



2022

Residential Accommodation Rules

KMC

Khyber Medical
College, Peshawar

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Preamble

In exercise of powers conferred under section 24 read with 5 & 7 of Medical Teaching Institution Reforms Act, 2015 and in supersession of all previous rules/policies and practices the Board of Governors MTI-KTH/KMC/KCD is pleased to make the following rules. These rules shall have an overriding effect on all the existing/in practice rules and regulations of the residential accommodation at Khyber Medical College, Peshawar.

1) Short Title and commencement:

- a) *These rules may be called the Khyber Medical College, Peshawar Employees Residential Accommodation Rules, 2022.*
- b) *These rules shall come in to force at once.*
- c) *These rules shall be applicable on all existing/new employee/occupants/applicants/allot-tee.*

2) Definitions:

- a) **'Government'** means Government of Khyber Pakhtunkhwa
- b) **'College'** means Khyber Medical College, Peshawar
- c) **'Board'** means Board of Governors, MTI-KTH/KMC/KCD.
- d) **'Management Committee'** means Management Committee MTI-KTH/KMC/KCD.
- e) **'Dean'** means Dean of the Khyber Medical College, Peshawar.
- f) **'Director Finance'** means Director Finance MTI-KTH/KMC/KCD
- g) **'Director Works'** means Director Works Khyber Medical College
- h) **'House/Accommodation'** means any type of residential accommodation, excluding hostel accommodation, with all its annexed, servant quarters etc.
- i) **'Employee'** shall include any paid employee of the Khyber Medical College, Peshawar, including MTI/Institutional employees except deputationist or Civil Servant who shall be on deputation to this Institution, and also does not include a person appointed on work charge basis or paid out of contingencies.
- j) **'Applicant'** means an employee of the Khyber Medical College, Peshawar, who has submitted/registered the application for accommodation at Khyber Medical College, Peshawar.
- k) **'Allot-tee'** means an employee to whom accommodation is allotted by the Dean or an employee who is occupying residential accommodation of Khyber Medical College.
- l) **'Unauthorized occupant'** means a person/employee who occupied residential accommodation without a valid allotment order/shifting order duly issued by Dean KMC, or in whose allotment has been cancelled, or expired, or an Allot-tee has died, as the case may be.
- m) **'Family members'** means spouse, children of an employee, including employee's parents, unmarried/widow/divorced sisters and minor brothers, residing with and totally dependent on the Allot-tee.
- n) **'Waiting list'** means General waiting list maintained under rule 17;

- o) **'Loss'** means loss or damage of any kind to residential accommodation and/or property of Khyber Medical College.
- p) **'Vacation'** means handing over possession of Khyber Medical College residential accommodation and/or property in sound and maintained position to the Director of Works.
- q) **'Maintenance & Repair'** means Maintenance and Repair of residential accommodation of the Khyber Medical College.
- r) **'Permanent dwelling'** means private/personal residence, which does not include tenants.
- s) **'Accommodation Dealing Committee'** means a committee constituted under rule 15;

3) Classification of accommodations and entitlement:

The classification of the accommodations shall as state:

S.No	Type	Classification
1	P and R	Professors, Associate Professors
2	S and F	Assistant Professors
3	J, W, CA and FA	Grade 17 or above non-teaching faculty
4	CB	Grade 05 to 16 Employees
5	MM	Class IV Employees
6	MS	Class IV (Minorities) Employees

- a) If the exigency of the situation requires so, on the recommendation of accommodation dealing committee the Management Committee may, from time to time, by notification, change such categories of residential accommodation by including new residence, as the case may be.
- b) If any superior category remains empty due to non-availability of applications, then applicants from the next category below, if so required may be shifted/allotted the superior category subject to the fulfillment of all requirements and with the special approval of the Management Committee.
- c) The purpose of these classifications is that no house shall remain vacant as it causes dilapidation to houses and financial losses to the Khyber Medical College.

4) Application:

- a) An employee of the Khyber Medical College excluding Civil Servants and bachelors, who needs residential accommodation shall apply on a prescribed form as laid down in "Form A" available in the Office of Assistant Manager Accommodation or available online and shall submit/register in the Office of Assistant Manager Accommodation, who shall record the application in a specified register with number to such residential accommodation application and in computer system duly having access to all employees.
- b) All the applications for the allotments of the accommodation shall be considered from the date of submitting applications for accommodation in case of all categories.
- c) In case of shifting in same category (excluding promoted person), the candidate must submit an application in this regard. The seniority in such case shall be computed from the date of submission/registration of application for shifting in the same category. The process of shifting shall be concluded before new allotment, provided that if accommodation is available in same category.
- d) In case a person is promoted and is eligible for the next higher category, then employee shall submit a fresh application for allotment of next higher category specified in rule 3. However, seniority in such case shall be computed from the date of submission of fresh application.

