration of cooperative societies but the employee shall be subject to any general or special restrictions or relaxations made or permitted by the Board.

10. **Baying and selling of movable and immovable property:-** An employee who intends to transact any purchase, sale or disposal by any other means of movable or immovable property exceeding in value of Rs. 25,000- (Twenty Five thousand only) with any person shall apply for permission to the Head of the Department or the Managing Director. When the employee concerned is himself the Head of the Department or the Managing Director of the Authority he shall

apply to the Chairman of the Board or the Secretary of the Controlling Ministry /Division as the case may be. Any such application shall state fully the circumstances, the price offered or demanded and, in the case of disposal otherwise than by sale, the method of disposal. Thereafter such employee shall act in accordance with such orders as may be passed by the Authority concerned.-

Provided that transactions with a person who is an official subordinate of the employee should be reported to the next higher authority.

Explanation-1- In this regulation, the term “ property” includes agricultural or urban land; bonds, shares and securities but does not include a plot purchased for building a house from cooperative housing society or a Government Scheme or Authority 's Housing Scheme.

Explanation-2- No prior permission is necessary for buying and selling shares, bonds, saving certificates and securities through Government sponsored organizations up to the value of twenty-five thousand rupees. However, the employee concerned shall have to report all such transactions in the form of a statement at the end of each year.

11. **Construction of building etc.** – No employee shall construct a building, whether intended to be used for residential or commercial purposes, except with the previous sanction of the Board obtained upon an application made in this behalf disclosing the source from which the cost of such construction shall be met.

12. **Declaration property:** - (1) Every employee shall, at the time of entering the service of the Authority, make a declaration through the usual channel of all immovable and movable properties including shares, certificate, securities, insurance policies and jewelry having a total value of Rs. 50,000/- (fifty thousand rupees) or more belonging to or held by him or a member of his family and such declaration shall:-

- (i) state the district within which the property is situated
- (ii) show separately individual items of jewelry exceeding Rs. 50,000/- (fifty thousand Rupees) in value and
- (iii) give such further information as the Authority may, by general or special order, require.

(2) Every employee shall submit through usual channel , an annual return of assets in the month of December every year showing any increase or decrease of property as shown in the declaration under sub-regulation (1) or , as the case may be the last annual return.

13. **Disclosure of assets, immovable, movable and liquid:** - An employee shall, as and when he is required by the Authority by a general or special order, furnish information as to his assets disclosing liquid assets and all other properties, immovable and movable , including shares, certificate , insurance policies and jewellery .

14. **Speculation and investment :-** (1) No employee shall speculate in investment. For the purpose of this sub-regulation, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.

- (2) No employee 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 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 the foregoing sub-regulation the decision of the Board thereon shall be final.

15. **Promotion and Management of Companies, etc.** No employee shall except with the previous sanction of the Board, 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 the Board , , take part in the promotion , registered under any law for the time being in force relating to registration of cooperative societies.

16. Private trade, employment or work:- (1) No employee shall except with the previous sanction of the Board, 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 nature or occasional work of a literary or artistic character subject to the conditions 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 discontinued such work directed by the Board. An employee who has any doubt about the propriety of undertaking any particular work should refer the matter for the order of the Board.

Provided further that an employee in BPS-15 and below may, without such sanction, undertake a small enterprise which absorbs family labour and where he does so shall file details of the enterprise along with the declaration of assets.

- (2) Notwithstanding anything contained in sub regulation (1) no employee shall associate himself with any private trust, foundation or similar other institution which is not sponsored by the Government or the Authority

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

17. **Subletting of residential accommodation allotted by the Authority:** - No employee shall, except with the prior written permission of the Managing Director sublet residential accommodation allotted to him by the Authority.

18. **Employee not to live beyond means. :** - No employee shall live beyond his means or indulge in ostentation on occasions of marriage or other ceremonies.

19. **Insolvency and habitual indebtedness:** - an employee shall avoid habitual indebtedness. If an employee is adjudged or declared insolvent or if the whole of that portion of his salary which is liable to attachment is frequently attached for debt has been continuously so attached for a period of two years, he shall be presumed to have contravened this regulation unless he proves that the insolvency or indebtedness is the results of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control and has not proceeded from extravagant or dissipated habits. An employee who applies to be or is adjudged or declared insolvent shall forthwith report his insolvency to the Head of the Department in which he is employed or the Managing Director.

