

CHAPTER V

**CONDUCT
AND
DISCIPLINE**
(457 -458)

CONDUCT AND DISCIPLINE

SECTION 'A'

RULES AND INSTRUCTIONS RELATING TO
THE CONDUCT OF GOVERNMENT SERVANTS

**Government Servants
(Conduct) Rules, 1964**

Sl. No. 1

In exercise of the powers conferred by paragraph (a) of clause (2) of Article 178 and clause (1) of Article 179 of the Constitution and of all powers enabling him in that behalf, the President is pleased to make the following rules, namely:-

THE GOVERNMENT SERVANTS (CONDUCT)
RULES, 1964

1. Short title and commencement.- (1) These rules may be called the Government Servants (Conduct) Rules, 1964.

(2) They shall come into force at once.

2. Extent of application.- These rules apply to every person, whether on duty or on leave, within or without Pakistan, serving in a civil capacity in connection with the affairs of the Centre and to the members of an All-Pakistan Service during their employment under the Provincial Governments or while on deputation with any other Government, agency, institution or authority:

Provided that the Central Government may, by a notification in the official Gazette exempt any class of Government servants from the operation of all or any of these rules.

3. **Definitions.-** (1) In these rules, unless there is anything repugnant in the subject or context,-

- (a) "Government" means the Central Government and in respect of officers of an All-Pakistan Service serving in a Province, the Provincial Government;
- (b) "Government servant" means a person to whom these rules apply; and
- (c) "member of a Government servant's family" includes-
 - (i) his wife, child or step-child, whether residing with the Government servant or not; and
 - (ii) any other relative of the Government servant or his wife, when residing with and wholly dependent upon the Government servant, but does not include a wife legally separated from the Government servant, or a child or step-child who is no longer in any way dependent upon him, or of whose custody the Government servant has been deprived by law.

(2) Reference to a wife in clause (c) of sub-rule (1) shall be construed as references to a husband where the Government servant is a woman.

4. **Repeal of previous Conduct Rules.-** The Government Servants Conduct Rules made under section 96-B of the Government of India Act, 1919, and the Secretary of State's Services (Conduct) Rules, 1942, made under sections

247(1), 250 and 269 of the Government of India Act, 1935, in so far as they applied to the persons to whom these rules apply, are hereby repealed, but such repeal shall not affect anything duly done or suffered under those rules.

@*[5. **Gifts.**- (1) Save as otherwise provided in this rule, no Government servant shall, except with the previous sanction of the Government, accept, or permit any member of his family to accept, from any person any gift the receipt of which will place him under any form of official obligation to the donor. If, however, due to very exceptional reasons, a gift cannot be refused, the same may, under intimation to the Cabinet Division, be kept for official use in the Department or Organisation in which he is working].

(2) If any question arises whether receipt of a gift places a Government servant under any form of official obligation to the donor, the decision of the Government thereon shall be final.

(3) If any gift is offered by the head or representative of a foreign State, the Government servant concerned should attempt to avoid acceptance of such a gift, if he can do so without giving offence. If, however, he cannot do so, he shall accept the gift and shall report its receipt to the Cabinet Division for orders as to its disposal.

*[(4) Government servants are prohibited from receiving gift of any kind for their person or for members of their families from diplomats, consular and other foreign Government representatives or their employees who are stationed in Pakistan. If, however, due to very exceptional reasons, a gift cannot be refused, it should invariably be deposited in the Toshakhana.

(5) Government servants, except those belonging to BPS 1 to 4, are prohibited from accepting cash awards offered by the visiting foreign dignitaries. In case, however, it becomes

impossible to refuse without causing offence to the visiting dignitary, the amount may be accepted and immediately deposited in the Treasury under the proper head of account.

*Subs *vide* Estt. Division Notification No.807(I)/79, dated 12-9-1979.

@*Note*.- Rule 5 may be read in conjunction with the instructions contained in the Cabinet Division O.M.No. 9/9/91-TK, dated 21-11-1991 (Sl.No.7).

(6) The responsibility for reporting the receipt of a gift shall devolve on the individual recipient. All gift received by a Government servant, irrespective of their prices, must be reported to the Toshakhana in the Cabinet Division. However, the responsibility for reporting to the Cabinet Division receipt of gifts, including the names of recipients, from foreign dignitaries or delegations who come to Pakistan or when Pakistan dignitaries or delegations go abroad, shall lie with the Chief of protocol or his representative in the former case, and with the Ambassador concerned in the latter case. In the case of foreign delegations or visiting dignitaries with whom the Chief of Protocol is not associated, the Ministry sponsoring the visit shall be responsible to supply the details of gifts, if received, and the list of recipients to the Cabinet Division and the Ministry of Foreign Affairs.

(7) The value of gifts shall be assessed by the Cabinet Division and the monetary limits up to which and the condition subject to which, the gifts may be allowed to be retained by the recipient shall be as follows:-

- (a) gifts valued upto Rs. 1,000 may be allowed to be retained by the recipient;
- (b) gifts valued between Rs. 1,000 and 5,000 may be allowed to be retained by a recipient on his paying 25% of the value of the gift in excess of Rs. 1,000; and
- (c) gifts of value exceeding Rs. 5,000 may, be

allowed to be retained by a recipient on his paying 25% of so much of the value as exceeds Rs. 1,000 but does not exceed Rs. 5,000 and 15% of so much of the value as exceeds Rs. 5,000].

6. Acceptance of foreign awards.- No Government servant shall except with the approval of the President, accept a foreign award, title or decoration.

Explanation.- For the purposes of this rule, the expression "approval of the President" means prior approval in ordinary cases and *ex-post-facto* approval in special cases where sufficient time is not available for obtaining prior approval.

7. Public demonstrations in honour of Government Servants.- (1) No Government servant 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-rule(1) -

- (a) a Government servant may, with the previous permission of his next higher officer, take part in the raising of funds to be expended for any public or charitable purpose;
- (b) a Government servant may take part, with the previous sanction of the Government, in the raising of funds to be expended for any public or charitable object connected with the name of any other Government servant or a person who has recently quitted the service of the Government;

- (c) the Head of a Pakistan Mission abroad, while so posted, may attend a public meeting or entertainment held in his honour.

(3) When a Government servant takes part in the raising of fund in accordance with the provisions of clauses (a) and (b) of sub-rule (2), he shall be required to keep regular accounts and submit them to his next higher officer for scrutiny.

(4) Clauses (a) and (b) of sub-rule(2) shall not apply to officers of the Police Service of Pakistan and the Pakistan Taxation Service.

8. Gift to Medical Officers.- Subject to the departmental rules Governing the question, a Medical Officer may accept any gift of moderate value offered in good faith by any person or body of persons in recognition of his professional services.

9. Subscriptions.- Subject to rule 7, no Government servant shall, except with the previous sanction of the Government, 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.

10. Lending and Borrowing.- (1) No Government servant 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 rule shall not apply to dealings in the ordinary course of business with a joint stock company, bank or a firm of standing.

(2) When a government servant 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, or will reside, possess immovable property, or carry on business within the local limits of such authority, he shall forthwith declare the circumstances to the Government through the usual channel.

(3) Non-gazetted Government servants shall make the declaration referred to in sub-rule (2) to the head of their office.

(4) This rule, in so far as it may be construed to relate to loans given to or taken from co-operative societies registered under the Cooperative Societies Act, 1912 (II of 1912), or under any law for the time being in force relating to the registration of Cooperative Societies, by the Government servants, shall be subject to any general or special restrictions or relaxations made or permitted by the Government.

***[11. Buying and selling of movable and immovable property.-** (1) A Government servant who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value ^{**}[Rs. 100,000 (One hundred thousand rupees)] with any person shall apply for permission to the Head of the Department or the Secretary to the Government as the case may be. When the Government servant concerned is himself the Head of the Department or the Secretary to the Government, he shall apply through the Secretary of the Ministry concerned or the Establishment Secretary, as the case may be. Any such application shall state fully the circumstances, the price offered or demanded and, in the case of disposal other wise than by sale, the method of disposal. Thereafter such Government servant shall act in accordance with such orders as may be passed by the Government:

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

****Explanation.-* In this rule, the term 'Property' includes agricultural or urban land, bonds, shares and securities but does not include a plot purchased ****[for the first time] for building a house from a cooperative housing society or a Government housing scheme].

(2) No prior permission is necessary for buying and selling shares, bonds, saving certificate and Securities through Government sponsored organizations upto the value of ****[Rs.100,000 (one hundred thousand rupees)]. However, the Government servant concerned shall have to report all such transactions in the form of a statement at the end of the each year.

**Revised rule introduced vide Estt. Division Notification No. S.R.O.1411(1)/74, dated 14-11-1974.*

***Subs vide Estt. Division Notification No.S.R.O. 1005(1)/98 dated 28-9-1998.*

****Please see Sl.No.17.*

**(3)* A Government Servant who intends to acquire more than one plot from one or more Cooperative Housing Societies or Government Housing Schemes or intends to dispose of any of plot acquired by him as such shall obtain prior permission of the Government, as the case may be in the manner specified in sub-rule (1)].

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

12. Declaration of property.- (1) Every Government servant shall, at the time of entering Government service, make a declaration to the Government, through the usual channel, of all immovable and movable properties including

shares, certificates, securities, insurance policies and jewellery 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,-

- (a) state the district within which the property is situated.
- (b) show separately individual items of jewellery exceeding **[Rs. 50,000 (fifty thousand rupees)] in value, and
- (c) give such further information as the Government may, by general or special order, require.

(2) Every Government servant shall submit to the Government, through usual channel, an annual return of assets in

*Added *vide* Estt. Division
Notification No. S.R.O. 1005(1)/98, dated 28-9-1998.

**Subs *vide* Estt. Division Notification No. S.R.O. 846(1)/85, dated 5-9-1985 for the words Rs. 10,000/- (Ten thousand rupees)".

the month of December showing any increase or decrease of property as shown in the declaration under sub-rule or, as the case may be, the last annual return.

13. Disclosure of assets, immovable, movable and liquid.- A Government servant shall, as and when he is so required by Government by a general or special order, furnish information as to his assets disclosing liquid assets and all other properties, immovable and movable, including shares, certificates, insurance policies, jewellery *[and expenses during any period specified by such order in the form specified therein].

14. Speculation and investment.- (1) No Government

servant shall speculate in investments. For the purpose of this sub-rule, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.

(2) No Government servant 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 Government servant shall make any investment the value of which is likely to be affected by some event of which information is available to him as a Government servant 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 any of the foregoing sub-rules, the decision of the Government thereon shall be final.

15. Promotion and management of companies, etc.- No Government servant shall, except with the previous sanction of the Government, take part in the promotion, registration or management of any bank or company:

Provided that a Government servant may, subject to the provisions of any general or special order of the Government, take

*Added *vide* Estt. Division
Notification No. S.R.O. 225(1)/92, dated 31-3-1992.

part in the promotion, registration or management of a Co-operative Society registered under the Co-operative societies Act, 1912 (II of 1912), or under any similar law.

16. Private trade, employment or work.- (1) No Government servant shall, except with the previous sanction

of the Government, 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 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 a Government servant but he shall not undertake or shall discontinue such work if so directed by the Government. A Government servant who has any doubt about the propriety of undertaking any particular work should refer the matter for the orders of the Government:

Provided further that non-gazetted Government servant may, without such sanction, undertake a small enterprise which absorbs family labour and where he does so shall file details of the enterprise alongwith the declaration of assets.

(2) Notwithstanding any thing contained in sub-rule (1), no Government servant shall associate himself with any private trust, foundation or similar other institution which is not sponsored by the Government.

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

16-A. Subletting of residential accommodation allotted by Government.- No Government servant shall, except with the prior permission of the Head of the Department, sublet residential accommodation let to him by Government.

16-B. Government Servant not to live beyond his means, etc.- No government servant shall live beyond his

means or indulge in ostentation on occasions of marriage or other ceremonies.

17. Insolvency and habitual indebtedness.- A Government servant shall avoid habitual indebtedness. If a government servant 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, or is attached for a sum which, in ordinary circumstances, he cannot repay within a period of two years, he shall be presumed to have contravened this rule unless he proves that the insolvency or indebtedness is the result 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. A government servant who applies to be or is adjudged or declared insolvent shall forthwith report his insolvency to the Head of the Office or Department or to the Secretary of the Ministry, as the case may be, in which he is employed.

***17-A. Intimation of involvement and conviction in a criminal case.-** If a Government servant 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 Office or Department immediately or, if he is arrested and released on bail, soon after such release.

18. Unauthorized communication of official documents or information.- No Government servant shall, except in accordance with any special or general order of the Government, communicate directly or indirectly any official document or information to a Government servant unauthorized to receive it, or to a non-official person, or to the press.

19. Approach to members of the Assemblies, etc.- No Government servant shall, directly or indirectly, approach

any

*Added *vide* Estt. Division
Notification No. S.R.O.757(I)/78, dated 14-6-1978.

Member of the National Assembly or a Provincial Assembly or any other non-official person to intervene on his behalf in any matter.

20. Management etc. of newspapers or periodicals.- No Government servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.

21. Radio broadcasts or television programmes and communications to the press.- No Government servant shall, except with the previous sanction of the Government or any other authority empowered by it in this behalf, or in the bonafide 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 own 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 Government servant, 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.

22. Publication of information and public speeches capable of embarrassing the government.- No Government

servant shall, in any document published, or in any communication made to the press, over his own name, or in any public utterance or television programme or in any radio broadcast delivered by him, make any statement of fact or opinion which is capable of embarrassing the Government:

Provided that technical staff (both gazetted and non-gazetted) may publish research papers on technical subjects, if such papers do not express views on political issues or on Government policy and do not include any information of a classified nature.

*22-A. Where a Government Servant submits the draft of a literary, artistic or scientific article or book for obtaining previous sanction for its publication, he shall be informed within three months of his doing so whether he has or has not such sanction and, if no communication is issued to him within that period, he shall be entitled to presume that the sanction asked for has been granted.

23. Evidence before committees.- (1) No Government servant shall give evidence before a public committee except with the previous sanction of the Government.

(2) No Government servant giving such evidence shall criticize the policy or decisions of the Central or a Provincial Government.

(3) This rule shall not apply to evidence given before statutory committees which have power to compel attendance and the giving of answers, not to evidence given in judicial inquiries.

24. Taking part in politics and elections.- (1) No Government servant shall take part in subscribe in aid of or assist in any way, any political movement in Pakistan or relating to the affairs of Pakistan.

(2) No Government servant 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 Government as by law established in Pakistan.

*Added *vide* Estt. Division
Notification No.7/2/79-D IV, dated 10-7-1980.

(3) No Government servant 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 a Government servant who is qualified to vote at such election may exercise his right to vote: but if he does so, he shall give no indication of the manner in which he propose to vote or has voted.

* (4) No Government servant 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-rule (3) to act.

(5) A government servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-rule (3) to take part in an election to such body.

(6) The provisions of sub-rules (3) and (5) shall, so far as may be, apply to elections 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 at such elections.

(7) If any question arises whether any movement or

activity falls with the scope of this rule, the decision of the Government thereon shall be final.

