



MEDICAL TEACHING INSTITUTION ABBOTTABAD
[AYUB MEDICAL COLLEGE-AYUB TEACHING HOSPITAL]
BOG SECRETARIAT



Email: secretarybog@ath.gov.pk Phone No: 0992-9311161

No. BOG/MTI/2025/ 7237

Dated: 25-02-2025

NOTIFICATION

In pursuance of MTI Reformed Act 2015 Section 24 "Power to make regulations.---(1) 5[Subject to clause (d) of sub-section (4) of section 4A,]" and 107th Board of Governors meeting dated 22-02-2025, next to Agenda item no. 03 " Proposed Amendments in the E&D Regulations 2023 and Re-framing of AMTI Disciplinary Regulations 2025".

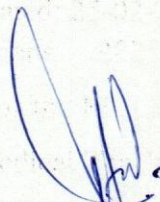
Email: secretarybog@ath.gov.pk Phone No: 0992-9311161

No. BOG/MTI/2025/ 7237

Dated: 25-02-2025

The Board approved the Ayub Medical Teaching Disciplinary Regulations - 2025. The E&D Regulations were reviewed by the Board. In accordance with Section 24 of the MTI Reforms Act 2015, "Power to Make Regulations". The Board hereby make the Ayub Medical Teaching Institute Disciplinary Regulations, 2025.

The E&D Regulations 2023 are hereby repealed. The Ayub Medical Teaching Institute Disciplinary Regulations, 2025 shall come into force with immediate effect.


Secretary BoG
MTI(AMC/ACD, ATH)
Abbottabad

Copy to:

- Board of Governors MTI (AMC/ACD,ATH) Abbottabad
- Dean/CEO MTI Abbottabad
- Hospital Director MTI Abbottabad
- Medical Director, MTI Abbottabad
- Finance Director MTI Abbottabad
- Nursing Director MTI Abbottabad
- HR Manager AMC MTI Abbottabad
- HR Manager ATH-MTI Abbottabad
- In charge IT, ATH -MTI Abbottabad (for display at Official Website)
- In charge IT, AMC-MTI Abbottabad (for display at Official Website)

AYUB MEDICAL TEACHING INSTITUTION (MTI), ABBOTABAD

Published under Authority

Ayub Medical Teaching Institute Disciplinary Regulations 2025

BOG No. R-1/2025/7237

Dated 22nd February, 2025.

In exercise of the powers conferred under Section 24 of the Khyber Pakhtunkhwa Medical Teaching Institution Reforms Act, 2015, the Board of Governors (BoG) Ayub Medical Teaching Institution (MTI), Abbottabad frame the following regulations, namely: --

1. Short title, commencement and application. —(1) These regulations shall be called the AMTI Disciplinary Regulations, 2025.

(2) These shall come into force at once.

(3) These regulations shall apply to all the employees of MTI(AMC/ACD, ATH), Abbottabad.

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

(a) "Act" means the Khyber Pakhtunkhwa Medical Teaching Institution Reforms Act, 2015.

(b) "accused" means a person against whom proceedings and action under these regulations are initiated.

(c) "authority" means authority as prescribed in these regulations.

(d) "appellate authority" means appellate authority as defined in these regulations.

(e) "Board of Governors(BoG)" means BoG MTI, Abbottabad as constituted under Section 5 of Act.

(f) "Chairman" means chairperson of the BoG of MTI, Abbottabad as defined under Section 5(6) of the Act.

(g) "college" means a Public Sector Medical College or a Dental College in Abbottabad.

(h) "employee" means: -

i. Executives and other individuals employed by BoG, MTI, Abbottabad

ii. Employee of the Medical Teaching Institution appointed by the Management Council under the Khyber Pakhtunkhwa Medical and Health Institution and Regulation of Health Care Services Ordinance, 2002, Khyber Pakhtunkhwa Medical Teaching Institution Reforms (Amendment) Act, 2018 and civil servant who has opted to become an employee of MTI, Abbottabad under section 16 of the Act.