20. **Intimation of involvement and conviction in a criminal case. :-** If an employee is involved as an accused in a criminal case, he shall bring the fact of such involvement or conviction , as the case may be, to the notice of the head of the Department immediately or , if he was arrested and released on bail, soon after such release.

21. **Unauthorised communication of official documents or in format:** - No employee shall, in accordance with any special or general order of the Board, communicate directly or indirectly any official documents or information to an employee unauthorised to receive it, or to a non official person to the press.

22. **Approach to members of the Assemblies etc-** No employee shall, directly or indirectly approach any member of of the national Assembly or the Senate or a Provincial Assembly or other non-official person to intervene on his behalf in any matter.

23. **Management, etc of newspapers periodicals;**-No employee shall, except with previous sanction of the Board own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.

24. **Radio broadcasts or television programmes and communications to the press:** No employee shall, except with the previous sanction of the Board or any other authority empowered by it in this behalf, or in the bona-fide discharge of his duties, participate in a radio broadcast or television programme or contribute any article or write any letter, either anonymously or in his name or in the name of any other person to any newspaper or periodical.

Provided that such sanction shall generally be granted if such broadcast or television programme or such contribution or letter is not, or may not be considered likely to jeopardize the integrity of the employee, the security of Pakistan or friendly relations with foreign States, or to offend public order, decency or morality or to amount to contempt of court, defamation or incitement to an offence.

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

25. **Publication of information and public speeches capable of embarrassing the Authority:** - No employee shall in any document published, or in any communication made to the Press, over his own name, or in any public utterance.

Provided that technical staff (both officers and staff) may publish research papers o technical subjects, if such peppers do not express view on the political issues or on Government policy or on the policy of the Authority and do not include any information of a classified nature.

26. **Evidence before committees:** - (1) No employee shall give evidence before a public committee except with the previous sanction of the Managing Director:-

- (2) No employee giving such evidence shall criticize the policy or decision of the Federal Government, a provincial Government of the Authority
- (3) This regulation shall not apply to evidence given before statutory committees which have power to compel attendance and the giving of answer, nor to evidence given in judicial.

27. **Taking part in politics and election:** - (1) No employee shall take part in, subscribe in aid or assist in any political movement in Pakistan or relating to the affairs of Pakistan

- (2) No employee shall, permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist, any movement or activity, which is, or tends directly or indirectly to be, subversive of the Government established by law in Pakistan.
- (3) No employee shall, canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body, whether in Pakistan or elsewhere.

Provided that an employee who is qualified to vote at such election may exercise his right to vote, but he shall give no indication of the manner in which he proposes to vote or has voted.

- (4) No employee shall allow any member of his family dependent on him 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 by sub-regulation (3) to act.
- (5) An employee who issues an address to electors or in other manner publically announces himself or allows himself to be publicly announced as candidate or prospective for election to a legislative body shall be deemed, for the purpose of sub-regulation (3), to take part in an election to such body.
- (6) The provisions of sub-regulation (3) and (5) shall so far as may be apply to election to local authorities or bodies, save in respect of Government servants required or permitted by or under any law, or order of the Government , for the time being in force to be candidates in such election.

28. **Propagation of Sectarian Creeds etc:** - No employee 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 integrity in the discharge of his duties or to embarrass the administration or create feelings of discontent or displeasure amongst the employees in particular and amongst the employees in particular and amongst the people in general.

29. **Employees not to express view against ideology of Pakistan:** - No employee shall express view detrimental to the ideology or integrity of Pakistan.

30. **Nepotism, favouritism and victimization etc:** No employee shall indulge in provincialism, parochialism, favouritism, victimization and willful abuse of office.

31. **Vindication by employees of their public acts or character:** - (1). An employee may not, without the previous sanction of the Board, have recourse to any court or the Press recourse to any court or the Press for the vindication of his public acts or character from defamatory attacks. In granting sanction, the Authority will ordinarily bear the cost of the proceedings and in other cases leave the employee to institute them at his own expense. In the later case, if he obtains a decision in his favour, the Authority may reimburse him to the extent of the whole or any part of the cost.