25. Propagation of sectarian creeds etc.- No Government servant shall propagate such sectarian creeds or take part in such sectarian controversies or indulge in such sectarian partiality and favouritism as are likely to affect his integrity in the discharge of his duties or to embarrass the administration or create feelings of

*Subs vide Estt. Division

Notification No.S.R.O.993(I)/76, dated 30-9-1976.

discontent or displeasure amongst the Government servants in particular and amongst the people in general.

***25-A. Government servant not to express views, against ideology of Pakistan.-** No Government servant shall express views detrimental to the ideology or integrity of Pakistan.

****[25-B. Government servant not to take part in or assist, any public demonstration against Government decisions, etc.-** No Government servant shall take part in, or in any manner assist, any public demonstration directed against a government decision or policy or permit any member of his family dependent on him to do so].

26. Nepotism, favouritism and victimization, etc.- No Government servant shall indulge in provincialism, parochialism, favouritism, victimization and wilful abuse of office.

27. Vindication by Government servants of their public acts or character.- A Government servant may not, without the previous sanction of the Government, have recourse to any court or to the press for the vindication of his public acts or character from defamatory attacks. In granting sanction, the Government will ordinarily bear the cost of the

proceedings and in other cases leave the Government servant to institute them at his own expense. In the latter case, if he obtains a decision in his favour, the Government may reimburse him to the extent of the whole or any part of the cost.

Nothing in this rule limits or otherwise affects the right of a Government servant to vindicate his private acts or character.

28. Membership of service associations.- No Government servant shall be a member, representative or officer of any association representing or purporting to represent, Government

* Added *vide* Estt. Division Notification No. S.R.O. 432(1)/80, dated 27-4-1980.

**Added *vide* Estt. Division Notification No. S.R.O. 837(1)/83 dated 22-8-1983.

servants or any class or Government servants, unless such association satisfies the following conditions, namely:-

- (a) Membership of the association and its office bearers shall be confined to a distinct class of Government servants and shall be open to all Government servants of that class.
- (b) The association shall not be in any way connected with, or affiliated to any association which does not, or any federation of associations which do not satisfy condition (a).
- (c) The association shall not be in any way connected with any political party or organization, or engage in any political activity.
- (d) The association shall not -

- (i) issue or maintain any periodical publication except in accordance with any general or special order of the Government;
 - (ii) except with the previous sanction of the Government, published any representation on behalf of its members, whether in the press or otherwise.
- (e) The association shall not, in respect of any election to a legislative body, or to a local authority or body, whether in Pakistan or elsewhere -
- (i) pay or contribute towards, any expenses incurred in connection with his candidature by a candidate for such election;
 - (ii) by any means support the candidature of any person for such election; or
 - (iii) undertake or assist in the registration of electors, or the selection of a candidate for such election.
- (f) The association shall not -
- (i) maintain, or contribute towards the maintenance of, any member of a legislative body, or of any member of local authority or body, whether in Pakistan or elsewhere;
 - (ii) pay, or contribute towards, the expenses of any trade union which has constituted a fund under section 16 of the Trade

Union Act, 1926 (XVI of 1926).

*[28-A. **Membership of non-political associations.**- No Government servant shall accept membership of any non-political association or organization whose aims and objects, nature of activities and membership are not publicly known].

29. **Use of political or other influence.**- No Government servant shall bring or attempt to bring political or other outside influence, directly or indirectly, to bear on the Government or any Government servant in support of any claim arising in connection with his employment as such.

30. **Approaching foreign Missions and aid-giving agencies.**- No Government servant 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.

31. **Delegation of power.**- The Government may, by general or special order, delegate to any officer or authority subordinate to it all or any of its powers under these rules and may, by such order, prescribe the channel through which reports

*Added *vide* Estt. Division Notification S.R.O. No. 1809(K), dated 8-9-1969.

shall be made to the Government and the officers receipt by whom of such reports shall be regarded as receipt of the reports by the Government within the meaning of these rules.

32. **Rules not to be in derogation of any law, etc.**- Nothing in these rules shall derogate from the provisions of any law, or of any order of any competent authority, for the time being in force, relating to the conduct of Government servants.

[Authority.- Estt. Division Notification No. S.R.O.405(K)/64, dated 1-5-1964].

**Delegation of powers to
Secretaries to Government
under the Government Servants
(Conduct) Rules, 1964**

Sl. No. 2

In exercise of the powers conferred by rule 31 of the Government Servants (Conduct) Rules, 1964, the Central Government is pleased to delegate to the Secretaries to the Government of Pakistan the powers of the Central Government under rules 23 and 27 of the said Rules, in respect of the officers and staff working under their administrative control.

[Authority.- Estt. Division Notification No.3/10/65-DII, dated 19-7-1965].

Sl. No. 3

The Central Government has been pleased to delegate to the Secretaries to the Government of Pakistan the powers of the Central Government under rule 21 of the Government Servants (Conduct) Rules, 1964, in relation to the Heads of Departments and the Government servants under their administrative control, and to the Heads of Departments in respect of the officers and staff working under them.

[Authority.- Estt. Division O.M.No.3/10/65-D.II, dated 27-8-1966].

**Interpretation of the term
"Government" as defined in
the Government Servants
(Conduct) Rules, 1964**

Sl. No. 4

The term "Government" has been defined in rule 3 (a) of the Government servants (Conduct) rules, 1964 as the "Central

Government" and in respect of officers of an All-Pakistan Service serving in a Province, the Provincial Government. A question has arisen as to whether the term "Central Government" for the purpose of these Rules means the Central Government in the Establishment Division or the Central Government in each administrative Ministry/Division.

2. The matter has been considered in consultation with the Law Division and it has been held that the term "Government" appearing in the Government Servants (Conduct) Rules, 1964 means the Central Government in any Ministry/Division. This means that ordinarily an officer in each administrative Ministry/Division is to be granted permission under any rule of the Government Servants (Conduct) Rules, 1964 from that Ministry/ Division.

3. Ministries/Divisions are therefore advised:-

- (a) to dispose of individual cases under the Government Servants (Conduct) Rules, 1964 in the light of the above interpretation instead of referring such cases to the Estt.Division.
- (b) to consider internal delegation of powers below the rank of Secretaries/Acting Secretaries so that cases may be decided at appropriate level and all cases are not referred to the Secretary of a Ministry/ Division.

4. Cases involving interpretation of the Conduct Rules will, however, continue to be referred to the Establishment Division for advice.

5. Cases of officers belonging to an All-Pakistan Service who are serving, for the time being, in a Province, should be decided by the Chief Secretary of the Province concerned. Provincial Governments may also like to consider further

delegation of powers so that cases can be decided at appropriate level and every case is not referred to the Chief Secretary.

6. This supersedes all previous orders on the subject.

[Authority.- Estt. Division O.M.No.26/1/69-D-IV, dated 17-12-1969].

ADMINISTRATIVE INSTRUCTIONS RELEVANT TO THE
GOVERNMENT SERVANTS (CONDUCT) RULES, 1964

**Procedure for the acceptance
of gifts and their disposal**

Sl. No. 5

The question relating to the modification of the existing rules regarding acceptance of gifts and their disposal (Annexure) has been under consideration for some time past with a view to evolving a procedure in respect of:-

- (a) how and by whom the receipt of a gift should be reported to the Cabinet Division?
- (b) ensuring that all gifts are promptly reported and a machinery is created to detect cases of failure to report,
- (c) the evaluation of the gifts, and
- (d) their disposal

2. The matter has been examined in depth and the Government has taken the decisions as under:-

- (i) The responsibility for reporting the receipt of a

gift shall continue to devolve on the individual recipient under the normal rules. The following procedure will, however, be adopted to know the details of the gifts presented by a VIP alongwith the names of the recipients so that failure on the part of a particular individual to report the gift can be detected and a reminder issued to him to comply with the rules.

The gifts are generally given when foreign dignitaries or delegations come to Pakistan or our VIPs or delegations go abroad. If the Chief of protocol or his representative has been attached to a visiting dignitary or a foreign delegation, it shall be his responsibility to supply a list of the gifts together with the names of the recipients to the Cabinet Division. In the case of other delegations or visiting dignitaries with whom the Chief of Protocol is not associated, the Ministry sponsoring the visit shall be responsible to supply the details of gifts received and the list of recipients to the Cabinet Division and the Ministry of Foreign Affairs. In the case of outgoing delegation or visits abroad of our VIPs it shall be the responsibility of the Ambassador of Pakistan in the country concerned to report the receipt of the gifts together with the name of the recipient to the Cabinet Division through the Ministry of Foreign Affairs. If on checking the list it is found that an individual has not reported the receipt of a gift appropriate action shall be taken against him.

- (ii) The evaluation of a gift is a complicated matter. The gifts cannot be evaluated on the basis of the prices prevailing in Pakistan. They shall be evaluated on the basis of the price prevailing in the country of the origin. Due care shall be taken

in accepting the price quoted by the individuals concerned. In the case of carpets, crockery, watches, jewellery and cameras, the evaluation cannot be made without inspection. The price of carpets of the same size would be vastly different depending on the quality etc. A Committee under the Chairmanship of the Cabinet Secretary and consisting of Secretary (Admn) Ministry of Foreign Affairs and a representative of the Ministry of Finance not lower than the level of Joint Secretary as members to evaluate the prices in the case of articles where there is doubt about the price quoted by the recipient himself has been set up. This committee shall, in future, evaluate such gifts.

- (iii) Presents of high value and/or of superior quality which are fit for display, shall be properly catalogued and then displayed in show cases placed in the public rooms of the new Foreign Office. Such articles shall have a double entry one under Toshakhana Register and the other under the Foreign Ministry Register. Similarly, carpets etc. or other articles which can be utilized in the office rooms of the President or Prime Minister shall be transferred to the Presidency/Prime Minister's House and Foreign Office after making necessary double entries. Once a year, preferably in the first week of January, stocks shall be taken of those items and a report submitted to Cabinet Secretary. The Chief of Protocol shall be responsible for this action in the Ministry of Foreign Affairs. Military Secretary to the President and the Military Secretary to the Prime Minister shall take similar action in the Presidency and the Prime Minister's House.

- (iv) Articles which are not fit to be retained or displayed shall be disposed of by periodical sales under the orders of the Committee set up earlier. The Committee will assess and fix minimum price of the article before it is auctioned. If the article bears the crest of the country to which the visiting dignitary belongs, then it would not be proper to sell it by open auction. In such cases offers may be invited from Government servants and other restricted groups only.
- (v) The present limits fixed for retaining the gifts by the recipients of all categories are raised to Rs.1000.
- (vi) If a recipient wants to retain gift worth more than the limit mentioned above, he may be allowed to do so on payment of the difference after evaluation of a gift in accordance with sub-para (ii). It shall first be offered for sale to the person who received it from a foreign dignitary.

[Authority.- Cabinet Division O.M.No.11/3/72-Accounts(1)-TK, dated 27-10-1973].

ANNEXURE

I.- RULES FOR THE ACCEPTANCE OF GIFTS BY THE FEDERAL MINISTERS RULE 9 OF THE RULES AND STANDARDS OF CONDUCT FOR MEMBERS OF THE PRESIDENT'S COUNCIL OF MINISTERS

9. (1) A Minister should not receive any gift from his subordinates.

(2) Subject to the above, it is left to the discretion and good sense of the Minister to decide on each occasion whether

it is advisable or desirable that he should accept a gift or not.

(3) The gift accepted may be retained by the Minister if its value does not exceed *Rs.1000:

*Revised Rules of Toshi
Khana Receipt and Disposal of Gifts communicated *vide*
Cabinet Division U.O.No.9/16/99-TK, dated 11-9-1999 (Sl.No.6).

(4) The gift worth more than *Rs. 1000 should be reported to the President in the Cabinet Division. If the recipient Minister wants to keep it for himself he may do so provided he pays the difference between the actual price and *Rs.1000. The Minister may, if he does not wish to retain it, send it to the Toshakhana.

(5) No gifts except small mementoes like cuff-links and photographs etc, received from foreign dignitary/dignitaries in exchange for gifts carried/presented at government expense, shall be retained by the Minister. All such gifts shall be deposited in the Toshakhana. If a Minister wishes to retain some or all of the gifts he shall pay the price of the gifts in question as determined by the Toshakhana Evaluation Committee.

(6) This rule will also apply to the wife and dependents of a Minister.

II. RULES FOR THE ACCEPTANCE OF GIFTS BY THE GOVERNMENT SERVANTS

Extracts from the Government Servants (Conduct) Rules, 1964

5. *Gifts.*- (1) Save as otherwise provided in this rule, no government servant shall, except with the previous sanction of the Government accept or permit any member of his family to accept, from any person any gift the receipt of which will place

him under any form of official obligation to the donor. If the offer of a gift cannot be refused without giving undue offence, it may be accepted and delivered to the Government for decision as to its disposal.

(2) If any question arises whether receipt of a gift places a Government servant under any form of official obligation to the donor, the decision of the Government thereon shall be final.

*Revised Rules of Toshakhana Receipt and Disposal of Gifts communicated *vide* Cabinet Division U.O.No.9/16/99-TK, dated 11-9-1999 (Sl.NO.6).

(3) If any gift is offered by the head or representative of a foreign State, the Government servant concerned should attempt to avoid acceptance of such a gift, if he can do so without giving offence. If, however, he cannot do so, he shall accept the gift and shall report its receipt to the Cabinet Division for orders as to its disposal.

*[(4) Government servants are prohibited from receiving gift of any kind for their person or for members of their families from diplomats, consular and other foreign Government representatives or their employees who are stationed in Pakistan. If, however, due to very exceptional reasons, a gift cannot be refused, it should invariably be deposited in the Toshakhana].

Rules for the receipts and disposal of gifts by Government servants, employees of Government controlled corporations, autonomous and semi-autonomous bodies and nationalized institutions

Sl. No. 6

Receipt and Disposal of Gifts:- Monetary limit fixed for

retention of gifts by the recipients are as under:-

- a) Gifts valued upto Rs.1,000/- are allowed to be retained by the recipients free of cost.
- b) Gifts valued between Rs.1,000/- and Rs.5,000/- may be retained by the recipients if he is willing to pay 25% of the valued of the gift after deducting Rs.1,000/- from its assessed value.
- c) Gifts of the value beyond Rs.5,000/- may be allowed to be retained by the recipient if he is willing to pay 25% of the value between Rs.1000/-

*Subs *vide* Estt. Division Notification No. S.R.O. 807(1)/79, dated 12-9-1979.

and Rs. 5,000/- and 15% of the valued above Rs.5,000/- recipient.

(2) The Head of Account of Toshakhana in which the amount are to be deposited is:-

"1300000-Misc.Receipt.
1390000-Other, (NES)
1391800-Other Receipt (NES).
1391802-Other Receipt, sale proceed of
darbar presents (Central)"

(3) The Government official except those in BS-1 to 4 are prohibited from receiving cash awards from visiting foreign dignitaries. In case it is not possible for the officials to refuse the acceptance of offer without causing offence to the visiting dignitary, the amount so received should be deposited in the treasury.

(4) The responsibility for reporting the receipt of the gifts shall devolve on the individual recipients. However, if the

Chief Protocol of his representative is attached to a visiting dignitary or a delegation, it is his responsibility to supply the details of the gifts and the names of the recipients to the Cabinet Division for further necessary action. In case of a dignitary or a delegation with whom the Chief of Protocol is not associated, the Ministry sponsoring the visit is responsible to furnish such details.