- iii. A civil servant means a person as defined in section 2(1)(b) of Khyber Pakhtunkhwa Civil Servant Act 1973 and a person on deputation to medical teaching Institution
- a. A civil servant who is or on detailment to MTI.
- iv. "Institutional Pay Scale" (IPS) —the employees covered under Medical Teaching Institution Pay Scale Regulation, 2020.
- v. "Contract employees, daily wages" contract employees of MTI, Abbottabad other than IPS¹ and executives.
- (i) "Medical Faculty" means [and includes] the Basic Science Faculty and Clinical Faculty which includes Senior Registrar and above as well as [Dean] of a College, involved in teaching, training or patient care;
- (j) "Medical Teaching Institution" means, Ayub Medical and Dental College and Ayub Teaching Hospital Abbottabad notified as such by the Government of Khyber Pakhtunkhwa and any other institute or entity handed over to MTI-ATH by Government-
- i. a specialized care hospital in the public sector notified as such by the Health Department of Government.
- (k) "Dean" means academic head of MTI, Abbottabad.
- (l) "Government" means the Government of Khyber Pakhtunkhwa.
- (m) "Health Care Services" means preventive, curative, promotive, rehabilitative, health services and includes diagnostic, support services, laboratory, accident and emergency, pharmacy and paramedic support.
- (n) "member" means member of the Board including Chairperson.
- (o) "Charges" means allegations framed against the accused relating to an act of omission or commission cognizable under these regulations.
- (p) "inquiry" means regular inquiry under these regulations.
- (q) "the competent authority" means authority, competent to make respective appointments.
- (r) "appellate authority" means authority next above the competent Authority to whom an appeal shall lie.
- (s) "penalties" means any of the minor or major penalties listed in these regulations.
- (t) "Policy Board" means the Policy Board constituted under section 4(A) of Act.
- (u) "section" mean section of Act.
- (v) "subversive activities" means and refer to deliberate actions aimed at undermining, destabilizing, or overthrowing established institutions' rules, regulations, through covert, illegal, or unethical means. These activities often challenge authority and seek systemic disruption and includes organizing or

participating in strikes, incitement to go on strike or disrupting patient care or related services. Use of social media or holding press conference against MTI Executives or Board members or Government officials shall also be included in such activities.

- (w) 'rule/Policy" means rules/policies framed by the Board of Governors under the Act;
- (x) **"Inefficiency"** means, in relation to the discharge of duties, failure to perform efficiently and effectively as per role and responsibilities assigned to such office holder by or under the policy of Government, MTI Act, 2015, MTI Rules, MTI Regulations, decisions of BoG. Failure to devise annual Business and Strategic Plan, non-achievement of targets set by the Board. It shall also include failure to ensure adherence to Government, Policy Board and Board of Governors of MTI-ATH policies & directives, failure to ensure merit in recruitment, promotion, appointment and poor supervisory control of subordinates and various committees.
- (y) **"misconduct"** means conduct prejudicial to good order or service discipline or conduct unbecoming of MTI employee and/or a gentle man/woman or involvement or participation for gains directly or indirectly in industry, trade, or speculative transition(s) by abuse or misuse of official position or conviction for a moral offence by a court or possession of pecuniary source(s) or property by MTI employee or any of his dependent which cannot be accounted for and which disproportionate to his known sources of income or maintaining standard of living beyond known sources of income or having a reputation of being corrupt or violation of MTI Act, rules, regulations and failure to implement the directives of the competent authority or formation of associations without obtaining registration from competent forum(s)/registration authority according to Law or any strikes within the premises of MTI or engagement in subversive activities on MTI Abbottabad premises, unlawful gathering, instigating the staff for strike, disruption of medical services, threatening and causing physical harm to patients, staff, citizens, engaging in subversive activities, damaging property and assets of MTI, harassment as defined under various laws, violation of MTI Act, Rules, Regulations, and failure to implement directives from the Competent Authority, Standard Operating Procedures (SOPs) as per accepted standards. Absence without leave, availing ex-Pakistan leave without prior permission and No Objection Certificate (NOC).
- (z) **"corruption and corrupt practices"** in regard to an employee means and shall include illegal gains, violation of financial and accounting procedure in civil works, lease out of various services including pharmacy, canteen, parking, out-

sourcing, tendering, maintenance contracts etc Violation of procurement Rules and Regulations or misuse of authority in procurement of machinery, furniture, consumables, medicines, laboratory related reagents and items, furniture and auction. It shall also include personal gains such as financial, bribery or acquiring a post/promotion by influence of authority or through fraudulent means, favoring a person in promotion, posting, recruitment, financial loss caused due to inefficiency, misconduct and corruption, abetment in all the cited offences, possession of pecuniary or property disproportionate to his/her known sources of income or has assumed a style of living beyond his/her ostensible means.

3. **Grounds for proceedings and penalty.** - An employee shall be liable to be proceeded under these regulations by the authority if he/she is-

- (a) considered or reported to be inefficient or has ceased to be efficient or
- (b) considered or reported to be guilty of misconduct-~~or~~
- (c) considered or reported to be corrupt and accused of corrupt practices-

4. **Penalties.** - (i) The authority may, by an order in writing, showing reasons, may impose one or more of the penalties in accordance with these regulations.

(ii) The following shall be various minor and major penalties;-

A. Minor Penalties

- a) Censure or Reprimand
- b) Withholding of increment(s) or promotion(s) for a specific period, subject to maximum of three years with or without cumulative effect.
- c) Recovery of the whole or any part of any pecuniary losses caused to MTI by negligence or breach of order.
- d) "not allowed" or "unfit" or "penalized" to hold any administrative role as supervisor, In charge, Head, Chairperson, Executive Position for "One(01)" Year to up to "Seven (07)" Years."