- (2) Nothing in sub regulation (1) shall limit or otherwise affect the right of the employee to vindicate his private acts or character.

32. **Membership of association:** - No employee shall accept membership of any association or organisation, whose aims and objects, nature of activities and membership are not publicly know.

33. **Use of political or other influence-** No employee shall bring or attempt to bring any influence, political or otherwise, directly or indirectly to bear on the Authority the Board or any employee in support of any claim arising in connection with his employment as such and including in respect of any matter relating to appointment, promotion, transfer, punishment, retirement or any other condition of service.

34. **Approaching foreign missions and aid giving agencies-**No employee shall approach, directly or indirectly, a foreign mission in Pakistan or any foreign aid-giving agency to secure for himself invitations to visit a foreign country or to elicit offers of training facilities abroad.

35. **Marriage to foreign national –**(1) No employee shall marry a foreign national.

(2) Nothing in sub-regulation (1) shall apply to an employee marrying, with the prior permission of the Board a Muslim citizen of India.

The Gazette of Pakistan

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PART VI

Advertisements and Notices issued by Corporate Bodies and Private Individuals on payment.

KORANGI FISHERIES HARBOUR AUTHORITY EMPLOYEES (CONTRIBUTORY PROVIDENT FUND) REGULATIONS, 1994

Karachi, the 31st July 1994

No. KoFHA/A /705/558/94- In pursuance of section 12 of the Korangi Fisheries Harbour Authority Ordinance, 1982 (XVI of 1982), the Korangi Fisheries Harbour Authority, with the prior approval of the Federal Government, is pleased to make the following regulations, namely:-

1. **Short title, application and commencement-**(1). These regulations may be called the Korangi Fisheries Harbour Authority Employees (**Contributory Provident Fund**) **Regulations 1994.**

(2) They shall apply to all regular employees who are in whole-time employment of the Authority.

(3) They shall come into force at once.

2. **Definitions.** – In these Regulations, unless there is any thing repugnant in the subject or context.

(a) **“Employee”** means the whole –time regular employee of the Authority

(b) **“Family”** mean:-

(i) In the case of a male subscriber, the wife or wives and children of a subscriber and the widow, widows, and children of deceased son of a subscriber:-

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall thenceforth be deemed to be no longer a member of the subscriber’s family in matters to which these

rules relate, unless the subscriber subsequently indicates by express notification in writing about her entitlement to the fund.

- (ii) In the case of a female subscriber, the husband and children of a subscriber, and the widow or widows and children of a deceased son of a subscriber.

Provided that if a subscriber by notification in writing to the Managing Director expresses her desire to exclude her husband from her family, the husband shall thenceforth be deemed no longer a member of the subscriber's family in matters to which these rules relate, unless the subscribers subsequently cancels in writing her family:

- (c) **"Form"** means a form appended to these Regulations;
- (d) **"Fund"** means the Korangi Fisheries Harbour Authority Employees Contributory Provident Fund established under regulations 3;
- (e) **"Managing Director"** means the Managing Director of the Authority
- (f) **"Pay"** includes personal pay and special pay, but does not include any allowance; and
- (g) **"Subscriber"** means an employee of the Authority subscribing to the Fund.

3. **Establishment of Fund** – The Authority shall establish a fund to be known as the Korangi Fisheries Harbour Authority Employees Contributory Provident Fund consisting of the subscription by the employees and the contribution by the Authority.

4. **Subscription** –An employee who has been appointed to a permanent post or an employee holding tenure post in the service of the Authority shall subscribe every month to the Fund except when on leave without pay.

5. **Rate of subscription and Authority's contribution:** - (1) A sum equal to 8-1/3 per cent of the pay shall be deducted from pay of each subscriber every month and paid into the fund account and the Authority shall contribute an equal amount in respect of the subscriber in each month.

Provided that the contribution by the Authority shall not be payable in respect of any period during which the subscriber has not paid his subscription.

- (2) In calculating the monthly payments on which deductions are to be made and contribution to be paid any fraction of a rupee of such monthly pay shall be omitted.

6. **Payment of Authority's Contribution** – (1) An employee who has not served in a permanent post for a period of three years shall not receive anything beyond his own deposit in the Fund with interest accrued thereon:

Provided that subscriber's own deposit as well as Authority's contribution together with interest accrued thereon shall be paid in full in case a subscriber who has been serving on a permanent post dies or is incapacitated on medical grounds before completion of the period of three years.