(5) The Government servants are prohibited from receiving gifts of any kind for their persons or for members of their families from diplomats, consular and other foreign Government representatives or their employees, stationed in Pakistan. If, however, due to very exceptional reasons the gifts can not be returned, it should be deposited in the Toshakhana. These instructions however, would not apply to gifts/donations made to institutions.

(6) Government Servants (Conduct) Rules, 1964 are also applicable in case of acceptance of gifts by the Government Servants. All gifts received by a Government servant, irrespective of their price, must be reported to the Cabinet Division. Acceptance of gifts by the Government servants from the private firms/individuals is strictly forbidden.

(7) These rules also apply to the employees of the Government controlled corporations, autonomous and semi-autonomous bodies and all nationalized institutions.

[Authority.- Communicated vide Cabinet Division U.O.Note No.9/16/99-TK, dated 11-9-1999].

Sl. No. 7

It has been observed that despite instructions issued from time to time, the policy laid down in many cases is not being followed in respect of gifts received by Government functionaries. The relevant extract from Toshakhana rules are once again circulated for compliance by all concerned.

2. The responsibility for reporting receipt of gifts rests with the individual recipient. All gifts received irrespective of their value must be reported to the Toshakhana in the Cabinet Division, Government of Pakistan. Government officials are also barred from receiving gifts of any kind from the diplomatic, Consular and other foreign Government representatives in Pakistan or commercial concerns.

3. Cases have come to notice of the Cabinet Division where some recipients did not intimate the receipt of the gifts on their own or they did so very late. It has also been observed that some Government functionaries have been accepting gifts from private firms/parties in contravention of the existing instructions.

4. All Ministries/Divisions are, therefore, once again requested to advise officials working under their control to strictly observe the Rules on the subject. These rules also apply to the Federal Ministers, Ministers of State, Advisers, Governors, Chief Ministers and Provincial Ministers.

[Authority.- Cabinet Division O.M. No. 9/9/91-TK dated 21-11-1991]

Presentation of gifts by the Government and Semi- Government Corporations

Sl. No. 8

It has been observed that certain Government and semi-Government corporations are sending gifts like ties to the Ministers and to senior officials. It is requested that necessary instructions may please be issued to all the autonomous and semi-autonomous bodies under your administrative control to discontinue this practice forthwith.

[Authority.- Cabinet Division D.O.letter No.102/5/74-Min, dated 31-1-1974].

**Bar against demanding
dowry and acceptance
of gifts on occasions
of marriages**

Sl. No. 9

Attention is invited to rule 5(1) of the Government Servants (Conduct) Rules, 1964, according to which no government servant shall, except with the previous sanction of the Government, accept or permit any member of his family to accept from any person any gift the receipt of which may place him under any form of official obligation to the donor. It has been found that this rule is not being observed by government servants and a number of cases have recently come to notice in which Government servants have accepted, particularly on occasions of marriage, expensive gifts from persons with whom they have or are likely to have official dealings. It has also been observed that Government officials demand expensive dowries at the time of marriage and even display such dowries and gifts before large gatherings. The Committee on the Eradication of Social Evils has deplored the practice of demanding and displaying dowries and gifts on occasions of marriage as it encourages lavish expenditure and ostentatious living.

2. In view of the increasing tendency to demand and display dowries and to accept expensive gifts, Government have decided that Rule 5 (1) of the Government Servants (Conduct) Rules should be enforced more rigorously and Government servants should be directed to avoid lavish expenditure on marriage and other ceremonies and to desist from demanding or displaying dowries or accepting gifts from persons other than those who are closely related to them.

[Authority.- Estt. Division O.M. No. 3/8/67-D.II, dated 27-6-1967].

**Bar against acceptance
of gratification by
Grade 1-3 employees
on occasions of Eid
etc. from public**

Sl. No. 10

Allegations have come to the notice of Government that on occasions of Eid and other national festivals, Grade 1-3 employees of certain Government Departments like the Post Offices, Telegraphs, Income Tax, Customs Departments etc., pester people for money and other gratifications. Government view such malpractices with extreme displeasure and wish to re-emphasize the necessity of stopping forthwith such practices, wherever they exist and in what ever form or shape.

2. In this connection attention of the Ministries/Divisions is invited to clause 1 of Rule 5 of the Government Servants Conduct Rules which provides, *inter alia*, that a Government servant shall not, except with the previous sanction of the Government, accept, or permit any member of his family to accept, from any person any gift the receipt of which will place him under any form of official obligation to the donor. *[If, however, due to very exceptional reasons, a gift can not be refused, the same may, under intimation to the Cabinet Division

* Amended according to Rule 5(1) of the Government Servants Conduct Rules, 1964.

be kept for official use in the Department or Organisation in which he is working].

3. It is requested that all the Ministries/Divisions may kindly bring the above instructions home to all the Grade 1-3 employees under their control including those employed in the Departments, etc., under them, and take effective steps to eradicate such evil practices.

[Authority.- Estt. Division O.M. No. 4/11/62-D.II, dated 14-4-1962].

**Acceptance of foreign trips
sponsored by commercial firms**

Sl. No. 11

It has come to the notice of the Government that Government servants accept offers of foreign trips through the generosity of parties who have commercial dealings with Government Departments or autonomous bodies. Besides being unbecoming of a Government servant, acceptance of such offers tends to place him under official obligation to the party concerned which is not conducive to good administration. It has therefore, been decided that Government servants should attempt to avoid acceptance of offers of such trips. If in any case it is not considered desirable to refuse such an offer in public interest prior permission of the Establishment Division and the Ministry of Finance should invariably be obtained for its acceptance.

2. Ministries/Divisions are requested kindly to bring this to the notice of all concerned.

[Authority.- Estt. Division O.M. No 3/8/66-D.II, dated 13-8-1966].

**Acceptance of foreign awards
by Government Servants**

Sl. No. 12

It is noted with regret that contrary to the laid down instructions, there have been several instances where Government servants have accepted title, honour or decoration from foreign states. Invariably the excuse for having accepted awards by Government servants in ignorance of the rules.

2. The competent authority has taken serious notice of this tendency and has been pleased to direct that all Ministries/ Divisions/Departments may be asked to disseminate the rule position to Government servants for strict compliance. The Ministries/Divisions are requested to please bring the rule position as defined in Section 6 of the Government Servants (Conduct) Rules, 1964 and Article 259 (1) of the Constitution of Pakistan, to the notice of all employees working under them and also to the employees of autonomous statutory bodies under their administrative control.

[Authority.- Estt. Division O.M. No. 6/10/88-D-3, dated 3-10-1988].

**Holding of farewell parties
on the occasion of transfers
of Government Servants in
their honour**

Sl. No. 13

Attention is invited to *Rule 3 of the Government Servants Conduct Rules according to which a Government servant shall not, without the pervious sanction of the Local Government, receive any complimentary or valedictory address, or take part in the presentation of a complimentary or valedictory address or attend a public meeting, or entertainment held in the honour of such other Government servant or to any person. Under sub-rule 2(c) of the same rule, no Government servant shall solicit any subscriptions in aid of a fund raised for non-official purposes. Instructions in amplification of this rule issued in the Establishment Division O. M. No. 4/39/61-EVI, dated the 26th July 1961 (Sl. No. 15) enjoin that subscriptions which tend to glorify a particular

Servants (Conduct) Rules, 1964 may be referred to in the present context.

Government official should be discouraged. In view of this, the conduct of Government servants who encourage non-officials to give big farewell parties on the occasion of their transfers, or who take interest in promoting a large number of pointless functions and inauguration *ceremonies would attract the provisions of *Rule 3 of the Government Servants Conduct Rules.

2. It is, therefore, requested that the Ministries/ Divisions/Provincial Governments may kindly bring the above rule and instructions to the notice of all Government servants and put a stop to this tendency among them. It may also be emphasized that breach of this rule will make them liable to be proceeded against under the Government Servants (Efficiency and Discipline) Rules.

[Authority.- Estt. Division Letter No. 4/4/63-D.II, dated 15-3-1963].

Sl. No. 14

In rule 7 (I) of the Government Servants (Conduct) Rules, 1964 it has been laid down that no Government servant shall encourage meetings to be held in his honour or presentation of addresses of which the main object is to praise him.

2. A question has been raised whether cases of Government servants who are invited as chief guests would come within the mischief of this rule.

3. The main object of this rule is to discourage Government servants from accepting invitation to parties where they will be chief guests. In cases where acceptance of such invitations are considered to be unavoidable, the official concerned should take permission from the next higher authority. When the Government servant concerned is the Head of the Department or Secretary to the Government he

will obtain permission through the Secretary of the Ministry concerned or the Establishment Secretary as the case may be.

[Authority.- Estt. Division O.M. No. 3/8/68-D.VII (DIV), dated 27-9-1969].

*Rule 7 of the Government Servants (Conduct) Rules,1964 may be referred to in the present context. **Raising of subscriptions for functions, etc.**

Sl. No. 15

Enquiries are frequently received from various Ministries/Divisions on the point whether Government servants may participate in the raising of funds for functions such as receptions, etc. The matter has been considered and the Government have decided that whenever officials undertake to collect subscriptions for cultural and other non-official purposes, the permission of the next higher authority must invariably be taken. This would not apply naturally to the Basic Democracies.

2. A question has, however, arisen as to what criteria should be fixed for the guidance of the next higher authority in considering cases for such permission. The point is still under consideration and the decision on this point when arrived at will be communicated in due course. In the meanwhile, the next higher authorities should naturally exercise their discretion in this regard keeping in view the basic objectives of the order which is meant to put a check on indiscriminate raising of subscriptions for purposes which are not necessary from the point of view of the community as a whole. Any subscriptions which tend to glorify a particular Government official should be specifically discouraged.

[Authority.- Estt. Division O.M. No.4/63/59-E.VI, dated 5-11-1960 and O.M.No.4/39/61-EVI, dated 26-7-1961].

Sl. No. 16

In continuation of the Establishment Division Office Memorandum No. 4/39/61-E.VI, dated the 26th of July, 1961, the following further criteria have been laid down by Government to regulate the raising of funds by Government servants:

- (i) The 'next higher authority' for the purposes of permission should be the next higher officer of the Government servant concerned, but where the next higher officer is below the rank of a Head of Department, the permission of the Head of the Department concerned should be obtained through the next higher officer;
- (ii) No coercion or pressure should be used in the raising of funds-the basis of the campaign should be kept purely voluntary and every precaution should be taken to keep this unconnected with official matters;
- (iii) The Police and Income-Tax authorities should be prohibited from taking part in any collection of funds;
- (iv) Collection of funds should take place outside office hours and it should not interfere with or hamper in the performance of the official duties of the Government servants concerned;
- (v) The authority permitting the raising of funds should satisfy itself that these are utilized for the purposes for which these have been collected;
- (vi) Funds should be collected to the extent it is necessary and care should be taken to see that the public are not unnecessarily burdened;

- (vii) Foreign establishments and firms should not be individually approached but if in response to a general appeal for funds, they voluntarily contribute, this should be accepted; and
- (viii) All subscriptions should be duly receipted, accounted for and the accounts submitted to the higher officer for scrutiny.

[Authority.- Estt. Division O.M.No. 4/39/61-D.II, dated 28-4-1962].

**Grant of permission for
acquisition of property
(movable and immovable)
by Government Servants**

Sl. No. 17

Clarifications to rule 11 of the Conduct Rules, 1964.- The following clarifications are issued for guidance of the Ministries/Divisions in partial modification of the instructions contained in Establishment Division O.M. No. 3/17/67-D.II, dated the 28th September, 1967 and with reference to the amendments made in the Government Servants (Conduct) Rules, 1964 *vide* S.R.O. No. 211 (R)/68:-

- (a) for purchase of land from Co-operative Housing Society or Government Housing Scheme no permission of the Government is necessary, but for construction of house on the same plot, permission of Government will be required under rule 11-A of the Government Servants (Conduct) Rules;
- (b) for purchase of bonds, shares or securities from the approved security market, a semi-Government institution or through public

offer by a company prior permission is not necessary. Permission will, however, be necessary if the purchase is made from sources other than these mentioned above; and

- (c) If the wife of a Government servant finances construction of a house from her independent sources of income permission of the Government will not be required. But if financial arrangements are being made by the Government servant either from his own savings or from loan taken by him prior permission should be obtained even if the house to be constructed is in the name of the wife or any dependent member of the Government servant.

[Authority.- Estt. Division O.M.No. 3/17/67-D.VII,(D-IV), dated 6-8-1969].

**Prescribed form for
permission regarding
acquisition/disposal/
construction of immovable
property**

Sl. No. 18

Requests from officers/officials for permission in regard to acquisition/disposal/construction of immovable property should be decided by the Ministries/Divisions concerned after obtaining the necessary information on the prescribed form.

[Authority.- Estt. Division O.M. No. 3/47/70-D.IV, dated 10-12-1970].

Sl. No. 19

The proforma for obtaining information from officers/officials for permission in regard to acquisition/

disposal/construction of movable/immovable property has been revised in order to make it elaborate. Requests from the officers/officials for permission in this regard may henceforth be decided by the Ministries/Divisions concerned after obtaining the necessary information in the revised proforma, a copy of which is enclosed (Annexure).

2. As regards the officers belonging to the groups controlled by the Establishment Division, namely APUG and OMG, information as in the proforma may be obtained from the officers concerned and forwarded to this Division for necessary action alongwith their applications, (Annexure).

[Authority.- Estt. Division O.M. No.3/47/70-D.IV, dated 29-8-1978].

Anexure to be scanned.

**Acquisition of immovable property by
Government servants posted/employed
in Pakistan Missions abroad**

Sl. No. 20

The question of acquisition of assets in the form of immovable property by Pakistanis residing abroad has been under consideration of the Government for sometime past, Pakistani nationals residing abroad fall into the following broad categories:-

- (a) Pakistani nationals who have more or less settled down abroad. Such persons may be employed there or may be carrying on some independent business or profession;
- (b) Government servants who are Pakistani nationals employed in our Embassies/Missions abroad;
- (c) Pakistani nationals employed in branches or subsidiaries abroad of Pakistani Companies/firms.

2. There is no objection to Pakistani nationals who have settled down abroad acquiring immovable property or foreign shares and securities by resorting to bank borrowings from their own resources provided no exchange liability is created for remittance from Pakistan at any stage. If and when such persons return to Pakistan they will have to transfer the income and the sales-proceeds of such properties to Pakistan as required in terms of the provisions of the Foreign Exchange Regulation Act, 1947. There would also be no objection if the branches of Pakistani banks operating abroad give loans and advances to Pakistani settlers abroad for the purpose of acquiring properties abroad provided these advances and interest thereon are recovered entirely in foreign exchange and

no exchange liability is created for remittance from Pakistan as stated above.

3. As regards Government servants who are Pakistani nationals employed in our Embassies/Missions abroad or other Government servants posted on duty or training abroad, they should be discouraged from acquiring properties or foreign shares and securities abroad. The remuneration with such persons receive is intended to cover their living and other incidental expenses. If an official can manage to save funds out of his remuneration such savings should be remitted to Pakistan rather than used for acquiring properties and foreign shares and securities abroad.