B. Major Penalties

- a. Reduction to lower post or pay scale or to a lower stage in time scale for maximum period of FIVE Years.
- b. Compulsory Retirement from service
- c. Removal from Service
- d. Dismissal from Service
- e. Any of the above and/or recovery of embezzled amount

5. Initiation of disciplinary proceedings.

- i) If on basis of its own knowledge or information placed before the Competent Authority and is of the opinion that there are sufficient grounds for initiating proceedings against MTI employee(s) it shall either:- ...
- a. Proceed itself against the accused employee by issuing show cause notice and for reasons to be recorded in writing dispense without inquiry.
or
 - b. get an inquiry conducted into the charge or charges against the accused employee(s) by appointing an inquiry officer or inquiry committee as the case may be.

Provided that the competent authority shall dispense with the inquiry where:-

- i. the employee has been convicted by the court of law.
 - ii. dishonesty and theft or financial misappropriation
 - iii. threatening or causing physical harm to patients, staff or visitors in the premises of the institution.
 - iv. the employee has been absent from duty without prior approval of leave.
 - v. the competent authority may dispense with inquiry where it is in possession of sufficient documentary evidence.
- ii) In case where competent authority decided to hold and inquiry charge sheet with statement of allegations and in case where inquiry is dispensed with show cause notice with statement of allegation(s) shall be issued in each case.
- a. In case of Executives and other employees, the BoG or the Chairman may initiate an inquiry through an Inquiry Officer or subordinate or sub-committee of BoG, as specified under section 5 (8), 6 and section 7(1)(k) of MTI Act 2015.
 - b. Based on the findings of inquiry report such employee shall be called to explain his position. Reply of such employees along with inquiry report shall be placed before the BoG for approval. The BoG may order receiving of financial loss caused to the MTI, Abbottabad. Besides this, criminal proceedings may also be initiated.
 - c. The BoG, based on inquiry report, may remove an Executive or other employee of BoG and terminate the agreement before the expiration of contract agreement.

6. Suspension

MTI employee(s) against whom action is proposed may be placed under suspension for a period of 90 days at the discretion of competent authority and if the inquiry is not completed period of suspension may be extended.

7. Procedure where inquiry is dispensed with. —If the authority decides that it is not necessary to hold an inquiry against the accused employee or employees .. -

- (a) inform the accused, by an order in writing, of the grounds for proceedings against him, clearly specifying the charges therein, along with apportionment of responsibility and penalty or penalties proposed to be imposed upon him;
- (b) give him a reasonable opportunity of showing cause against the proposed action, which shall not be less than (07) Seven days and more than fourteen days, from the receipt of the order or within such extended period, as the authority may allow;
- (c) on receipt of reply of the accused, within the stipulated period or after the expiry thereof, if no reply is received, on the basis of available record; or facts of the case, as the case may be, determine whether the charge or charges have been proved against the accused or not;
- (d) afford an opportunity of personal hearing before passing an order of penalty and exonerate the accused or impose any one or more minor or major penalties.

8. Procedure to be followed by authority. -

- (a) If the authority decides that it is necessary to hold an inquiry against the accused, it shall pass an order of inquiry.
- (b) Competent Authority, through an order, may appoint an Inquiry Officer or Inquiry Committee, Provided that;
 - i. Inquiry Officer or the convener of the inquiry committee, as the case may be shall, be of a rank equal to the accused and where two or more accused are proceeded against jointly, the inquiry officer or the convener of the inquiry committee shall, be of a rank equal to the senior most accused,

Provided further that when an officer of the senior most rank is proceeded against, the inquiry shall be conducted by any person nominated by the BoG;

- (c) The grounds for proceedings, clearly specifying the charges along with apportionment of responsibility shall be communicated to the accused.

(d) The record of the case and the list of witnesses, if any, shall be communicated to the inquiry officer or the inquiry committee, as the case may be, along with the orders of inquiry.

(e) In case where the inquiry officer or any of the members of the inquiry committee is required to be replaced for one reason or the other, the authority may appoint another inquiry officer or the inquiry committee, as the case may be.