Provided further that the subscriber's own deposit as well as Authority's contribution together with interest accrued thereon shall be paid in full in case a subscriber whose services are borrowed retains his lien in his parent department leaves the Authority's service before completing the period of three years:

Provided further that where such employee is permanently absorbed in the Authority's service, the provisions of regulation 4 shall apply.

(2) If a subscriber's service is dispensed with no fault of his own, such as due to reduction in establishment, he shall be entitled to the full share at his credit, including Authority's.

7. **Investment of the Fund** – (1) The Fund shall be invested in the Federal investment bonds and treasury bills through auction.-

(2) Interest accrued on Fund's deposits or investment shall be credited to the Fund.

(3) At the end of each financial year, interest at such rate as may be fixed by the Federal Government in regard to the General Provident Fund, shall be drawn from the Fund and added to the principal.

Provided that when an account is finally closed in the middle of a year, the interest for that period shall be worked out and added to the principal.

8. **Statement of accounts**-(1) Each subscriber shall receive, not later than first day of September of each year, a statement of his account in Form A showing the opening balance, the deposit and closing balance after addition of interest allowed under regulation 7, hereinafter referred to as the accumulated amount.

(2) Subscribers are required to satisfy themselves as to the correctness of these statements and, unless any error or omission therein is brought to the notice of the office issuing them within three months from the date of their receipts, such statement shall be deemed to be correct.

9. **Lapse of the Authority's contribution**- Where as subscriber resigns from his employment before completing three years service , or is dismissed, the Authority contribution made to the Fund on his behalf , including the interest accrued thereon shall lapse and be credited to the Authority.

10. **Subscription during leave** –A subscriber who is on leave with pay shall continue to subscribe to the Fund during the period he remains on leave.

11. **Advances and loans** – Temporary advances or loans may be granted to subscribers from the sums to their credit in the Fund as specified in Regulation 17;

12. **Period for payment of accumulated amount**-Payment of accumulated amount shall be made within three months from the date of retirement, resignation termination of service or death of a subscriber and if payment of such amount is not claimed before expiry of the said three months, no interest shall accrue beyond that period.

13. **Declaration as to disposal of Fund on death of subscriber**- (1). Each subscriber shall, as soon as he joins the Fund be called upon by the Managing Director to furnish a declaration in Form-B showing how he wishes distribution of accumulated amount in case of his death.

(2) Where subscriber makes declaration of a portion of his accumulated amount, the amount, shall be disbursed in accordance with clause (b) of regulation 14.

(3) The declaration submitted by a subscriber under sub-regulation (1), shall be revocable at any time before his death.

Provided that a fresh declaration shall be operative from the date of its receipt by the Authority.

(4) Where any minor is nominated in the declaration, the person through whom the accumulated amount is to be disbursed shall have to be specifically stated in the Form-B:

Provided that where such person or the guardian of such minor is not specified in the declaration or where no guardian of the minor has been appointed, the payment of the accumulated amount shall be made to the mother of the minor:

Provided further that in case the mother of the minor is not alive or was judicially separated from the subscriber or has re-married or is otherwise not entitled to become a guardian of the minor, the Managing Director shall cause the payment of the accumulated amount made to such legal heir of the member as may be authorized by law to receive it.

(5) A subscriber having a family shall not be allowed to nominate for disbursement of his accumulated amount or any part thereof to a person other than a member of his family.

(6) Where a subscriber having a family nominates a person who is not a member of the family for disbursement of accumulated amount in case of his death, such nomination shall not be accepted.

14. Disposal of Fund on subscriber's death before retirement- On the death of a subscriber before his retirement, the accumulated amount shall be disposed of in the following manner, namely:-

(a) The accumulated amount or any portion thereof as specified in the form of declaration shall be divided among all or any member of the subscriber's family in accordance with the declaration. If the declaration relates to a portion of the accumulated amount, the balance shall be distributed in the manner specified in paragraph (b). If the declaration does not specify any person to whom the sum intended for the benefit of a minor is to be paid, the sum due shall be paid to minor's legal guardian, to be used for minor's benefit, or if there is no legal guardian, to such person or persons as may be authorized by law

(b). Where a subscriber, leaves behind any members of his family put no form of declaration in favour of such members was received by the Authority, the amount shall be distributed among such members.