4. Some Pakistani banks, companies and firms have been permitted to establish branch offices or subsidiaries abroad. In some cases Pakistani Nationals have been employed in such branch offices or subsidiaries abroad. They should also like Government servants transfer their savings, if any, to Pakistan instead of acquiring assets abroad.

5. The above is being circulated to Pakistan Embassies/High Commissions/Consulates, etc. to enable them to extend correct guidance to Pakistani nationals who may approach them in this behalf.

6. These instructions are also being sent to the various Ministries and Departments of the Government and Semi-Government institutions to bring the same to the notice of their officers who are or may be posted abroad.

[Authority.- Finance Division O.M.No.1(14)-EF/EXP/62, dated 19-8-1963].

**Declaration of assets
held and acquired by
Government Servants and
Corporation Employees**

Sl. No. 21

Instructions regarding Declaration of Property and Assets have been issued from time to time, but unfortunately these have been either insufficiently understood or dealt with in routine. As a result, the compliance of these instructions by the Ministries/ Divisions/ Departments etc. and by the officials themselves has remained sporadic. The President has also taken notice of this unsatisfactory state of affairs.

2. The instructions on the filing of Declaration of Assets have been revised and consolidated for strict compliance by all concerned, as follows:-

- (I) The Declaration of Assets are to be submitted by
 -
 - (a) all government servants of all grades,
 - (b) all re-employed government servants,
 - (c) all persons employed on contract,
 - (d) Provincial civil servants and corporation employees serving on deputation in the Federal Government,
 - (e) all officers and employees of corporations/ autonomous bodies set up and/or controlled by the Federal Government.
 - (f) commissioned and non-commissioned officers of the Armed Forces serving on secondment in civil posts and in corporations/autonomous bodies.

- (II) (a) The Declaration of Assets should be submitted by all concerned on first appointment and thereafter annually on 31st December each year, on the attached proforma which should be filled in and signed by the Declarant himself.
 - (b) The revised proforma for declaration of assets provides for affixing of photographs of all officers of Grade-17 and above on the first submission of declaration of assets under these instructions.
- (III) The Declarations are to be made in respect of Property and Assets held in the name of government servant himself and members of his family as defined in Rule 3(1) (c) of the Government Servants (Conduct) Rules, 1964 (as amended), reproduced below:-

"Member of a Government servant's family" includes-

- (i) his wife, child or step-child, whether residing with the Government servant or not; and
- (ii) any other relative of the Government Servant or his wife, when residing with and wholly dependent upon the Government servant, but does not include a wife legally separated from the government servant, or a child or step-child who is no longer in any way dependent upon him, or of whose custody the Government Servant has been deprived by law.

- (IV) The Declaration should include the description/ details of immovable property such as land, houses required, built, or under construction including the property which is under mortgage or which is otherwise encumbered and movable property such as motor vehicles, investment or ownership (part or otherwise) of business enterprises, stocks, shares, securities, certificates, prize bonds, insurance policies and jewellery having a total value of Rs.*[50,000] or more, in terms of Rule 12 of the Government Servants(Conduct) Rules.

*Revised *vide* Estt. Division

Notification No.S.R.O. 846(I)/85 dated 5-9-1985.

- (V) (a) It will be responsibility of Ministries/ Divisions/Departments/Corporations/A uton-omous bodies to obtain the declaration of assets in respect of persons serving under them. Failure to file the declarations on the prescribed date or within fifteen days thereof construed as misconduct and the defaulters will be liable to disciplinary action under the Rules. Action against the defaulting persons will be taken by the respective Ministries/Divisions/ Departments/ Organizations etc. under whom the official is serving for the time being in accordance with the relevant disciplinary rules.
- (b) A certificate to the effect that such declarations have been obtained from all officials should be forwarded to the Establishment Division by all Ministries/ Divisions/Departments by 1st March of

each year.

- (VI) (a) The Declaration of Assets should be maintained and handled in the same manner as the confidential reports. These should be kept on separate files for each individual official and maintained as companion files of the C.R. dossiers of the officials concerned. The declaration of assets of the officials whose C.R. dossiers are not required to be maintained under the relevant instructions, should be kept in the above manner as companion files to their service books.
- (b) The Ministry/Division/ Department/ Corporation or autonomous body which maintains the original C.R. dossier/ Service Books of the officers/staff will be responsible for custody and maintenance of the files of Declaration of Assets in the prescribed manner.
- (c) For this purpose the Declarations should be forwarded, alongwith lists to the respective Secretaries of the Ministries/Divisions/Heads of Attached Departments/ Corporations/ Autonomous Bodies who are responsible for the maintenance of the C.R. dossiers of the concerned officials by 1st March of each year.
- (VII) Under a directive of the President, the Secretaries of the Ministries/Divisions and Heads of Departments etc. are to be held responsible for any case of corruption in the Ministry/Department etc. under them. In cases

where the Secretary has reasons to believe that the assets have not been correctly reported, or are in excess of known means of income, as may order an investigation through an internal inquiry or by FIA, to be followed by proceedings under disciplinary rules in the event of such charges having been *prima facie* established.

3. The various instructions issued from time to time, regarding filing of Declaration of Assets are deemed to have been modified to the extent stated above.

4. The Ministries/Divisions may please bring these instructions to the notice of the officials serving under them and the Attached Departments/sub-offices and Heads of Corporations/Autonomous bodies for compliance.

[Authority.- Estt. Secretary's D.O.letter No.2/2/81.D.A/D.I, dated 19-9-1982].

ANNEXURE

S-121 (Revised) (Loose)

Declaration of Assets for the year ending on 31st December, /on _____ 20
(initial appointment)

PHOTOGRAPH
(To be affixed by officers in BPS 17 & above only on the first declaration under the revised instruction).

1. Name _____ and designation _____ with BPS _____

2. Occupational Group _____ (if any).

3. Name _____ of _____ Organization where _____ serving.

DECLARATION

I _____ S/o _____

_____ hereby declare that the Assets, immovable and movable described in the proforma overleaf duly signed, are held by me and members of my family ['family' as defined in Rule 3(1) (c) of the Government Servants (Conduct) Rules, 1964] on 31st December, 20 /on _____

(the date of initial appointment).

Signature _____
Designation _____

Rules 3(1) (c) of Government Servants (Conduct) Rules, 1964.

"Member of a Government servant's family" includes:-

- (i) his wife, child or step-child, whether residing with the Government servant or not; and
- (ii) any other relative of the Government servant or his wife, when residing with and wholly dependent upon the Government servant, but does not include a wife legally separated from the Government servant, or a child or step-child who is no longer in any way dependent upon him or of whose custody the Government servant has been deprived by law."

Reference to a wife shall be construed as reference to a husband where the Government Servant is a woman.

For the year ending 31st December, 20

S-121(Revised) (Loose)

PROFORMA

I,.....S/o..... Employed inhereby declare that no immovable and movable property, *i.e.* bonds, shares, certificates, securities, insurance policies and jewellery having a total value of Rs *[50,000]or more is held by me and members of my family, except as stated below:-

Name	In whose name held	Province & District in which the property is situated	Nature of property and extent of interest held	Approximate value of property	How acquired whether by purchase, gift or by inheritance	Remarks
1	2	3	4	5	6	7

1. For the period of.....
20

2. Accretions/decrements made
during
20

Members of family.- As defined in Rule 3(1) (c) of Government Servants (Conduct) Rules, 1964

Signature

510

Designation

* Subs *vide* Estt. Division d.o. No. 2/1/84-DA, dated 24-10-1985 for the figure "10,000".

Sl. No. 22

In continuation of Establishment Division's d.o. letter of even number dated the 19th September, 1982 (Sl.No.21) it is requested that while submitting the declaration of Assets the following obligations should be observed:-

- (i) The Declaration of Assets should be submitted by all concerned on first appointment, and thereafter annually on 31st December each year on calendar year basis.
- (ii) The officers of Grade 17 and above will affix their photographs with the Declaration of Assets to be submitted by 31st December each year.
- (iii) The declaration of assets belonging to officers of APUG/OMG only will be forwarded to the Establishment Division by all Ministries/ Divisions.
- (iv) A certificate to the effect that such declarations have been obtained from all officials should be forwarded to the Establishment Division by all the Ministries/Divisions by 1st of March each year. The controlling Ministries/Divisions will submit a consolidated certificate in respect of Departments etc. controlled by them.
- (v) It will be the responsibility of Ministries/ Divisions/ Departments/ Corporations/autonomous bodies to obtain the declaration of assets in respect of persons serving under them, and take disciplinary actions against the defaulting officers/ officials who do not submit each declarations by the

prescribed date or within fifteen days thereof.

[Authority.- Estt. Division Circular No. 2/2/81-DA, dated 11-10-1982].

Sl. No. 23

It is clarified that:-

- (i) The declaration of assets will be opened by the concerned Secretaries of the Ministries and Divisions/Head's of the Attached Departments or by the persons authorized by them.
- (ii) Each Ministry/Division would be responsible for the filing and maintenance of Declaration of Assets in regard to the posts and services administered by it.

[Authority.- Estt. Division Circular No.2/2/81-DA, dated 1-1-1984].

Sl.No. 24

The private practice by unqualified practitioners, will continue to apply. Further, the private practice of homeopathy by the Government Servants who are registered under the Unani, Ayurvedic and Homeopathic Practitioners Act 1965, will be subject to rule 16 of the Government Servants (Conduct) Rules, 1964.

[Authority.- Estt. Division O.M.No.6/7/89-D.3, dated 15-3-1990].

**Transaction of insurance
business by government
servants**

Sl. No. 25

It has been brought to the notice of the Government that certain Government servants transact insurance business on

behalf of their wives, sisters and other members of family living with or dependent upon them in whose names they have managed to secure agencies of insurance companies. Since during performance of official duties such Government servants come across other Government servants and private parties, they manage to obtain insurance policies from them by taking undue advantage of their official position. This state of affairs not only brings disrepute to the departments to which they belong, but also distracts their attention from official duties and retards their efficiency.

2. According to Rule 16 of the Government Servants (Conduct) Rules, 1964, no Government servant can engage himself in any trade or business, directly or indirectly, without the previous sanction of the Government. Such transactions, therefore, constitute a violation of that rule and render the Government servants concerned liable to disciplinary action under the Government Servants (Efficiency and Discipline) Rules.

3. Ministries/Divisions are advised that it should generally be made known to all concerned that Government view this situation with concern and desire that Government servants who indulge in this business indirectly through their family members should abandon it forthwith.

[Authority.- Estt. Division O.M.No.3/9/66-D.II, dated 15-8-1966].

Private work during and after office hours

Sl. No. 26

It has been brought to the notice of the Prime Minister that in order to supplement their income, a large number of low paid Government Servants do private work in addition to their Government jobs. Some of them work as ushers in the afternoon, evening and night shows of cinemas while others

are often absent from their jobs under Government as they attend to private work even during office hours.

2. Government work inevitably suffers on account of these Government servants performing private jobs during or outside office hours. It also aggravates the unemployment problem. The Prime Minister has, therefore, been pleased to direct that action should be taken to put a stop to this objectionable trend among Government servants.

[Authority.- Estt. Division O.M. No.1/20/76-D-IV, dated 6-3-1976].

**Employment of dependent
family members of a
Government servant in
Foreign Missions in
Pakistan**

Sl. No. 27

A question has arisen whether dependent family members of a Government servant can seek employment in Foreign Mission in Pakistan. The matter has been considered and it has been decided that Government servants should not allow their wives to seek employment in Foreign Diplomatic Missions in Pakistan.

[Authority.- Estt. Division O.M. No. 1/148/76-D.IV, dated 23-11-1976].

**Engagement in trade,
business etc. by spouses
of Government Servants**

Sl. No. 28

Under the Government Servants (Conduct) Rules, 1964, no Government servant is allowed to engage in any trade or undertake any employment or work, other than his official

duties, except with the previous sanction of the Government. There is, however, no bar to the spouses of Government servants taking employment or engaging in any trade or profession. It has come to the notice of Government that the wives of some Government servants have been engaging in trade and business where influence of the husband could possibly be misused. In such cases, the possibility of public interest being jeopardized cannot be ruled out.

2. In order to safeguard the public interest in such cases, it has been decided that all Government officials whose spouses have undertaken some private job or are engaged in business and trade may be directed to render a certificate to the Secretary of the Ministry/Division or the Head of the Department concerned that the profession, trade or business in which his or her spouse is engaged is in no way under his/her official influence.

[Authority.-Estt. Division O.M. No. 7/1/79-D-IV, dated 1-9-1979]

**Membership of private
Associations connected
with social work**

Sl. No. 29

It has been brought to the notice of the Establishment Division that permission was refused to a Government servant to become an office-holder of a Private Association whose activities are confined to social work only and whose character is non-political on the ground that membership of such Associations is barred to Government Servants. Attention of the Ministry of Finance, etc. is drawn to Rule *15 of the Government Servants Conduct Rules and the note thereunder and it is stated that there is no bar to Government servant becoming office bearers of such Associations, provided they inform their immediate departmental superiors who will

decide, with reference to the said rule and note, whether the matter should be reported for the orders of Government.

[Authority.- Estt. Division O.M. No. 4/1/49-Ests.(SE), dated 8-6-1949].

**Association with
Private Trusts,
Foundations, etc.**

Sl. No. 30

The Government of Pakistan have considered the desirability or otherwise of serving Government servants being associated with Private Trusts, Foundations and similar other Institutions which are not sponsored by the Government itself, and

**Note.- Rule 16 of the Government Servants (Conduct) Rules, 1964 may be referred to in the present context.*

have decided that no serving officer should associate himself with any such association or Organisation.

2. This may kindly be brought to the notice of all concerned.

3. These orders will not apply to judges of the High Court and Supreme Court of Pakistan.

[Authority.- Estt. Division O.M.No.4/8/63-D-II, dated 7-6-1963 read with O.M. of even number dated 8-7-1963].

**Prosecution of studies
by Government servants
in the educational
institutions**

Sl. No. 31

A reference is invited to the Establishment Division O.M. No.4/24/59-VI, dated the 3rd May, 1960 (not reproduced) and it is stated that on further consideration it has been decided that:-

- (1) Government servants intending to take up a course of study at educational institutions should be required to take prior permission of the Head of the Department.
- (2) No such permission should be granted unless the Head the Department is satisfied that the prosecution of studies will not interfere with the Government servants official duties.
- (3) Permission granted may be withdrawn if the Head of the Department is convinced that the Government servant is taking part in politics or prosecution of such studies is interfering with the satisfactory performance of the duties.

[Authority.- Estt. Division O.M.No.4/9/63-D.II, dated 23-9-1964].

**Appearing at an examination
as private candidates by
Government servants**

Sl. No. 32

A question has been raised whether permission is necessary for a Government servant for appearing at an examination as a private candidate. The matter has been considered in consultation with the Home Affairs Division and the two Provincial Governments and it has been decided that:-

- (a) In case of those Government officials who are prosecuting studies in education institutions

with the permission of the Head of Department no further permission is required for appearing in the examination.

- (b) In case of those who want to prosecute studies in spare time without attending any educational institution, no permission is necessary. For appearing in the examination the Head of the Department may grant leave provided the Government servant concerned can be spared without detriment to the work of the Government.

