PAKISTAN POST OFFICE

POST OFFICE MANUAL

Volume III

SCHEDULE OF ADMINISTRATIVE POWERS OF OFFICERS OF THE PAKISTAN POST OFFICE

REVISED EDITION

(Corrected up to 1st January, 2005)

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PREFACE TO THE REVISED EDITION

This is the Revised Edition of the Post Office Manual, Volume III corrected upto 1st January 2005. The previous Edition was published by the Department as corrected upto 31st May 1973.

This Volume of the Post Office Manual contains Schedules showing the administrative powers of different classes of officers and officials of the Pakistan Post Office Department other than those vested in and exercised by them under the Post Office Act, 1898, the Post Office Saving Bank Rules, the Savings Certificate Rules and the Compilation of the Fundamental and Supplementary Rules. It also embraces relevant Acts, Ordinances and Statutory Rules promulgated by the Government. It also contains rules, regulations and administrative instructions regarding conduct, discipline, appeals, petitions, representations, etc; and other affiliated matters connected therewith. It has not been possible to spell out the administrative powers of each and every officer and supervisory official in the Department in this Manual. The administrative powers of the officers of the Pakistan Post Office Department contained in this Volume of the Post Office Manual and rules and instructions on the subjects herein treated of supersede all previous ones.

Each and every functionary of the Department is bound to act in accordance with the vested administrative powers, rules and instructions contained in this Volume. All officers, supervisory officials and employees of the Department must carefully read this Volume, as no breach of the contents thereof will be excused on the plea of the ignorance. If any administrative authority passes any order contravening the provisions contained in this Volume, the case should be resubmitted to him for reconsideration and obtaining specific orders in the matter in writing.

Every effort has been made to bring this Volume corrected upto date. However, the possibility of printing errors or omissions cannot be ruled out. Intimation of any error, omission or suggestion for its improvement would be highly appreciated and promptly attended to.

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POST OFFICE MANUAL

Volume III

SCHEDULE OF ADMINISTRATIVE POWERS OF OFFICERS OF THE PAKISTAN POST OFFICE

SCHEDULE NO. 1

APPOINTING AUTHORITIES IN RESPECT OF VARIOUS POSTS IN BASIC PAY SCALE 1 TO 20 AND ABOVE OR EQUIVALENT UNDER THE FEDERAL GOVERNMENT

The appointing authority specified in column (3) of the table below shall be competent to make appointment to the various posts in the basic pay scales specified in column (2) of that table.

TABLE

S. No.	Basic Pay scale of posts	Appointing Authority
1	2	3
1.	Posts in Basic Pay Scale 20 and above or equivalent.	Prime Minister of Pakistan.
*2.	Posts in Basic Pay Scale 17 to 19 or equivalent.	Secretary of the Ministry or Division concerned.
3.	Posts in Basic Pay Scale 16 or equivalent.	An officer notified by the Secretary of the Ministry or Division concerned.
4.	Posts in Basic Pay Scales 3 to 15 or equivalent.	An officer notified by the Secretary of the Ministry or Division concerned.

SCHEDULE NO. 1

S. No.	Basic Pay scale of posts	Appointing Authority
1	2	3
5.	Posts in Basic pay Scales 1 and 2 or equivalent.	An officer notified by the Secretary of the Ministry or Division concerned.

[Authority.—Sub-rule (1) of Rule 6 of the Civil Servants (Appointment Promotion and Transfer) Rules, 1973 as substituted vide Cabinet Secretariat (Establishment Division)'s Extraordinary Gazette Notification No. S.R.O. 276(1)/2000, dated 25th May, 2000.]

***Note.—**The Pakistan Postal Services Management Board has the power to make first appointment to posts in the Pakistan Post Office Department in Basic Pay Scale 17 and Basic Pay Scale 18 other than posts in Accounts Group (Inter Departmental Cadre) through Federal Public Service Commission and to order promotion to all posts from Basic Pay Scale 16 to 17 and from Basic Pay Scale 17 to 18 other than posts included in Accounts Group (Inter Departmental Cadre) respectively vide Serial No. 1 and 2 of Schedule 1 of the Pakistan Postal Services. Management Board Ordinance, 2002 (Ordinance No. CXXVI of 2002) promulgated by the President on 15th November, 2002 as amended vide Third Corrigenda of Ministry of Law, Justice, Human Rights and Parliamentary Affairs (Law, Justice and Human Rights Division) published in the Gazette of Pakistan Extra-ordinary Part-I dated February 20, 2003.

SCHEDULE NO. 2

OFFICERS DESIGNATED AS APPOINTING AUTHORITIES IN RESPECT OF VARIOUS POSTS IN BASIC PAY SCALE 16 AND BELOW IN THE PAKISTAN POST OFFICE DEPARTMENT

In pursuance of Establishment Division's SRO No. 276 (1) 2000 dated 25-05-2000, the Secretary, Communications Division is pleased to approve the Appointing Authorities in the Pakistan Post Office Department shown in column 3 of the following table to make appointment of posts shown in column 2 of the table:–

TABLE

S. No.	Post in Basic Pay Scale	Officers Designated As Appointing Authority
1	2	3
		ALL OFFICES
	16	Postmaster General in Basic Pay Scale 20.
		DIRECTORATE GENERAL
1.	11—15	An officer holding post in Basic Pay Scale 20.
2.	7—10	An officer holding post in Basic Pay Scale 19.
3.	1—6	An officer holding post in Basic Pay Scale 18.
		CIRCLE OFFICES
4.	11—15	Head of the Circle holding post in BPS-20.
5.	7—10	An officer holding post in basic pay scale 19.
6.	1—6	An officer holding post in basic pay scale 18.
		DIVISIONS/UNITS
7.	11—15	Head of Circle holding post in BPS-20.