5) Designated Accommodations:

- a) In special circumstances the Board of Governors MTI KTH/KMC/KCD may notify and designate residential accommodation for certain post, if deemed necessary.
- b) The designated accommodation shall be vacated immediately soon after de-notification by the Board. Provided that if the post, for which an accommodation has been designated under rule 5 (a), falls vacant, the accommodation shall be considered de-notified.
- c) The Board can recall its decision for designation of an accommodation at any stage without any obligations to the allot-tee.

6) Eligibility Criteria:

An applicant shall fulfill eligibility criteria before the allotment process.

- a) An applicant that submits incomplete application shall not be eligible.
- b) In Clinical sciences Departments, faculty having an IBP certificate from Medical Director MTI KTH for regular IBP shall only be eligible for residential accommodation. Their date of submission/registration of application in the waiting list shall be considered from the date of commencement of IBP at the hospital duly verified by the Medical Director-KTH.
- c) In Basic sciences Departments, faculty drawing NPA (Non-Practicing Allowance) shall only be eligible for residential accommodation. The seniority in general waiting list shall be computed from the date of submission/registration of application. Provided that he shall submit an affidavit along with application for residential accommodation, to the effect that he is not doing any practice outside MTI KTH/KMC/KCD in private capacity.
- d) Those clinical and basic sciences faculty already occupying accommodation with no IBP /Non-NPA status shall comply with rule 6 (b) and (c) immediately after the approval of the KMC residential rules 2022.
- e) All interested employees shall submit reminder in the month of January of every calendar year. Provided that if reminder for residential accommodation is not submitted within due time, the application shall be excluded from the general waiting list. Once excluded any subsequent application shall be considered as fresh. In such like event the fresh application shall be considered from the date of submission/registration.
- f) If two or more applicants submit an application on the same day, then seniority in the general waiting list shall be determined on the basis of length of service in that particular grade and if the length of service in that grade is also same then seniority shall be determined from the date of birth, with elder being senior
- g) No accommodation shall be allotted/allowed to the bachelors.
- h) All new/existing applicants/already residing employees shall submit CNIC copies and FBR wealth statement for the last two years in respect of applicant & spouse.
- i) An employee or spouse who has permanent dwelling in the District Peshawar, shall not be eligible for any type of residential accommodation.
- j) At the time of submission of application by an employee, the applicant/employee shall furnish a contract/Affidavit on a judicial stamp paper of Rs. 100/- or above, stating that there is no other permanent dwelling/house/residence in the name of applicant or his spouse or family



members in District Peshawar. In case if it is found, then the residential accommodation of Khyber Medical College of side employee shall stand cancel and disciplinary proceedings shall be initiated against them. Which includes, but not limited to, recovery of rent per month on commercial rate.

- k) In case where both the employees, being spouses, are eligible for residential accommodation, only one of them shall be considered for the purpose of accommodation in the specified category. In case of retirement/resignation/death of an allot-tee, the accommodation may be allotted to spouse in the specified category upon fresh application. However, seniority in the general waiting list, for the purpose of this rule, shall be computed from the date of submission/registration application.

Provided that the spouse shall fulfill all the conditions of the said eligibility criteria.

- l) If any information provided is found incorrect or any unauthorized occupant found at any stage for existing or new allot-tee, the allotment shall automatically stand cancelled and commercial rent for such allotment shall be recovered from such allot-tee for the period the residential accommodation remained in his possession. In addition, disciplinary proceedings under relevant efficiency and discipline rules, for the time being in force, may also be initiated against such allot-tee and he may be declared ineligible for all kind of residential accommodation in future.

7) Allotment of Accommodation:

- a) All recommendations for allotment of residential accommodation made by the Accommodation Dealing Committee (duly constituted under rule 15) shall be forwarded to Dean, for final approval/allotment.
- b) Accommodation shall be allotted strictly in accordance with General Waiting List maintained in Office of the Assistant Manager Accommodation.