[Authority.- Estt. Division O.M.No.4/9/63-D-VII(D.IV), dated 18-8-1969].

**Bar against naming of
institutions, projects,
roads, streets etc. in the
country after the names of
Government servants**

Sl. No. 33

The instructions issued by the Federal Government from time to time for naming institutions, projects, roads, etc. have become out of date. The matter has been reconsidered by the Government of Pakistan, and it has been decided to lay down the following guidelines on the subject in supersession of all previous orders:-

- (i) No institution, road, street, etc., should be named after a Government servant or a public representative while he is still alive.
- (ii) No institution, official or semi-official, should be allowed to be named after a non-Pakistani without the permission of the Federal Government.

- (iii) British names of towns, institutions, settlements etc. should be gradually replaced by Pakistani or Islamic names.
- (iv) Institutions and projects like bridges, buildings, roads, streets, etc. may be named after the following:-
 - (a) The founder of the Nation and persons who were in the forefront of the freedom movement, and took a prominent part in the creation of Pakistan.
 - (b) National personalities (no longer alive) with unblemished record of service to the nation.
 - (c) Heroes who have laid down their lives for the defence of the country in war.
 - (d) Art and cultural institutions may be named after dead artists of national fame. The same principle can be followed in respect of educational institutions, libraries, scientific and technical institutions etc.
 - (e) Principal donors of any building or institution built out of or for charity.
 - (f) Living or dead heads of State/Government of foreign countries friendly towards Pakistan.
- (v) Defence installations, military lines and institutions in Cantonments and army stations may be named after War "Shaheeds".

- (vi) No sports tournaments would be named after Governors, Ministers, Government officials or public representatives of their wives.

2. Permission of the competent authority in the Federal Government or the concerned Provincial Government (President/Governor as the case may be) shall be obtained in advance for the naming of institutions etc., on the basis of the above guidelines. In the case of Defence installations etc., mentioned at (v) above, prior approval of the Chief of Staff Army/Navy/Air Force should be obtained.

3. These guidelines may please be brought to the notice of all concerned for strict compliance.

[Authority.- Cabinet Secretary's letter No.107/21-78-Min., dated 13-5-1978 to all Provincial Governments with copies to Ministries/Divisions].

Participation in foreign cultural associations or organizations

Sl. No. 34

Government of Pakistan have had under their consideration the desirability or otherwise of Government servants participating in foreign cultural associations or organizations and have decided that no Government servant should associate himself with any such associations or organizations.

[Authority.- Estt. Division O.M. No. 4/26/60-E.VI, dated 17-6-1961].

Sl. No. 35

Government have since further decided to authorize the Secretary of the Ministry concerned to grant permission, in consultation with the Ministry of Home Affairs, to continue

the existing membership of such Organisation, by a Government servant who is committed and cannot extricate himself. In new cases, in which also the Ministry of Home Affairs should be consulted, the policy should be to discourage new membership in the interest of the proper performance of official duties.

[Authority.- Estt. Division O.M. No. 4/26/60-D.II, dated 16-9-1961].

Membership of British Library

Sl. No. 36

A question arose as to whether the restrictive orders should be applicable also to the membership of the British Council Library and other organizations of like nature. It has been decided that there should be no objection to officers becoming members of the British Council Library and similar organizations.

[Authority.- Estt. Division O.M.No. 4/26/60-D.II, dated 15-11-1961].

Note: For definition of foreign cultural association, please see Section 2 (a) of the Foreign Cultural Associations (Regulation and Functions) Ordinance, 1975.

Unauthorized communication of official documents or information

Sl. No. 37

The Rules of Business contain a provision to the effect that no information acquired directly or indirectly from official documents or relating to official matters shall be communicated by a Government servant to the Press, to non-officials or even officials belonging to other Government

offices, unless he has been generally or specially empowered to do so. It has been brought to the notice of the Cabinet Division that the implications of the above rule are not fully appreciated by Government servants with the result that information contained in official documents finds its way to non-officials or officials belonging to other Government offices and through them to outsiders. Ministry of Finance, etc., are requested kindly to bring the matter to the notice of all Government servants under their administrative control and warn them that they should not talk about or discuss official matters coming to their knowledge directly or indirectly with outsiders or even with officials belonging to other Government offices.

2. It may further be brought to the notice of the Government servants that a provision to the same effect as in the Rules of Business is made in rule 18 of the Government Servants Conduct Rules and an infringement thereof can be the subject of departmental proceedings. It is also an offence under Section 5 of the Official Secrets Act, 1923.

[Authority.- Cabinet Division O.M. No. Cord.(1)-8/97/58, dated 28-11-1958].

Premature leakage of information to the Press

Sl. No. 38

Instances have come to the notice of the Government where information regarding its policies and other activities was communicated to the Press before these policies etc., had been finalized, by sources which were not competent to release or indicate that information. The premature leakage of such information places the Government in an embarrassing position.

2. Communication to the Press of any statement of fact or opinion or other information by a Government servant which is likely to embarrass the Government is prohibited

under rule 22 of the Government Servants (Conduct) Rules, 1964, and any infringement of that rule is cognizable under the Government Servants (Efficiency and Discipline) Rules.

3. In the light of the above provisions, Government servants should abstain from communicating to the Press any information even verbally or through discussion relating to official matters or Government policy or which is of a classified nature till such time it has been officially released by appropriate authorities.

[Authority.- Estt. Division O.M.No.3/10/66-D.II, dated 23-8-1966].

Press Statements and Conferences

Sl. No. 39

A Press Conference should be held only by a Secretary/Joint Secretary incharge of a Ministry/Division, who alone, besides the Minister, is the spokesman of the Government. The Heads of Departments other than Secretaries/Joint Secretaries, may issue Press Statements as envisaged in Cabinet Division D.O. Letter No. Cord. (I)8/79/58, dated the 18th March, 1959 (Annexure). This should however, be done *after* obtaining the approval of the Secretary/Joint Secretary concerned. Such prior approval may not be necessary in respect of Press Statements of an informative nature e.g., a railway accident, calling upon displaced persons to file returns/forms, etc.

[Authority.- Cabinet Division O.M.No.Cord.(I)-8/79/58, dated 3-8-1959].

ANNEXURE

Copy of Cabinet Division letter No. Cord (I)-8/79/58, dated the 18th March, 1959.

It has been decided to withdraw the restriction imposed

on the issue of Press Statements by Secretaries, etc. except with prior approval of the Secretary General and Secretaries/Joint Secretaries in-Charge of Ministries/Divisions and Heads of Departments under the Central Government may issue Press Statements as and when necessary.

It is also requested that Information Officers attached to the Ministries, etc., should be kept fully informed of important matters of public interest so that adequate and sustained publicity is given to Government's activities and achievements.

Sl. No. 40

According to the existing instructions, only Ministers and Secretaries, and such officers as may be specifically authorized may act as official spokesman of the Government and all official news and information is required to be conveyed to the press and the public through the Press Information Department.

2. The Principal Information Officer serves the Government of Pakistan as a whole, in addition to arranging issuance of publicity material emanating from Ministries/Conferences/Press briefings for Ministers, Secretaries and official spokesman of the Government. As such it is desirable that Principal Information Officer be consulted on the medium to be employed for projection of Government policies, programmes and activities according to the situation and the subject matter.

3. *Press Conferences.*- (i) These shall be called by Ministers or Secretaries/other officials who may be authorized by their respective Ministers.

(ii) *Press Statements.*- On matters of policy which have already been approved by Government and which require publicity and proper projection press releases may be

authorized by Secretary concerned and issued through the Press Information Department.

On matters of public interest, other than policy, press notes of purely informative nature may be issued by the Heads of Attached Departments through the Press Information Department.

4. There is a possibility of incorrect or unauthorized information being collected by journalists and press representatives in informal contacts with officials. Attention is drawn to rule 18 of the Government Servants (Conduct) Rules which prohibits unauthorized communication of official documents of information to a Government servant unauthorized to receive it, or to a non-official person, or to the press. All Government servants are warned to be careful in this matter. Any breach of this rule coming to notice will be severely dealt with.

[Authority.- Estt. Division O.M. No.4/1/72-D.IV, dated 3-2-1972].

Letters to Editor

Sl. No. 41

The Ministries/Divisions are aware that most of the people explain their difficulties through the "Letters to Editor" columns of newspapers with the intention of seeking redress of their grievances from concerned Government Departments/Agencies.

2. This Ministry holds the view that if the position is clarified by the Government Departments/Agencies by addressing letters to the editors of newspapers in which letters concerning them are published, it will not only clarify their position but also ensure removal of genuine public grievances.

3. Ministries/Divisions are therefore, requested to kindly consider the above view-point, and, where practicable take action in accordance with the procedure laid down in para 1 of Establishment Division's Office Memorandum No. 4/1/72-D.IV, dated the 3rd February, 1972 (Sl.No. 40).

4. The clipping from the "Letters to the Editors" columns will, as usual, be supplied to the concerned Government Departments/ Agencies by the Press Information Department.

[Authority.- Information and Broadcasting Division O.M.No.1(18)/72-P.III, dated 16-5-1972].

**Measures to check the
Government servants from
ventilating their grievances
through Members of the
Legislature**

Sl. No. 42

Cases have come to the notice of the Government of Pakistan in which members of the Secretariat Establishment must have approached members of the Legislature with a view to having their individual grievances made the subject of interpellations in the Assembly. Apart from the consideration that the questions involved are rarely, ever, of public importance, and that such conduct is subversive of discipline, the practice involves a contravention of the instructions contained in *Rule 17 of the Government Servants Conduct Rules, according to which a Government servant may not, either directly or indirectly convey to Government servants belonging to other Departments or to non-official persons or the Press any information of which has come into possession in the course of his public duties.

2. It is felt that cases of this kind may be due to members of the Secretariat staff not having been fully aware of the provisions of Rule 17 of the Government Servants Conduct Rules.

3. It is, therefore, requested that the attention of members of the Secretariat staff should be drawn to the provisions of Rule 17 of the Government Servants Conduct Rules and that they should be warned that any infringement of *Rule 17 in future will be severely dealt with.

[*Authority.*- Estt. Division O.M.No.4/22/50-SEII, dated 24-10-1950].

**Note.*- The instructions reproduced at Sl.Nos.42 & 43 were issued in the context of Government Servants Conduct Rules which were in force prior to 1.5.1964. Rule 17 of the said rules corresponds to Rule 19 of the Govt Servants(Conduct) Rules, 1964.

Sl. No. 43

The attention of the Establishment Division has been drawn to the fact that despite the instructions contained in the Office Memorandum No. 4/22/50-SEII, dated the 24th October, 1950, and the specific provision of Rule 17 of the Government Servants Conduct Rules, Government servants still continue to approach Members of the Parliament or adopt other improper methods for ventilating their grievances. Such a tendency on the part of Government servants cannot but undermine discipline and must be checked. All Ministries/Divisions are, therefore, requested kindly to bring the instructions and rule referred to above to the notice of all officers and members of the staff employed under them once again, and make it clear that any infringement of these instructions will render them liable to disciplinary action.

[*Authority.*- Estt. Division O.M. No. 8/17/57-SE. IV, dated 27-2-1958].

**Approaches to Ministers,
M.N.As etc. for purchase
or sale of property**

Sl. No. 44

It has come to Government's notice that Government servants make approaches through Ministers, Chief Ministers, M.N.As. and M.P.As. or other means for issue of permit to buy transportation vehicles or other imported material and for purchase and sale of property.

2. Such acts are not only in serious breach of Government Servants Conduct Rules, but also contrary to all tenets of propriety and are totally unbecoming of Government servants. Government has, therefore, taken serious note of such acts on the part of Government servants. In future, if any such case come to notice stern action will be taken against those involved. The attention of the Government servants, working in your Ministries/Divisions and Attached or Subordinate Offices and Autonomous Institutions may be drawn to the Government Servants (Conduct) Rules, 1964, with direction to refrain from making such requests in future.

[Authority.- Establishment Secretary's d.o. No.1/38/74-D.IV, dated 8-5-1974].

**Extraneous influence by
Government Servants in
respect of service matters**

Sl. No. 45

It has been observed that the government servants, at times, attempt to bring extraneous influences in respect of service matters, such as posting, transfer, deputation etc. These acts are not only in breach of Government Servants (Conduct) Rules, 1964 (as amended) but also constitute

`Misconduct' in terms of Rule 2(4) of the Government Servants (Efficiency and Discipline) Rules, 1973, reproduced below:-

"`Misconduct' means conduct prejudicial to good order of service discipline or contrary to Government Servant (Conduct) Rules, 1964 or unbecoming of an officer and a gentleman and includes any act on the part of a Government servant to bring or attempt to bring political or other outside influence directly or indirectly to bear on the government or any government officer in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of a Government Servant."

2. The Civil Servants are, therefore, advised in their own interest to scrupulously observe the provisions contained in the Government Servants Conduct and Discipline Rules. In future if any civil servant attempts to bring extraneous influence in respect of his posting, transfer, deputation, etc. a note to this effect will be placed in his CR dossier, unless of course, proposals on these matters are made by the Ministries/Divisions/Departments themselves formally to the Establishment Division.

3. This d.o. letter may please be brought to the notice of all civil servants working in various Ministries/Divisions/Departments etc.

[Authority.- Estt. Division D.O. Letter No. 5/4/82-DI, dated 28-4-1982].

Sl. No. 46

It has been observed there is an increasing trend among Government Servants to bring extraneous influences in service matters such as postings and transfers, promotions, etc. apart from that in terms of Rule 19 of the Government Servants (Conduct) Rules, 1964, read with sub-rule (4) of Rule 2 of the Government Servants (Efficiency and Discipline) Rule, 1973,

such acts constitute 'misconduct', they have an adverse effect on the overall discipline and working efficiency of the concerned set ups.

2. In order to curb these practices, the Estt. Division has been circulating instructions reminding the Government servants of the provisions under the rules and emphasising the need to refrain from bringing in extraneous influences in service matters, (Serial Nos. 45, 46 and 47), the then Adviser to the Prime Minister for Establishment's d.o.letter No. 57-27/86-E.II, dated 25th May, 1989; and the then Establishment Secretary's d.o. letter of even number dated 27th May, 1990. Despite clear position under the rules and issuing instructions and reminders on the subject, the instances of misconduct on the part of the defaulting Government servants continue to come to notice.

3. It has accordingly been decided that all the competent authorities would bring, immediately, to the notice of the Prime Minister's Secretariat cases of the defaulting civil/government servants whenever extraneous pressures are brought to bear upon the normal channels of discipline, for seeking orders to initiate disciplinary proceedings on case to case basis, through the Establishment Division.

4. This d.o. letter may please be brought to the notice of all civil/Government servants working under your administrative control in the Ministries/Divisions/Departments as well as the employees of corporations and autonomous bodies.

[Authority.- Estt. Division d.o.letter No.5/4/82-D.I, dated 5-7-1995].

Sl. No. 47

In order to curb the general tendency among the civil/government servants to use extraneous influence in contravention of rules 19 and 29 of the Government Servants

(Conduct) Rules, 1964, the present Government has decided to take effective steps on the subject. This includes to take effective steps on the subject. This includes suspension of any civil/government servant accused of the said contravention followed by expeditious E&D proceedings.