Provided that in case of any such members being a minor immediate disbursement of an amount not exceeding five thousand rupees shall be made after complying with legal formalities.

(c) If there is no person entitled to receive the accumulated amount or part thereof under clause (a) or clause (b), such amount shall be paid to the subscriber's legal representative or such other persons as may be determined by the court of competent jurisdiction:

Provided that if the accumulated amount or the balance amount at the credit of the subscriber does not exceed five hundred rupees, it may be paid to such person as the Authority may consider being the proper person to receive it.

15. **Authority not bound by assignment, etc-** The authority will not be bound by, or recognize, any assignment or encumbrance executed or attempted to be created subscriber who dies before retirement.

16. **Keeping of ledger and other account, etc.-(1).** The ledger and other account of the Fund shall be kept in the form and manner as may be approved by the Authority.

(2) Subject to the consent of the Authority, an employee from any other office or organization on transfer to the Authority may be allowed to transfer accumulation at his credit in his Provident Fund account with such office or organization to the Authority from the date to be determined by it in his behalf.

17. **Withdrawals from the funds-** (1) The Managing Director may, for the reasons to be recorded in writing, allow subscribers to withdraw temporarily out of the accumulated amount a sum not exceeding the limits and subject to the terms and conditions specified in sub-regulation

(2) Temporarily withdrawal from the accumulated amount of a subscriber may be allowed:-

(i) to pay expenses incurred in connection with the illness of the subscriber .

(ii) to purchase or build a house for subscriber's personal residence ; or

(iii) to pay obligatory expenses on a scale appropriate to the subscriber's status in connection with marriage, funeral ceremonies , Haj, or pilgrimage which by his religion it is incumbent on him to perform or in connection with his marriage or the marriage of any member of his family or female relative who is wholly dependent upon him; or

(iv) to pay the overseas passage for reasons of death or education of the subscriber or a member of his family dependent on him.

(3) Ordinarily the temporary withdrawal from the accumulated amount shall not exceed three months pay or half the amount at the credit of the subscriber in the Fund, whichever is less, except for purchase of building of a house specified in clause (ii) of sub-regulation (2) thirty-six months pay of the subscriber or eighty per cent of the accumulated amount at the credit of the subscriber, whichever is less, may be allowed.

(4) Ordinarily, second temporary withdrawal shall not be allowed till the previous has been fully paid back.

(5) Subject to the rules made in this behalf and except in the case of withdrawal of accumulated amount under clause (ii) of sub-regulation 2, the amount of temporary withdrawal shall be recovered from subscriber in such member of equal consecutive monthly installments as the sanctioning authority may direct but such number shall not be less than twelve unless the subscriber so elects or in any case more than forty-eight installments and in the cases falling under clause (ii) of sub-regulation (2), temporary withdrawals shall be recovered in forty –eight consecutive monthly installments unless the subscriber elects to make payment in a smaller number of installments.

(6) A temporary withdrawal shall, under no circumstances, exceed the amount of a subscriber's own accumulated subscription, without interest, to his credit at the time of such withdrawal.

(7) The Managing Director shall have the power to sanction in a special case not falling under sub-regulation (2) and also to waive the provisions of sub-regulation (3) and (4) subject to the limitation specified in sub-regulation (6).

(8) The amount of temporary withdrawal to a sub-scriber under this regulation shall be debited to the separate account of such subscriber against this own subscription to the Fund and shall operate to reduce the amount in his credit from time to time until the amount of temporary advance is recovered, and the amount of withdrawal being paid back shall be credited to his account.

(9) No interest shall be credited to the account of a subscriber who has made any withdrawal from the accumulated amount till his account represents an outstanding balance due from the subscriber.

(10) After the principal amount of the temporary withdrawal has been fully paid back, the interest shall be paid thereon at the rate of one-fourth percent on the principal amount and shall be recovered in one installment in the month after complete repayment of the principal amount:

Provided that the repayment shall be rounded to the nearest whole rupee.