9. Procedure to be followed by inquiry officer or inquiry committee;

- (I) On receipt of reply by the accused or on expiry of the stipulated period, if no reply is received from the accused, the inquiry officer or the inquiry committee, as the case may be, shall inquire into the charge or charges and may examine such oral or documentary evidence in support of the charge or charges or in defense of the accused, as may be considered necessary and where any witness is produced by one party, the other party shall be entitled to cross-examine such witness.
- (II) If the accused fails to furnish his reply within the stipulated period, the inquiry officer or the inquiry committee, as the case may be, shall proceed with the inquiry ex-parte.
- (III) The inquiry officer or the inquiry committee, as the case may be, shall hear the case on day to day basis. Adjournment shall be given for reasons to be recorded.
- (IV) Statements of witnesses shall be recorded in the presence of accused and departmental representative.
- (V) Where the inquiry officer or the inquiry committee, as the case may be, is satisfied that the accused is hampering or attempting to hamper the progress of the inquiry, the matter would be reported to the Competent Authority for necessary guidance.
- (VI) In case of non-response or non attendance by the accused the Inquiry Officer or the Inquiry Committee shall proceed ex-parte and complete the inquiry on the basis of available record. If the accused absents himself without prior permission or valid grounds, it shall be deemed to have hampered or attempted to hamper the progress of the inquiry, unless medical leave, applied for by him/her, is sanctioned by the authority on the recommendation of registered authorized medical officer.
- (VII) The inquiry officer or the inquiry committee, as the case may be, shall complete the inquiry within time fixed by the authority or within such extended time.

(VIII) The inquiry report must contain clear findings as to whether the charge or charges have been proved or not proved and specific recommendations regarding exoneration or imposition of minor or major penalty or penalties upon the accused.

(IX) Accused shall be confronted with documents, evidence or any other material to be used against him /her. The competent Authority shall afford an opportunity of personal hearing to the accused if accused so desire.

Provided that the inquiry shall not be vitiated merely on the grounds of non-observance of the time schedule for completion of the inquiry.

10. Powers of the inquiry officer or inquiry committee.-

For the purpose of an inquiry under these regulations, the inquiry officer or the inquiry committee, as the case may be, shall have the following powers:-

- (a) summoning and enforcing the attendance of any person;
- (b) requiring the discovery and production of documents and receiving evidence on affidavits; and
- (c) issuing commissions for the examination of witnesses or documents.
- (d) On conclusion of inquiry submit report before the competent authority disclosing there in as to whether charge (s) are proved or not with further recommendations as to punishment.

11. Duties of the departmental representative. -

- (1) The departmental representative shall perform the following duties, namely:
 - (a) render full assistance to the inquiry officer or the inquiry committee, as the case may be, during the proceedings where he shall be personally present and fully prepared with all the relevant record relating to the case, as and when required;
 - (b) cross-examine the witnesses produced by the accused and with the permission of the inquiry officer or the inquiry committee, as the case may be, and rebut the grounds of defense offered by the accused before the inquiry officer or the inquiry committee, as the case may be.
- (2) In case of failure to perform the assigned duties, the departmental representative shall be liable to disciplinary proceedings.

12. Order to be passed on receipt of report from the inquiry officer or committee:

- 1) On receipt of report from the inquiry officer or the Inquiry Committee, as the case may be, the authority shall examine the report and the relevant case material and determine whether the inquiry has been conducted in accordance with the provisions of these regulations.

- 2) If the authority is satisfied that the inquiry has been conducted in accordance with the provisions of these regulations, it shall further determine whether the charge or charges have been proved against the accused or not.
- 3) Where the authority is satisfied that the inquiry proceedings have not been conducted in accordance with the provisions of these regulations or the facts and merits of the case have been ignored or there are other sufficient grounds, it may, after recording reasons, either remand the inquiry to the inquiry officer or the inquiry committee, as the case may be, with such directions as the authority may like to give, or may order a de novo inquiry through different inquiry officer or inquiry committee or any Government agency.
- 4) Where the charge or charges are not proved, the authority shall exonerate the accused by an order in writing.
- 5) Where the charge or charges are determined to have been proved against the accused, the authority may impose any one or more of the penalties as specified in these Regulations.

13. **Personal hearing.**—Notwithstanding the provisions contained in these regulations, the authority may, by an order in writing, call the accused and the departmental representative, along with relevant record of the case, to appear before him/her, for personal hearing on the fixed date and time.

14. **Appeal.**— MTI employee(s) on whom a penalty is imposed shall have right of appeal to the Authority next above the competent Authority.

15. **Appearance of counsel**—No party to any proceedings under these rules at any stage of the proceedings before the appellate authority, authority, inquiry officer or any inquiry committee as the case may be, shall be represented by an advocate or counsel.

16. **Repeal and Savings**

- 1) On the day in which these Regulations came into force, the MTI Abbottabad Efficiency and Disciplinary (Amendments) Regulations 2023 shall stand repealed.
- 2) Any action taken or order issued under the provisions of the MTI Abbottabad efficiency & Disciplinary (Amendments) Regulations 2023 in so far as not inconsistent with the provision of the regulations, it deems to have been taken, issued or made under the provisions of these regulations.
- 3) All pending proceedings shall be initiated a fresh under these regulations.

=====