2. It is accordingly requested that, henceforth, all cases of contravention of the said rules must be dealt with by placing the defaulter under suspension, in the first instance, with the approval of the concerned competent authority. It may be ensured that this action is taken without loss of time.

3. It is further requested that copies of suspension orders and, in due course, the final orders in such E&D proceedings, may also be forwarded to Establishment Division.

4. These instructions may be brought to the notice of all federal civil/government servants working in various Ministries/ Divisions/Departments/Provincial Governments.

[Authority.- Estt. Division d.o.letter No.5/4/82-D.I, dated 7-11-1996].

**Evidence before
Committee of the
National Assembly**

Sl. No. 48

Under rules 114 and 179 of the Rules of Procedure of the National Assembly of Pakistan, the Committees of the Assembly have the power, *inter alia*, to summon and examine any Government servant and to require the production of any official record. As the Government servant who may be thus summoned or directed by a Committee would, in the matter of giving evidence before the Committees, be also subjected to the restraints provided for in Rule 23 of the Government Servants (Conduct) Rules, 1964 a question has arisen as to

whether a Government servant can, in the course of his examination by any such Committee, decline to disclose any information or to produce any document which he thinks it would not be in the interest of the defence, the security or the external relations of Pakistan or in the public interest generally to disclose or produce. The matter has been considered carefully and it has been decided that in such cases the Government servant concerned should claim privilege and politely decline to disclose such information or produce such document on grounds of public interest.

[Authority.- Estt. Division O.M. No. 1/1/64-F.I./DII, dated 14-1-1965].

Radio Broadcasts

Sl. No. 49

Several Government servants have been invited to give and had given talks from the Radio Pakistan, both on subjects connected with their work and other subjects. In order that a uniform procedure may be observed, with reference to such broadcasts, it is requested that the following principles should be borne in mind.

2. There is no objection to officers giving such talks, but it must be pointed out:-

- (a) that broadcast talks by Government servants are "public utterances" within the meaning of *Rule 20 of the Government Servants Conduct Rules; and

*Corresponds to Rule 22 of the Government Servants (Conduct Rules, 1964).

- (b) that talks differ from newspaper articles, in that it is the policy of the Government of Pakistan that their broadcasting service shall not be used for the purpose of political propaganda.

3. In order to ensure that the Government Servants Conduct Rules are observed and that the services are kept free of political propaganda, the Government of Pakistan have decided to impose the following safeguards:-

- (a) A broadcast talk:
 - (i) shall contain nothing in the nature of political propaganda or discussion of political views.
 - (ii) shall contain nothing that is likely to offend the feelings of any community or class of persons.
 - (iii) shall contain nothing which is capable of embarrassing the relations between the Government and the people of Pakistan or any section thereof, or any foreign country or the ruler of any State in Pakistan.
 - (iv) shall contain nothing which would amount to disparagement of the policy or the decisions of Government.
- (b) Any Government servant who has been asked to deliver a broadcast talk must report the subject on which he proposes to talk, whether it is connected with his official work or not, to the competent authority under whom he is employed.
- (c) If the talk is on a subject not connected with his official work, the competent authority may, in his discretion, call for the text of the talk in order to scrutinize it.

4. It has been reported that the Heads of Offices, empowered to grant permission to Government servants employed under their administrative control and invited to give broadcast talks, on subject connected with their official work, occasionally approve the scripts at the eleventh hour when it is too late for the talks to go on the air. Such delays, apart from keeping the Station Director concerned in suspense, result considerable embarrassment to the service and in dislocation of broadcasting programmes. The authorities who are competent to grant permission to broadcast should treat the cases of scrutiny of broadcast talks and the grant of permission to broadcast to Government servants as IMMEDIATE.

5. The power of granting permission to broadcast should be exercised by Heads of Ministries and Divisions, the Heads of Offices attached thereto, other officers declared to be Heads of Offices under SR 2(10) and specified in Appendix 14 of the Compilation of the F. and S. Rules, Volume II, and all Heads of Subordinate Offices. The cases of officers who exercise these powers should be submitted to the next higher authority, or the Government of Pakistan, as the case may be.

6. Governors, Ministers, Deputy Ministers, Judges of the Federal Court and of High Courts and the Auditor General are not governed by the Government Servants' Conduct Rules and are, therefore, to be treated as sanctioning authorities in respect of their own broadcast talks. In the case of Secretaries to Government, however, the permission of the Minister concerned would be necessary. The Chairman of the Federal Public Service Commission shall be the sanctioning authority in respect of broadcast talks by himself or any member of the Federal Public Service Commission.

7. The musical items broadcast from the Stations of the Radio Pakistan come within the term 'talk' for the purpose of these instructions, but the sanctioning authority may, at his

discretion, give general permission to a particular Government servant to broadcast musical items, provided he is satisfied that there is no risk involved in giving such permission. The cases of Government servants employed under a Provincial Government, will be decided by that Government in its discretion.

8. It is, therefore, requested that the instructions contained in the above paras may be brought to the notice of all Government servants.

[Authority.- Information and Broadcasting Division O.M.No.18/(1)/48-B, dated 15-12-1950].

Sl. No. 50

A reference is invited to the Ministry of Communication O.M. No. KP-2(20)/61, dated the 20th March, 1962 (Annexure) and it is stated that the instructions contained in this Division's O.M. No. 18(1)/48-B, dated the 15th December, 1950 apply to all persons in the civil service of Pakistan, whether for the time being on foreign service or not, to whom the Government Servants Conduct Rules also apply.

2. It has been held by the Cabinet Secretariat (Establishment Division) in consultation with the Ministry of Law that the employees of autonomous and semi-autonomous bodies, like the Port Trust, P.I.D.C., Pakistan Council of Scientific and Industrial Research etc. except the Government servants who may be on deputation to those bodies cannot be regarded to be in the civil service of Pakistan, and, therefore, they do not come under the purview of the Government Servants Conduct Rules.

3. In view of the above position the Heads of autonomous and semi-autonomous bodies do not come within the fold of the orders contained in this Division's O.M referred to above.

[Authority.- Ministry of Information & Broadcasting O.M.No.1(18)/62, dated 10-7-1962].

ANNEXURE

Copy of Ministry of Communication O.M. No., KP-2(20)/61, dated the 20th March, 1962.

Reference Information and Broadcasting Division's Office Memorandum No.13 (1)/48-B, dated the 15th December, 1950 regarding broadcast talks by Government servants, a question has arisen whether instructions laid down therein are also applicable to the Heads of Autonomous, Semi-autonomous bodies like the Port Trust etc. and if the heads of such institutions are asked to broadcast talks, their cases should come to the Administrative Ministry concerned for grant of permission. Since mention has been made only of Government servants, it is presumed, they do not come into the picture. However, the Ministry of National Reconstruction and Information are requested to kindly clarify the above points for guidance.

Taking part in politics

Sl. No. 51

Bar against supporting student agitations.- Attention is invited to *Rule 23 of the Government Servants' Conduct Rules, according to which a Government servant shall not permit any person dependent on him 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 Government as by law established in Pakistan. Under the same rule, a Government servant shall be deemed to have permitted a person to take part in, or assisted a movement or activity, if he has not taken every possible precaution, and done everything in his power to prevent such person so acting.

In view of this, the conduct of Government servants who may consciously or unconsciously support the student agitators and have sympathies with them would attract the provision of Rule 23 of the Government Servants' Conduct Rules.

2. It is, therefore, requested that the above rule may be brought to the notice of all Government servants and it may also be emphasized that a breach of this rule will make them liable to proceed against under the Government Servants (Efficiency and Discipline) Rules.

[Authority.- Estt. Division O.M.No.4/23/62-D.II, dated 19-10-1962].

*Rule 24 of the Government Servants (Conduct) Rules, 1964 may be referred to in the present context.

Sl. No. 52

Participation of Government servants in the functions of the political parties.- The question whether Government officers should or not accept an invitation and attend a function arranged by a political party in honour of Head of State, or a Cabinet Minister who may be member of that political party, has been considered in the Establishment Division, and it has been decided that in such cases, where a Government servant accepts an invitation to a function organized by a Political Party and attends it, it will appear to amount to his participation in the activity of that political Organisation and will be in contravention of the provisions of *Rule 23 of the Government Servants' Conduct Rules which prohibits government servants from taking part in, or subscribing in aid of, or assisting in any way in political movement in Pakistan, or relating to Pakistan affairs.

2. These restrictions would not, however, apply to those officers, who are responsible for the maintenance of law and order, and may be required to be on duty in such functions e.g., the Commissioner, the Deputy Commissioner, the D.I.G., the Senior Superintendent of Police etc.

3. It is requested that the above decision may kindly be brought to the notice of all government officers, and it may be emphasized that acceptance of an invitation to any function organized by a political party would amount to breach of *Rule 23 of the Government Servants' Conduct Rules.

[Authority.- Estt. Division O.M.No.4/11/63-D.II, dated 5-8-1963].

Sl. No. 53

Action to be taken against Government servants found indulging in politics/subversive activities.- Instructions have been issued from time to time bringing to the notice of the Government servants, rules under which their participation and the activities of political organizations is prohibited. In the context of the present

_____ *Rule 24 of the Govt. Servants (Conduct) Rules, 1964 may be referred to in the present context.

situation it is necessary to bring the provisions of the relevant law/rules to the notice of all Government servants for their guidance.

2. Action against the defaulting Government servants can be taken under the following law/rules:-

- (i) The Pakistan Essential Services (Maintenance) Act, 1952.
- (ii) The Government Servants (Conduct) Rules, 1964.
- (iii) The Government Servants (Efficiency and Discipline) Rules.
 - (a) *Pakistan Essential Services (Maintenance) Act, 1952.-* If a Government servant, whose employment has been declared essential under rule 3 of the Pakistan

Essential Services (Maintenance) Act, 1952, disobeys a lawful order or abandons work without reasonable excuse or departs from any area-specified in an order of a competent authority, he can be prosecuted under the Act and punished with imprisonment upto one year and with fine.

- (b) *Government Servants (Conduct) Rules, 1964.*- Rule 24 of the Government Servants (Conduct) Rules prohibits Government servants from taking part in, subscribing in aid of, or assisting in any way any political movement in Pakistan, or relating to the affairs of Pakistan. Government servants are thus debarred from joining any political party. A defaulting Government servant may be proceeded against under the Efficiency and Discipline Rules on the charge of misconduct.
- (c) *Government Servants (Efficiency and Discipline) Rules.*- A Government servant can be proceeded against if he is guilty of misconduct or is found to be engaged in subversive activities independently or in association with others under rule 3 of the said Rules. For subversive activities, the penalty can be compulsory retirement, removal or dismissal from service.

3. Ministries/Divisions are requested kindly to bring these Rules to the knowledge of the Government servants under their administrative control for strict observance. They may be warned that any violation of these rules will be dealt

with strictly.

[Authority.- Estt. Division O.M.No.3/I/69-D.II, dated 19-2-1969].

Sl. No. 54

Bar against discussing politics in offices, clubs, restaurants and public places.- Attention is draw to Rule 24 of the Government Servants (Conduct) Rules, 1964 which prohibits Government servants from taking part in politics and elections. The Rule is reproduced below:-

1. No Government servant shall take part in, subscribe in aid of or assist in any way, any political movement in Pakistan or relating to the affairs of Pakistan.
2. No Government servant 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 Government as by law established in Pakistan.
3. No Government servant 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 a Government servant who is qualified to vote at such election may exercise his right to vote; but if he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

4. No Government servant 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-rule (3) to act.
5. A Government servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-rule (3) to take part in an election to such body.
6. The provisions of sub-rules (3) and (5) shall, so far as may be, apply to elections 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 at such elections.
7. If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Government thereon shall be final.

2. It is clarified that under sub-rule (7) of the above rule, the Government servant is prohibited from discussing politics in offices, clubs, restaurants and other public places. Although, a Government servant is not debarred from voting at the elections, he can not propagate his political views openly in a manner that might influence the opinions of others or indicate the trends of his own political thinking. He cannot also attend or participate in functions of political leaders, political rallies, processions etc. Nor can he develop associations which would

get him involved directly or indirectly in a realm that is essentially political.

3. It is requested that these instructions should be brought to the notice of the all Government servants for strict compliance. The Government servants should be warned that any breach of these instructions will be dealt with severely.

[Authority.- Estt. Secretary's D.O.letter No.5/2/70-DIV, dated 19-7-1973].

Sl. No. 55

Bar against canvassing, interfering, using of influence or taking part in elections.-Sub-rule (2) of *rule 23 of the Government Servants' Conduct Rules, prohibits any canvassing, interference, use of influence or taking part by a Government servant in any election to a Legislative Body except a simple exercise by him of his right to vote without indicating the manner in which he proposes to vote or has voted. In view of the forthcoming elections to the national and the provincial assemblies. Government have further decided that the provision of this rule should be brought to the notice of all Government servants specifically and they should be asked to observe the rule scrupulously.

[Authority.-Estt. Division O.M.No.4/5/62-D.II, dated 17-3-1962].

Sl. No. 56

The existing rules strictly debar official functionaries and their wives and other dependents from participating directly or indirectly in political activity which includes participation in election campaign. Rule 24 of the Government Servants (Conduct)

*Note.-Rule 24 of the Government Servants (Conduct) Rules, 1964 may be referred to in the Present context.

Rules, 1964 provides as follows:-

1. No Government servant shall take part in, subscribe in aid of or assist in any way, any political movement in Pakistan or relating to the affairs of Pakistan.
2. No Government servant 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 Government as by law established in Pakistan.
3. No Government servant shall canvass or otherwise interfere or use his influence in connection with or take part in any election to legislative body, whether in Pakistan or elsewhere:

Provided that a Government servant who is qualified to vote at such election may exercise his right to vote; but if he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

- *4. No Government servant 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-rule (3) to act.
5. A Government servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of

sub-rule (3) to take part in an election to such body.

*Subs vide Estt. Division

Notification No.S.R.O.993(I)/76 dated 30-9-1976.

6. The provisions of sub-rules (3) and (5) shall, so far as may be, applies to elections 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 at such elections.
7. If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Government thereon shall be final.

2. Ministries/Divisions, etc, are requested to warn all Government servants that unless they exercise/strict care and vigilance in keeping themselves and the members of their families aloof from political activity prohibited by the above rule, disciplinary action would be taken against them.

[Authority.- Estt. Division O.M.No.5/2/70-D.IV, dated 20-8-1970].

Propagation of sectarian creed

Sl. No. 57

Government of Pakistan have received frequent complaints that certain officials belonging to a particular sect abuse their official position in propagating their sectarian creed among their subordinates and other persons who come in contact with them in their official capacity. Government take a serious view of this matter and have accordingly decided to stop this undesirable activity at once and to prohibit

in future the propagation of any sectarian creed in this objectionable manner. Government wish to make it known that drastic action will be taken against any person who offends against this rule, irrespective of the sect to which he may belong.

[Authority.- Estt. Division O.M.No.4/22/52-SE.II,dated 27-9-1952].