IFTIKHAR AHMED
Director (Administration)

KORANGI FISHERIES HARBOUR AUTHORITY

(See regulation 8)

Provident Fund

Deposit account of Mr. _____ for the year ending
the 30th June _____ Account No. _____

	Rs.	Ps.	Remarks
Opening Balance on 1 st July 20____			
Subscriber's subscription during the year 20____			
Authority's contribution during they year 20____			

Signature

Dated _____

Verified and found correct

FORM – B

**FORM OF DECLARATION
(See Regulation 13)**

For
Married / Un Married Subscriber

Deposit No. _____

I _____ hereby declare that in the even of my death the amount at my credit in the Provident Fund shall be distributed among the person mentioned below in the manner shown against their names.

The amount due to nominee, who is a minor at the time of my death, should be paid to the person whose names appear in column No. 5.

Name and address of the nominee or nominees	Relationship with the Subscriber	Whether major or minor , if minor state his age	Amount of share of the deposit	Name and address of the person to whom payment is to be made on behalf	Sex and parentage of the person mentioned in column 5
1	2	3	4	5	6

Station _____

Signature of subscriber _____

Witness _____
Signature

Address _____

Dated _____

MINISTRY OF FOOD M, AGRICULTURES AND COOPERATIVES
(Livestock Division)
KORANGI FISHERIES HARBOUR AUTHORITY

NOTIFICATION

MEDICAL FACILITIES REGULATIONS

S.R.O. 45(KE)/84

In exercise of the powers conferred by section 30 of Ordinance XVI of 82, the Korangi Fisheries Harbour Authority, with the prior sanction of the Federal Government, is pleased to make the following Regulations:

1. **Short Title, Extent and Commencement (1)** These Regulations may be called the **Korangi Fisheries Harbour Authority (Medical Facilities) Regulations**,

(2) Save at otherwise provided in these regulations they shall apply to all employees of the Authority, whether serving on deputation from Government or else where, or employed on contract or otherwise in a permanent or temporary capacity.

b. They shall come into force at once.

2. **Definitions-In these Regulations**, unless there is anything repugnant in the subject or or context.

- (b) "Dispensary" means the dispensary maintained by a medical Officer.
- (c) "Employee" means an employee of the Authority both Officers and staff.
- (d) "Family" means employee's wife, legitimate children and step-children, parents, residing with and wholly dependent upon him.
- (e) "Hospital" means a Medical Centre or a hospital or other institution with which arrangements have been made by the Authority for the treatment of its employees and their families.

- (f) "Medical Attendance" means attendance at his dispensary by the Medical Officer; and in the case of illness of an employee which compels him to be confined to his residence, at such residence and includes such methods of examination for purposes of diagnosis as are available in the Dispensary or in Hospital, and such consultation with a specialist as the Medical Officer certifies.
- (g) " Medical Officer" means the Medical Officer, approved by the Authority to attend to its employees and their families;
- (h) "Patient" means an employee or a member of his family who has fallen ill and who is entitled to medical faculties under these Regulations;
- (i) "Retainer ship" means fee paid to a Medical Officer for services by the Authority.
- (j) "Treatment " means treatment in a Dispensary or Hospital or at the residence of an employee and the use of all medical and surgical facilities available , including-
 - (i) The employment of such pathological, bacteriological, radiological, or other methods as are considered necessary by the Medical Officer or specialist or the officer-in-charge of a Hospital;
 - (ii) The supply of such medicines, vaccines or other therapeutic substances as are ordinarily available in the Hospital ;
 - (iii) The supply of medicines, vaccines, or other therapeutic substances not ordinarily available as aforesaid but which the Medical Officer certificate in writing to be essential for the recovery or for the prevention of serious deterioration in the condition of the patient;
 - (iv) The supply of blood transfusion into a patient while under treatment in a hospital ;
 - (v) Such accommodation as is ordinarily provided to in-patients by the Hospital ;
 - (vi) Such nursing as is ordinarily provided to in –patients by the Hospital ;
 - (vii) Dental treatment including treatment of a jaw bone disease or gum boils; the wholesale removal of teeth and the removal or Odon-tomes and impacted wisdom teeth, the treatment of pyorrhoea or gingivitis, but excluding the provision of dentures;
 - (viii) Confinement and maternity treatment of the female employees and wives of male employees to the extent indicated in these Regulations;
 - (ix) Specialist consultation does not include :-
 - (a) Supply of substances like vitamins , syrups, glucose, tonics , processed foods, except where it is necessary to cure a disease;
 - (b) Special nursing;
 - (c) Any expenditure on diet in a Hospital ; and

(d) Treatment of V.D.