8) Occupation of Accommodation:

- a) After an accommodation has been allotted and allotment order received, the employee, after necessary repairs/white wash (if so required), shall occupy the accommodation within 30 days.
- b) The Director Works/Civil Engineer shall handover possession of the accommodation to the allot-tee and record the fittings, installation etc. and their condition in a statement to be called "delivery of possession report", as specified in "Form B", which shall be signed by the allot-tee and Director Works or representative. A copy of the report shall be given to the allot-tee.

9) Vacation of Accommodation:

- a) At the time of vacation of residential accommodation, the allot-tee shall hand over its possession to Director Works, through vacation report, as specified in "Form C" by obtaining a provincial no objection certificate from the Assistant Manager Accommodation, in this

regard, as specified in "Form D". The Director Works shall make an assessment of residential accommodation and recovery shall be made for any outstanding dues, rents, utility bills and the cost of any damages, caused by the allot-tee to such accommodation, other than normal wear and tears before issuing final no objection certificate/clearance certificate, as specified in "Form E".

- b) The allot-tee, on vacation of residential accommodation, shall clear all utility bills of such residential accommodation and produce copies of up-to-date utility bills to Director Works/Accounts, paid by him.
- c) Anyone who fails to comply with the rule 6 as stated above, shall be liable for forceful vacation with the help of Security Officer Khyber Medical College or any other relevant authority as deemed fit by Dean.
- d) An employee after retirement shall be allowed to retain residential accommodation for a period of three months. In such case, three months advance commercial rent and average utility bills shall be charged, if failed to submit advance commercial rent and average utility bills then the said facility may be vacated immediately. Moreover, utility bills incurred more than average bills shall also be recovered from the allot-tee.
- e) In the case of death of an allot-tee, widow of an allot-tee shall be allowed to retain residential accommodation for a period of six months. In which initial three months would be considered, had the allot-tee remained alive. However, for the remaining three months advance rent and average utility bills shall be charged, if failed to submit advance rent and average utility bills then the said facility may be vacated immediately. Moreover, utility bills incurred more than average bills shall also be recovered from the allot-tee.
- f) Upon resignation an employee/allot-tee shall be allowed to remain in residential accommodation for a period of one month. In such case, one-month advance commercial rent and average utility bills shall be charged. Failure to submit advance rent and average utility bills, then the said facility may be vacated immediately. Moreover, utility bills incurred more than average bills shall also be recovered from the employee/allot-tee.
- g) Upon termination from service/ cancellation of allotment due to any reason, an allot-tee shall vacate the accommodation immediately.
- h) The authorized allot-tee of the accommodation shall not allow any person, other than family members to reside with him in residential accommodation without prior approval of Dean. In case of failure, the allot-tee may be liable for strict disciplinary action and if found guilty, he shall vacate the residential accommodation immediately.
- i) Anyone who fails to comply with the timelines/rules as stated above, shall be liable for forceful vacation with the help of Security Officer Khyber Medical College or any other relevant authority as deemed fit by Dean.

10) Priority of Claim in Case of Promotion:

An allot-tee who is promoted and eligible for next higher category of residential accommodation, he shall submit a fresh application of allotment in the specified category for which he is eligible. His seniority in general waiting list shall be considered from the date of application.



Provided that an allot-tee, for the purpose of this rule, may be allowed to retain the residential accommodation already allotted to him before promotion. However, in such case prior approval of the Dean Khyber Medical College shall be obtained. Failing which the allot-tee shall vacate the residential accommodation immediately.

11) Exchange/Shifting of Residential Accommodation:

The Management Committee upon application may allow an allot-tee to exchange his residential accommodation with another vacant residential accommodation subject to availability of accommodation in specified category. Seniority for the purpose of this shall be commuted from the date of submission/registration of application for exchange/shifting. Provided that the allot-tee shall be eligible for such vacant accommodation.

Provided further the exchange of residential accommodation shall be at the sole discretion of Management Committee and it shall not be claimed as a matter of right by an allot-tee.

12) Mutual exchange of residential accommodation:

Mutual exchange of residential accommodation between the allot-tee may be allowed by the Management Committee, subject to the condition that both the residential accommodations are of same category and the allot-tee are also eligible for both residential accommodations. Provided that the mutual exchange of residential accommodation shall be at sole discretion of Management Committee and it shall not be claimed as a matter of right by an allot-tee.

13) Prohibitions:

I. Sub-letting Accommodation:

- a) Authorized allot-tee shall not sub-let the accommodation or any part thereof.
- b) If any one does so, the allotment of the accommodation shall stand cancelled with immediate effect and the employee shall vacate the accommodation immediately. In addition, strict disciplinary proceedings may also be initiated against the said employee/ allot-tee.