Instructions relevant to Service Associations

Sl. No. 58

Participation of officers/staff of the Establishment Division in the business of their respective Service Associations. - The question whether certain categories of Government servants should or should not be allowed to hold office in, or attend the business meetings of the various Service Associations of which they are members, has been considered and it has been decided that officers and members of the staff working in the Establishment Division should not become office bearers in their respective service association, or attend business meetings so long as they remain in the Establishment Division.

[Authority.- Estt. Division O.M.No.4/3/63-F.VII, dated 16-3-1963].

Sl. No. 59

Bar against participation of officials working in Administration Branches in the business meetings of their respective Associations.- The question whether certain categories of Government servants should or should not be allowed to hold office in or attend the business meetings of the various Service Associations of which they are members, has been under consideration of the Government, and it has been decided that officers and members of the staff working in the Administration Branches of the Ministries/Divisions and their

Attached Departments should not hold offices in their respective Service Associations, nor should they attend business meetings of such Associations as long as they remain in the Administration Branches.

2. The term "business meetings", in this context, means (a) all meetings of the executive, managing or working committees of the Associations concerned, and (b) such meetings or parts of meetings of the general body in which business relating to service matters is discussed or transacted.

[Authority.- Estt. Division O.M. No. 4/3/63-F.VII, dated 8-8-1963].

Sl. No. 60

Supply of copies of Government's orders/instructions to the Employees Associations.- Copies of general orders of non-confidential nature, which embody decisions of the Government affecting a particular class of employees, may, at the discretion of the authorities which accord recognition, be supplied to the recognized associations, through the Establishment Division.

2. The matter has been examined in the Establishment Division. Now the Government orders of non-confidential nature, relating to service matters, are available in the form of books. For instance, administrative or establishment instructions have been compiled in "Establishment Manual", "Estacode" etc., and financial orders in the "Compilations" etc. These books or relevant instructions from those publications, can be had by the Associations, individually. The orders which may not be available in those publications and may not be of confidential nature, can be obtained by the Associations from the concerned Ministry/Division on formal or informal request.

3. The instructions regarding the supply of copies to the Associations, as contained in the above-quoted and other

orders, on the subject, are therefore, hereby withdrawn.

4. Ministries/Divisions are requested to bring these orders to the notice of the Office-bearers of the Associations, who may be employed with them or with their Attached/Subordinate Organizations.

[Authority.- Estt. Division O.M. No. 16/1/82-D.5, dated 20-6-1982].

Sl. No. 61

Service Associations representing services existing prior to the 20th August, 1973 have ceased to exist.- Following the Prime Minister's announcement dated the 20th August, 1973, introducing Administrative Reforms, all Services have been abolished and replaced by a unified structure of Grades. Consequently all Service Associations representing Services existing prior to 20th August, 1973, have ceased to exist.

[Authority.- Estt. Secretary's D.O. letter No.16/17/73-F.I, dated 3-11-1973].

Sl. No. 62

Associations of employees other than those belonging to the regularly constituted Services, may continue to function till further orders.

[Authority.- Estt. Secretary's D.O. letter No.16/17/73-F.I, dated 30-1-1974].

Sl. No. 63

Bar against holding elections and celebrating victory during office hours.- It has come to the notice of the Establishment Division that some times elections for the Service Associations are held in the office premises during office hours, as well as, victory in such elections is celebrated on the following days by the winning groups in the office premises during the working hours. As a result of this, the Government work remains

suspended for days together which is not desirable. It has therefore been decided that-

- (i) elections for the Service Associations may not be allowed to be held during the office hours, and
- (ii) victory in such elections may not be celebrated within the office premises during the office hours.

2. Ministries/Divisions are requested kindly to bring it to the notice of the Associations, with which they are concerned, for strict compliance.

[Authority.- Estt. Division O.M.No.6/4/74-F.I, dated 7-5-1974].

Sl. No. 64

In continuation of the Establishment Division O.M. No. F. 16/4/74-FI, dated the 7th May, 1974, it is stated that apart from preventing the Service Associations to hold elections and celebrate victory in office premises during office hours, it has been decided that the meetings of the Associations should also not be held, during the office hours, in office premises. There is, however, no bar if such meetings are held, after office hours, in office premises.

[Authority.- Estt. Division O.M. No. F. 16/4/74-F.I, dated 11-6-1974].

Sl. No. 65

Functioning of service associations.- Following decisions of the government were circulated to all Ministries/Offices of the Federal Government vide this Division Office Memoranda of even number, dated the 7th May, 1974 and 11th June, 1974,

that:-

- (i) Elections for the service associations may not be allowed to be held during office hours,
- (ii) victory celebrations in such elections may not be allowed within the office premises during the office hours, and
- (iii) meetings of service associations may not be held in the office premises during office hours.

2. It has come to the notice of this Division that these instructions are not being followed strictly. In certain cases, even the general body meetings of service associations were planned to be held in the office premises during office hours, in which the Federal Ministers had been invited to preside over the Functions.

3. The orders referred to in para 1 above were issued with a view to ensure that the Government work does not suffer due to association activities. Heads of Ministries/Offices of the Federal Government are once again requested kindly to ensure that service associations of the employees under their administrative control do not hold functions in the office premises during office hours.

[Authority.- Estt. Division O.M. No.16/4/74-F.I, dated 1-4-1976].

Sl. No. 66

Permission to representatives of Service Associations to attend various meetings.- It is stated that representative of Service Associations have informed that they are facing difficulties to attend the meetings during office hours convened by the Staff Welfare Organization.

2. It has been decided with the approval of

Establishment Secretary that the representative of Service Associations may be permitted to attend meeting of Board of Trustees, Federal Employees Benevolent Fund and Group Insurance as and when held during office hours subject to production of notice from the Organization.

3. It is, therefore, requested that representative of the Service Associations may kindly be allowed to attend the above meetings, which are officially arranged and the agenda of the meeting is also provided to the Ministries/Divisions. The timings should be invariably laid down in the orders of the meeting to ensure that the office bearer after the meeting report back for duties, within the reasonable time.

[Authority.- Estt. Division O.M.No.16/3/87-D-3, dated 7-4-1987].

Sl. No. 67

Grant of Interview to the Office Bearers of the Association.- It is stated that Pakistan Grade I & II Employees Association have stated that the Officers in the Ministries/Divisions do not give time for interview to discuss the problem of the employees. Ministries/ Divisions are requested that the request of Office Bearers of Grade I & II Employees Association for interview regarding their collective and genuine problems may be accepted.

[Authority.- Estt. Division O.M.No.16/5/88-D.5, dated 20-3-1988].

Sl. No. 68

Bar against public criticism of government action by Association etc.- Public criticism of the Government action by a civil servant or a body of civil servants constitutes misconduct under the Government Servants Conduct Rules and calls for disciplinary action.

2. The Associations of civil servants are not like the

ordinary trade unions or bodies of workers employed in the industrial or commercial sector. Civil servants are allowed to form associations under a strict code which allows ventilation of their legitimate grievances only through the prescribed channel. The publicity to the press is not allowed.

[Authority.- Estt. Division D.O. No.1471/PS/ES/76, dated 23-6-1967].

Sl. No. 69

Channel of communication between recognized Service Associations and Government.- According to the rules governing recognition of associations of civil servants, the recognized associations are required to submit their representations to Government through the office specifically designated for the purpose. The recognition of an association which disregards the rules and adopts other methods of representation is apt to be withdrawn.

2. Instances have come to the notice of this Division where recognized associations have addressed their representations to authorities, other than those to whom such representations should have been addressed and have circulated copies of the representations to various authorities. This is a violation of the condition of recognition of associations.

3. In so far as association recognized by the Establishment Division are concerned, Deputy Secretary, Establishment Division was designated as the officer to whom representations should be addressed. Other Ministries and Divisions were requested to similarly designate their officers for the purpose. The matter has been further examined and it has been decided that more senior officers should be designated for the purpose which should not be lower than Joint Secretary in the case of Ministries/Divisions and the Head of Department, or his Deputy, in the case of Attached

and Subordinate offices.

4. The Ministries/Divisions are requested to designate appropriate officers for the purpose of receiving representations and to notify the same to the associations whose recognition is still valid in terms of Establishment Division on D.O. letter No. 16/17/73-F.I., dated the 30th January, 1974. The Establishment Division may please be informed of such associations and the officers designated to receive representations from the associations.

5. While communicating the designation etc. of the revised designated officers the association should be warned that in case representations are addressed by the associations to the officer/authority other than the officer designated for the purpose, its recognition is apt to be withdrawn by Government.

[Authority.- Estt. Division O.M.No.1814/75-F.II, dated 28-3-1977].

**Approaching foreign missions
and aid giving agencies to
secure for himself invitation
to visit a foreign country or
to elicit offers of training
facilities**

Sl. No. 70

It has come to Cabinet's notice that certain officers of the Central or Provincial Governments have approached Foreign Governments or their representatives in Pakistan for the grant to them of scholarships, fellowships or other facilities to visit foreign countries, etc., and have finalized the arrangements without obtaining prior approval or have taken these negotiations and arrangements to a stage where refusal by the Government of Pakistan to grant the necessary permission to the officer concerned would embarrass the Government as

well as the officer. In order to prevent a repetition of such cases, it is considered necessary that no officer should make such approaches in future without the prior approval of the Government under which he is employed or make any commitment, whatsoever, without obtaining the prior permission of Government.

2. It is, therefore, requested that this may please be brought to the notice of all officers to ensure that this undesirable practice is stopped.

[Authority.- Cabinet Division D.O.letter No.54(38)-53-Cord, dated 25 and 26-8-1953].

Sl. No. 71

Instances have come to notice in which foreign missions have offered scholarships/ fellowships to officers employed under the Government of Pakistan and the Provincial Governments direct for purposes of their training abroad. Such offers were accepted by officers and Ministries/Governments when approached subsequently, concurred in the arrangements.

2. As the Ministry of Finance, etc., are aware the channel of communication between the Central and Provincial Governments and the foreign missions in Pakistan is the Ministry of Foreign Affairs except in such cases where certain Ministries/Departments have been allowed to correspond direct with foreign missions on purely routine or technical matters not involving any question of policy. The Economic Affairs Division have been authorized by the Ministry of Foreign Affairs to carry on correspondence direct with the foreign missions in matters relating to the technical assistance schemes. All Ministries/Divisions are, therefore, requested to route their correspondence with foreign missions on this subject through that Division.

3. In view of the above, the Ministry of Finance, etc.,

requested to issue instructions that no officer working under them should correspond with foreign missions in Pakistan direct and that no offer of fellowship/scholarship received from any foreign mission or any foreign Government otherwise than through the Economic Affairs Division should be accepted by them nor should any Ministry concur in the acceptance of such an offer except with the concurrence of the Economic Affairs Division.

[Authority.- Estt. Division O.M. No. 1/17/53-SE.II, dated 9-10-1953].

Sl. No. 72

As a further safeguard to prevent the officers of the Central and Provincial Governments from securing facilities for visiting foreign countries by approaching direct the representatives of the United Nations, the Technical Co-operation Administration, the Colombo Plan representatives and other similar Agencies, the Economic Affairs Division are taking up this matter with these agencies so as to ensure that they do not entertain any private request from any officer for the grant to any of the facilities mentioned. The Ministry of Foreign Affairs are also being requested to make a similar representation to the United States Embassy and the United Kingdom High Commissioner in Pakistan.

[Authority.- Estt. Division D.O. letter No. 1/35/53-SE. II, dated 29-10-1953].

Sl. No. 73

Certain cases have come to the notice of Government in which approaches were made to Foreign Missions by certain Government officials, with a view to arranging for visits by them to foreign countries. In some other cases, senior officers had requested members of Foreign Missions to do certain small favours for them. Both kinds of action on the part of these officers were most objectionable. It is the foremost duty of Government officials to uphold the prestige of their country and not to do anything which might compromise their

position or place them under any obligation whatsoever to any Foreign Mission.

2. Accordingly, the Government of Pakistan have decided that, if any officer has any private business to conduct with a Foreign Mission which would be likely to place him under obligation to that Mission or compromise his official position with them in any way, he should make contact with the Mission concerned through the Ministry of Foreign Affairs.

3. So far as going to foreign countries under the various technical schemes is concerned, Government have already prohibited direct contact between Government servants and Foreign Missions and it has been laid down that no offer in this field should be accepted by any officer or Ministry unless it is made through the Economic Affairs Division.

[Authority.- Estt. Division D.O.letter No.63/55/SE.II, dated 3-4-1956].

Sl. No. 74

The President has directed that the attention of all officers should be drawn to the above instructions and it should again be made clear to them that severe disciplinary action should be taken against those who violate these instructions.

[Authority.- Estt. Division Letter No. 1/73/58-SE.IV, dated 6-11-1958].

Sl. No. 75

It appears that the instructions issued therein have been lost sight of and the Foreign Missions in Pakistan, specially those of aid giving countries, have been approached by the officials in order to extract invitations to visit the foreign countries. It is, therefore, requested that the instructions already issued may kindly be brought to the notice of all officers again, who should be warned that if anyone is asked for by name by the Foreign Mission, *he would not be allowed to*

go in any case. If necessary, enquiries will be made as to how he came to be nominated by the Foreign Mission and disciplinary action would be taken in suitable cases.

[Authority.- Estt. Division Letter No. 1/73/58-E.X., dated 17-7-1961].

Sl. No. 76

2. Under the existing detailed instructions, all Secretaries to the Federal Government and Chief Secretaries of Provincial Governments are required to ensure that under no circumstances should any scholarships or invitations for visits abroad be accepted from Foreign Missions/Governments when these are offered directly to individuals. Any direct offer is required to be politely declined with the suggestion that the offer be made through the Foreign Office. In the event of direct invitation/offer being received by any individual or official from a Foreign Government through the post, it has to be transmitted to the Ministry of Foreign Affairs for processing.

3. These procedures have been laid down in accordance with the well-established international rules in diplomatic theory and practice governing the conduct of a sending state and its representatives in a receiving state. Extension of invitations by a sending state to the citizens of the receiving state and their acceptance by the latter fall within the purview of Article 41 (para 2) of the Vienna Convention, regarding as follows:-

"All official business with the receiving state entrusted to the Mission by the sending state shall be conducted with or through the Ministry of Foreign Affairs of the receiving state or such other Ministry as may be agreed."

4. It is noted with regret, however that contrary to the laid down instructions, there have been several instances where direct invitations were extended by certain foreign governments/missions to Pakistan nationals to visit their

countries or to participate in conferences and seminars there. Certain foreign missions in Pakistan have also been seeking to establish direct contacts with various Local Bodies, institutions and opposition elements.

5. Pursuant to a recent decision taken by the Federal Cabinet, it is reiterated once again that the laid down procedure for contacts with Foreign Diplomatic Missions, acceptance of invitations, gifts and scholarships etc., from Foreign Government should be strictly enforced without any exception. In the case of private individuals and politicians receiving direct invitations, the State Bank of Pakistan and other agencies concerned should adopt effective measures to stop their departure from the country on unauthorisedly sponsored visits abroad. The system of prior clearance from the Interior Division and the Ministry of Foreign Affairs should be strictly followed in such cases.

[Authority.- Paras 2-5 of Establishment Secretary's D.O. letter No.104/30/76-Min, dated 23-6-1976].

Fraternisation between Government Servants and the Foreign Missions in Pakistan.