3. **Free Medical Attendance Treatment for Employees and his family**-(a) every employee (not being a person appointed temporarily for a specified period or periods) and his family shall be entitled, free of charge, to medical attendance and treatment by the Medical Officer in the Dispensary. Ordinarily, medicines available in the Dispensary shall be prescribed, but the Medical Officer may prescribe medicines not available in the Dispensary if he considers them essential for the recovery of the patient and certifies in writing to that effect. The cost of such medicines shall be reimbursed to the employee by the Authority.

(b) A person appointed temporarily for a specified period or periods shall be entitled to medical attendance and treatment, for himself only and not for any member of his family.

(c) The cost of blood transfusions, pathological and laboratory tests and X-Rays as also the cost of specialist consultation, attendance and treatment of a patient undertaken on the advice of the Medical Officer shall be reimbursed to the employee

(d) In emergent cases, an employee shall be entitled to medical attendance at residence.

4. **Hospitalization** –(a) Hospitalization may be arranged for a patient, not being a person to whom sub-regulations (3) (b) applies, if a Medical Officer considers hospitalization necessary, having regard to the nature of ailment and condition of the patient concerned .

(b) Notwithstanding anything contained in para 6 (a) where a patient is admitted in a Hospital in accordance with sub-regulation (a) above, the expenses on treatment during such hospitalization shall be paid by the Authority .

(c) The cost of maternity cases of a female employee or a wife of an employee shall be paid by the Authority. This shall include confinement including prenatal and post-natal treatment in a Hospital but not at the employee's residence.

(d) Employee of Grade 1-15 will be entitled to general ward accommodation and those in Grade 16 and above to private wards.

5. **Appointment of Medical Officer, Hospitals and Specialist** –The Managing Director may:

(a) Appoint Medical Officers panel on retainership basis in areas where the employees reside.

(b) List the hospitals in which the employees may be admitted and

(c) Approve a panel of essential specialists whom the Medical Officers may refer cases for consultation and opinion.

6. **Restriction of Cost** – (a) Reimbursement of charges for out-doors medical attendance and treatment – The liability of the Authority on account of re-imburement of charges for out door medical attendance.

(i) Those drawing pay (upto Rs. 1124/ pm) Medical re-imburement equal to 02 month's basic pay upto a maximum of Rs. 1687/ per year

(ii) Those drawing pay (upto Rs. 1125/ P.M. and above.

(b) Charges for services rendered in connection with, but not included in, medical attendance on or treatment of a patient entitled free of charge to medical attendance or treatment under these Regulations, shall be determined by the Medical Officer and paid by the patient. Such charges shall not be reimbursed to the employee by the Authority.

(c) If any question arises as to whether any service is included in medical attendance or treatment, it shall be referred to the Authority and the decision of the Authority shall be final.

7. **Medical Attendance or Treatment Elsewhere than at a Hospital** –Notwithstanding any thing in these Regulations; in any really hard and deserving case where an employee or any member of his family, receives medical attendance or treatment elsewhere than at places specified, the M.D may authorized such payment as a special case in part or in full.

By order
M. RAZI AHMAD
Commodore S. I. (M)
Chairman KFHA

The Gazette of Pakistan

KARACHI, WEDNESDAY, NOVEMBER 27, 1991

KORANGI FISHERIES HARBOUR AUTHORITY

NOTIFICATION

No. KoFHA 176- In pursuance of Section 12 of the Korangi Fisheries Harbour Authority Ordinance , 1982 (XVI of 1982) , the Korangi Fisheries Harbour Authority, with the prior approval of the Federal Government , is pleased to direct that the following amendment shall be made in the Korangi Fisheries Harbour Authority Employees (Service) Regulations, 1988, namely;

In the aforesaid Regulations, for regulations 32 to 43 the following shall be substituted namely;

“32. The Revised Leave Rules 1980, as amended by the Federal Government from time to time will be applicable to the employees of Korangi Fisheries Harbour Authority”

By Order
IQBAL AHMED TURK
MANAGING DIRECTOR