II. Maintenance:

- a) The Khyber Medical College shall keep the accommodation in good condition and Maintenance & Repair (M&R) may be done (if required) and white wash shall be carried after three years, subject to the availability of funds.
- b) An employee/allot-tee of the accommodation may not alter/change/demolish or encroach the infrastructure of residential accommodation without prior permission of Dean through Director Works. If allowed so, then the amount pertaining to said work cannot be claimed by the allot-tee at any stage of his service or thereafter.



- c) An employee/allot-tee after due permission, shall also communicate the repair or maintenance work to Director Works and Assistant Manager Accommodation. However, the allot-tee shall not be entitled to claim any cost thereof at any stage.
- d) In case any infrastructural changes made by allot-tee without prior approval, the allotment shall be cancelled forthwith and disciplinary action may be initiated against the allot-tee.

14) Loss or Damage to the Property:

- a) After taking possession of the accommodation an allot-tee shall report any loss or damage to the Director Works (if it is not reported in "Delivery of Possession Report") within three days.
- b) Any loss or damage due to the natural disaster shall be reported immediately to the Director Works.
- c) An allot-tee if, intentionally or unintentionally damages the property shall be liable to either repairs or pay the cost of the same, which shall be equivalent to the current market rate. Furthermore, it shall also include other miscellaneous charges such as labor wages etc.

15) Accommodation Dealing Committee (ADC):

- a) Accommodation Dealing Committee shall consist of the following:
 - i) Drawing and Disbursing Officer (DDO), Khyber Medical College or any other authorized by Dean, Chairperson.
 - ii) Assistant Manager Accommodation, Member cum Secretary.
 - iii) Director Works, Member.
 - iv) Assistant Manager HR, Member.
 - v) Senior Financial Officer, Member.
- b) Accommodation Dealing Committee shall also look-after all the matters pertaining to the accommodation, its complaints, queries submitted by employees (if any) or any other relevant matter.
- c) The Accommodation Dealing Committee shall formulate its Terms of Reference (ToR) soon after enforcement of these rules and shall approve the same from Dean.

16) Reporting:

In order to maintain the proper record of the authorized allot-tee and matters pertaining to the occupied facility, they shall report the following;

- a) Normal repairs (with supporting documents) to the Director of Works. However, the employee/allot-tee shall not be entitled to claim any cost thereof.
- b) Utility bills such as electricity, gas, telephone, internet etc. of the residential accommodation shall be paid by the allot-tee directly to the relevant service providers for the period commencing from the date of allotment and shall also submit a copy of all utility bills in the Office of the Assistant Manager Accommodation.



- c) If an allot-tee, does not ordinarily reside in the residential accommodation after allotment, the employee shall report to the Office of the Assistant Manager Accommodation to explain the position with justified reasons of non-occupancy within defined time frame. The Accommodation Dealing Committee shall make recommendation of the matter to Dean, who shall then decide accordingly.

17) Maintenance of General Waiting List:

- a) The application for accommodation as and when received from an applicant, shall be acknowledged by the Office of the Assistant Manager Accommodation. A letter of acknowledgement shall be dispatched by the said office to the applicant.
- b) The copy of the General Waiting List shall be updated every month on the official website of the Khyber Medical College for the purpose of transparency.
- c) After assessment, review of previously submitted applications, and complaints, if any, by the applicants or anyone in line with rules approved, a new General Waiting List shall be published within one month's period of commencement of these rules.
- d) The General Waiting List shall be maintained for the purpose of allotment of residential accommodation on the basis of seniority computing from the date of application, submitted for allotment in the office of Assistant Manager Accommodation. For clinical and basic sciences department faculty rule 6 (b) & (c) shall be followed.

18) Funds for Maintenance & Repair (M&R) of residential accommodation:

- a) Senior Finance Officer, Khyber Medical College shall maintain funds for Maintenance & Repair or any other liability for the residential accommodation separately, deducted from all the allot-tee of Khyber Medical College as per defined rates.
- b) The defined rates shall be at par with the approved rates of the Government of Khyber Pakhtunkhwa.
- c) Directorate of Works shall formulate the Maintenance & Repair proposal from the said fund annually in consultation with Assistant Manager Accommodation, which shall be approved by the Management Committee on recommendation of Director Finance.
- d) Any other liability of the residential accommodation at Khyber Medical College shall also be processed from the said funds.