Sl. No. 77

Instructions have been issued, from time to time, explaining the parameters within which a Government servant could cultivate contacts with the personnel of the Foreign Missions in the country. It has, however, come to the notice of the Government that despite clear orders there exists a tendency amongst Government officials to approach the foreign missions, directly or indirectly, for personal favours as well as consular facilities. Such acts, obviously are a clear violation of rule 30 of the Government Servants (Conduct) Rules, 1964 and instructions issued thereunder.

2. The Government has taken a serious view of the above tendency amongst, Government servants and it has, therefore, become imperative to circulate the Government instructions on the subject once again for strict compliance by the government servants:-

- (1) Government servants should exercise great caution and restraint in the matter of social contacts with the members of foreign mission in Pakistan and *inter-alia* abstain from extending invitations to them for private lunches/dinners at their residence etc.
- (2) Officials of the level of Deputy Secretary and below should not receive the officials of the foreign missions, except with the express permission of the Secretary.
- (3) Government servants are also prohibited from contacting, or making direct approaches, to the foreign missions in Pakistan, in connection with their private business. All such approaches should be made through proper channel (*i.e.* the Ministry of Foreign Affairs).
- (4) Invitations extended by the Foreign Missions, on the occasions of their National Days to the officers below the status of Joint Secretaries, may be accepted only after obtaining permission from the Secretary.
- (5) The participation of officers, below the status of Joint Secretary, in the private functions, arranged by the foreign diplomats, should generally be discouraged. Joint Secretaries and officers of equivalent status will, however, do so with the prior approval of the Secretary.

- (6) Repeated and frequent attendance, by the officers, at private functions held by the same foreign diplomat, must be avoided.
- (7) As a general rules, only those officers who come into official contact with the foreign diplomat concerned, should accept his invitation.

3. Compliance of the above instructions may be ensured, at all levels, and that no one approaches, directly or indirectly, any foreign missions in Pakistan or any foreign aid-giving agency, for favours and any violation of the rules, as well as the instructions issued on the subject from time to time, will be dealt with severely under the conduct and discipline rules.

[Authority.- Estt. Division D.O. letter No.6/17/72-DA/D-IV, dated 14-4-1990].

SECTION B

GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973 AND THE POWERS EXERCISED THEREUNDER

Government Servants (Efficiency and Discipline) Rules, 1973

Sl. No. 78

In exercise of the powers conferred by section 25 of the Civil Servants Ordinance, 1973 (No. XIV of 1973), the President is pleased to make following rules, namely:-

1. Short title, commencement and application.- These rules may be called the Government Servants (Efficiency and Discipline) Rules, 1973.

*[(2) They shall come into force at once and shall apply to every civil servant].

2. **Definitions.** - In these rules, unless the context otherwise requires,-

- (1) "accused" means a Government servant against whom action is taken under these rules;
- (2) "authority" means the ^{**}[Prime Minister] or an officer or authority designated by him to exercise the powers of the authority under these rules;
- (3) "authorised officer" means an officer authorised by the authority to perform functions of an authorised officer under these rules ^{***}or, if no officer is so authorised, the authority;

^{*}Subs *vide* Estt. Division Notification No.S.R.O.1809 (I)/73, dated 31-12-1973.

^{**}Subs *vide* Estt. Division Notification No. S.R.O. 120(I)/98, dated 27-2-1998.

^{***}Added *vide* Estt. Division Notification No.4/2/77-D.I, dated July, 1978.

- (4) "misconduct" means conduct prejudicial to good order or service discipline or contrary to Government Servants (Conduct) Rules, 1964 or unbecoming of an officer and, a gentleman and includes any act on the part of a Government servant to bring or attempt to bring political or other outside influence directly or indirectly to bear on the Government or any Government officer in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of a Government servant; and
- (5) "penalty" means a penalty which may be imposed under these rules.

3. **Grounds for penalty.**- Where a Government servant,

in the opinion of the authority -

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

4. **Penalties.** (1) The following are the minor and major penalties, namely -

- (a) Minor Penalties:
 - (i) censure;

- (ii) withholding, for a specific period, promotion or increment, otherwise than for unfitness for promotion or financial advancement in accordance with the rules or orders pertaining to the service or post;
- (iii) stoppage, for a specific period, at an efficiency bar in the time-scale, otherwise than for unfitness to cross such bar;
- (iv) recovery from pay of the whole or any part of any pecuniary loss cause to Government by negligence or breach of orders;

(b) Major Penalties:

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

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

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

- (a) appointed on probation, during the period of probation, or in accordance with the probation or training rules applicable to him; or

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

5. **Inquiry Procedure.**- (1) The following procedure shall be observed when a Government servant is proceeded against under these rules:-

- (i) In case where a Government servant is accused of subversion, corruption or misconduct, the authorised officer may require him to proceed on leave or, with the approval of the authority suspend him, provided that any continuation of such leave or suspension shall require approval of the authority after every three months.

*[Provided further that where the authority is President **[or Prime Minister], the powers of the authority under this clause shall be exercised by the Secretary, Establishment Division].

*Added *vide*, Estt. Division Notification No. S.R.O 853(1)/84, dated 30-9-1984.

**Added *vide* Estt. Division Notification No. S.R.O 43(1)/86, dated 7-1-1986.

- (ii) The authorised officer shall decide whether in the light of facts of the case or the interests of justice an inquiry should be conducted through an Inquiry Officer or Inquiry Committee. If he so decides, the procedure indicated in rule 6 shall apply.
- (iii) If the authorised officer decides, that it is not

necessary to have an inquiry conducted through an Inquiry Officer or Inquiry Committee, he shall -

- (a) by order in writing, inform the accused of the action proposed to be taken in regard to him and the grounds of the action; and
- (b) give him a reasonable opportunity of showing cause against that action:

Provided that no such opportunity shall be given where the authority is satisfied that in the interest of the security of Pakistan or any part thereof it is not expedient to give such opportunity.

- (iv) On receipt of the report of the Inquiry Officer or Inquiry Committee or, where no such officer or Committee is appointed, on receipt of the explanation of the accused, if any, the authorised officer shall determine whether the charge has been proved. If it is proposed to impose a minor penalty he shall pass orders accordingly. If it is proposed to impose a major penalty, he shall forward the case to the authority alongwith the charge and statement of allegations served on the accused, the explanation of the accused, the findings of the Inquiry Officer or Inquiry Committee, if appointed, and his own recommendations regarding the penalty to be imposed. The authority shall pass such orders as it may deem proper.

*[(2) The exercise of powers under clauses (i) and (iv) of sub-rule (1) by the authorised officers in the Pakistan Missions abroad shall, unless already so provided, always be subject to

the approval of the authority].

6. Procedure to be observed by the Inquiry Officer and Inquiry Committee.- Where an Inquiry Officer or Inquiry Committee is appointed, the authorised Officer shall -

- (1) Frame a charge and communicate it to the accused together with statement of the allegations explaining the charge and of any other relevant circumstances which are proposed to be taken into consideration.
- (2) Require the accused within a reasonable time, which shall not be less than seven days or more than fourteen days from the day the charge has been communicated to him, to put in a written defence and to state at the same time whether he desires to be heard in person.
- (3) The Inquiry Officer or the Committee, as the case may be, shall enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and the accused shall be entitled to cross-examine the witnesses against him.
- (4) The Inquiry Officer or the Committee, as the case may be, shall hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing. However, every adjournment, with reasons therefor shall be reported forthwith to the authorized officer. Normally no adjournment shall be for more than a week.

^{*}Renumbered and added
vide Estt, Division Notification No.7/5/75-DI, dated 14-5-1975.

- (5) Where the Inquiry Officer or the Committee, as the case may be, is satisfied that the accused is hampering, or attempting to hamper, the progress of the enquiry he or it shall administer a warning, and if thereafter he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the enquiry in such manner as he or it thinks, best suited to do substantial justice.
- (6) The Inquiry Officer or the Committee, as the case may be, shall within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authorized officer, submit his or its findings and the ground thereof to the authorized officer.

*[6-A. **Revision.**- The authority may call for the record of any case pending before or disposed of by the authorized officer and pass such order in relation thereto as it may deem fit].

7. Powers of Inquiry Officer and Inquiry Committee.-

(1) For the purpose of an inquiry under these rules, the Inquiry Officer and the Inquiry Committee shall have the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters, namely:-

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavits,

- (d) issuing commissions for the examination of witnesses or documents.

*Added *vide* Estt. Division Notification No.4/2/77-DI, dated 3-7-1978.

(2) The proceedings under these rules shall be deemed to be judicial proceeding within the meaning of sections 193 and 228 of the Pakistan Penal Code (Act XLV of 1860).

8. Rule 5 not to apply in certain cases.- Nothing in rule 5 shall apply to a case-

- (a) where the accused is dismissed or removed from service or reduced in rank, on the ground of conduct which has led to a sentence of fine or of imprisonment; or
- (b) Where the authority competent to dismiss or remove a person from service, or to reduce a person in rank, is satisfied that, for reasons to be recorded in writing by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

*[8-A. **Action in respect of Government servant required to proceed on leave.-** If a Government servant proceeding on leave in pursuance of an order under sub-rule (1) of rule 5 is not dismissed, removed from service, reduced in rank or compulsory retired, he shall be required to rejoin duty and the period of such leave shall be treated as duty on full pay].

9. Procedure of inquiry against officers lent to Provincial Government, etc.- (1) Where the services of a Government servant to whom these rules apply are lent to a Provincial Government or to a local or other authority, in this rule referred to as the borrowing authority, the borrowing

authority shall have the powers of the authority for the purpose of placing him under suspension or requiring him to proceed on leave and of initiating proceedings against him under these rules:

Provided that the borrowing authority shall forthwith inform the authority which has lent his services, hereinafter in the _____ *Added *vide* Estt.

Division Notification No.2/14/73-DI, dated 12-3-1975.

rule referred to as the lending authority, of the circumstances leading to the order of his suspension or the commencement of the proceedings, as the case may be:

Provided further that the borrowing authority *[] shall obtain prior approval of the **[Prime Minister] before taking any action under these rules against a member of an All-Pakistan Service or a Class-I Service or a holder of a Class I post.

(2) If, in the light of the findings in the proceedings taken against the Government servant in terms of sub-rule (1), the borrowing authority is of opinion that any penalty should be imposed on him, it shall transmit to the lending authority the record of the proceedings and thereupon the lending authority shall take action as prescribed in these rules.

10. Appeal.- A person on whom a penalty is imposed shall have such right of appeal as may be prescribed under ***[the Civil Servants (Appeal) Rules, 1977]:

Provided that, where the penalty is imposed by order of the President, there shall be no appeal but the person concerned may apply for review of the order.

@[10-A. **Appearance of Counsel.-** No party to any proceedings under these rules before the authority, the authorised officer, and Inquiry Officer or an Inquiry

Committee shall be represented by an advocate].

11. **Repeal.**- The Government Servants (Efficiency and Discipline) Rules, 1960 in their application to the Government servants to whom these rules apply @@[and the Civilian Employees in Defence Services (Classification, Control and Appeal) Rules, 1961] are hereby repealed but the repeal thereof shall not affect

*Omitted *vide* Estt. Division Notification No. S.R.O. 246(1)/89, dated 16-3-1989.

**Subs *vide* Estt. Division Notification No.1331(1)/97, dated 29-12-1997.

***Subs *vide* Estt. Division Notification No.S.R.O.55(1)/77, dated 18-1-1977.

@Added *vide* Estt. Division Notification No.7/3/74-D.I, dated 14-11-1974.

@@Added *vide* Estt.Division Notification No. S.R.O. 1809(1)/73. dated 31-12-1973.

any action taken or anything done or suffered thereunder.

[*Authority.*- Estt. Division Notification No. S.R.O. 1213(1)/73, dated 18-8-1973].

Designation of `Authority' and `Authorised Officer' under Rule 2 of the Efficiency and Discipline Rules in respect of employees of the Federal Secretariat

Sl. No. 79

In exercise of the powers conferred by sub-rules (2) and (3) of rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973, and in supersession of the Establishment Division's Notification No. S.R.O. 1562(I)/73, dated 7-11-1973, the President is pleased to designate the officers specified in column (3) of the table below to be the authority, and to authorise the officers specified in column (4) of the said table to be the authorised officer, in respect of the Government Servants specified in column (2) of that table employed in the Federal Secretariat or serving in a post, or belonging to a service or cadre, administratively controlled by

a Ministry or Division:-

TABLE

No.	Government Servant	Authority	Serial Authorized Officer
(2)	(3)	(4)	(1)
	servants in *[Basic Pay Scales] **21 and above and Provincial Chief Secretaries	***Prime Minister#	*[1. Government -
3.	Government servants in *[Basic Pay Scale] 17 to 20	Prime Minister	@Secretary]

*Sl.Nos.1 & 3 of the Table amended *vide* Estt. Division Notification No.S.R.O.1011(I)/85, dated 20-10-1985.

**Subs *vide* Estt. Division Notification No. S.R.O. 96(I)/84, dated 28-1-1984.

***Subs & omitted *vide* Estt. Division Notification No. S.R.O. 1330(I)/97, dated 29-12-1997.

@ Secretary includes Secretary General, Acting Secretary and Additional Secretary Incharge of a Division. (Subs *vide* Estt. Division Notification No. S.R.O.1336(I)/81, dated 14-12-1981).

Note.- In the existing rules, for the allocation and transaction of the business of the Federal Government, wherever the words "Prime Minister" occur the same shall be deemed substituted by the word "Chief Executive" *vide* Order No.7 of 1999, dated 30-10-1999.

(2)	(3)	(4)	(1)
4.	Government Servants in *[Basic Pay Scale] 16 (Superintendent and equivalent)	**Secretary	***Additional Secretary
5.	Government Servants in *[Basic Pay Scale] 3 to 15(Lower Division Clerk, Upper Division Clerk Assistant, Stenographer and equivalent)	**Secretary	Joint Secretary
6.	Government Servants in *[Basic Pay Scale] 1 and 2(Quasid, Naib Quasid and equivalent)	Deputy Section Officer Secretary	

Explanation 1.-For the purpose of this notification, Secretary, Additional Secretary, Joint Secretary, Deputy Secretary or Section Officer designated as authority or authorized officer means the Secretary, Additional Secretary, Joint Secretary, Deputy Secretary or Section Officer of the Ministry or Division in which the Government servant is for the time being employed.

Explanation 2.- For a Government servant serving outside the Federal Secretariat, whether in a Provincial Government or in an autonomous body, who is serving in a post, or belongs to a service or cadre, administratively controlled by a Ministry or Division, the Secretary, Joint Secretary, Deputy Secretary or Section Officer designated as authority or authorized officer means the Secretary, Additional Secretary, Joint Secretary, Deputy Secretary, Deputy Secretary or Section Officer of that Ministry or Division.

^{*}Subs *vide* Estt. Division Notification No. S.R.O. 96(I)/84, dated 28-1-1984.

^{**} Secretary includes Secretary General, Acting Secretary and Additional Secretary Incharge of a Division. (Subs *vide* Estt. Division Notification No. S.R.O.1336(I)/81, dated 14-12-1981).

^{***}Joint Secretary where there is no Additional Secretary, or where the Additional Secretary is the Authority in the absence of Secretary.