SCHEDULE NO. 2

S. No.	Post in Basic Pay Scale	Officers Designated As Appointing Authority
1	2	3
8.	8—10	An officer holding post in basic pay scale 19.
9.	5—7	Head of the Division / Unit holding post in BPS-16, 17 or 18.
10.	1—4	(a) In First Class Post Office including Foreign post: Head of Unit holding post in BPS-16, 17 or 18. (b) At other stations: (i) Postmaster Selection Grade (BPS-11) in his own office. (ii) Assistant Superintendent of Post Offices (BPS-11) in offices not covered by (b) (i) above. (c) In RMS Offices and Sections other than Mail Offices situated at headquarters of Superintendent, MST: Assistant Superintendent, RMS (BPS-11) in offices and sections. (d) In Postal and RMS Divisional Offices, RMS Mail Offices situated at the Headquarters of the Superintendent, RMS and other Administrative Offices, Bag Control Office and Postal Life Insurance (Field Offices): Head of Division / Unit holding the post in BPS-16, 17 or 18. (e) In other Units (Engineering / Accounts): Head of Division / Unit holding the post in BPS-16, 17 or 18.
		STAMPS ORGANIZATION
11.	11—15	An officer holding the post in Basic Pay Scale 20 (incharge of Organization).
12.	5—10	Chief Controller of Stamps (BPS-19).
13.	1—4	An officer holding post in BPS-17.

SCHEDULE NO. 2

S. No.	Post in Basic Pay Scale	Officers Designated As Appointing Authority
1	2	3
		DISPENSARIES
14.	1—7	Assistant Postmaster General (BPS-18).
		SCHOOLS
15.	8—15	Head of Circle holding the post in BPS-20.
16.	3—7	Deputy Postmaster General (BPS-19).
17.	1—2	Assistant Postmaster General (BPS-18).
		DIRECTOR OF ACCOUNTS POST OFFICE DEPARTEMNT, LAHORE.
18.	8—15	Director of Accounts (BPS-19).
19.	1—7	Deputy Director of Accounts (BPS-18).

Note.—Appointments in BPS-1-4 shall be made by the Postmasters Selection Grade, Assistant Superintendent of Post Offices, Head Record Clerks of Selection Grade and Assistant Superintendent, Railway Mail Service purely on temporarily basis in accordance with the rules.

[No. 3(21)/2000-P.O.]

[Authority.— Ministry of Communications and Railways (Communications Division)'s Notification No. S.R.O. 470 (I)/2002, dated Islamabad, the 20th July 2002, which superseded Communications Division's Notification No. S.R.O. 40(I)/2001 dated 9th January 2001.]

Special Note.— Under the provisions of Part-II of Director General Circular No. 3 dated 15th February, 2004, all recruitments by initial appointments to all vacant posts in the Department since stand centralized. Advertisement of vacancies in the Newspapers will be the prerogative of the Directorate General. The whole recruitment process including conduct of examinations, declaration of result, etc., will be the privilege of the respective Central/Mobile Recruitment Committee. The appointing authority will, of course, issue appointment orders to the selectees from the list of approved candidates.

SCHEDULE NO. 3

OFFICERS AUTHORIZED TO EXERCISE THE POWERS OF COMPETENT AUTHORITIES UNDER THE REMOVAL FROM SERVICE (SPECIAL POWERS) ORDINANCE, 2000 IN RESPECT OF PERSONS HOLDING POSTS IN VARIOUS BASIC PAY SCALES UNDER THE FEDERAL GOVERNMENT

In exercise of the powers conferred by section [†]2(aa) of the Removal from Service (Special Powers) Ordinance, 2000, the [*]Prime Minister has authorized the officers shown in column (3) of the following table to exercise the powers of the competent authority under Section 3 of the said Ordinance in respect of class of persons shown in column (2) of the table.

TABLE NO. I

For persons employed in Federal Secretariat or serving in a post, or belonging to service, group or cadre, administratively controlled by a Ministry or Division.

S. No.	Class of Persons:	Officer authorized to exercise the powers of competent authority:
1	2	3
1.	Holders of posts in BS-20 and above.	*Prime Minister of Pakistan.
2.	Holders of posts in BS-16-19.	Secretary of the concerned Ministry / Division.
3.	Holders of posts in BS-1-15.	An officer not below the appointing authority to be notified by the Secretary of the Ministry / Division concerned.

[1][***Explanation***:– For the purpose of this Notification "Secretary of the concerned Ministry or Division means the Secretary of the Ministry or

[†] Clause (aa) of Section 2 added vide Removal from Services (Special Powers) (Amendment) Ordinance, 2001, dated 03-02.2001.
[*] Substituted vide Establishment Division's Notification No. S.R.O. 817(1)/2003, dated 19-08-2003.
[1] Inserted vide Establishment Division's Notification No. S.R.O. 411(1)/2000, dated 17-06-2000.

Division which administratively controls the post, service, group or cadre to which a government servant belongs].

[2][TABLE NO. II]

For persons employed in an Attached Department or Subordinate Office of the Federal Government.

S. No.	Class of Persons:	Officer authorized to exercise the powers of competent authority:
1	2	3
1.	Holders of posts in BS-20 and above.	*Prime Minister of Pakistan.
@2.	Holders of posts in BS-17-19.	Secretary of the Ministry or Division concerned.
3.	Holders of posts in BS-16.	Head of Department or Head of Subordinate Office.
4.	Holders of posts in BS-1-15.	An officer not below the appointing authority to be authorized by the Head of the Department or Head of Subordinate Office.

[3][The *Prime Minister has also authorized the Secretary of the concerned Ministry or Division to exercise, under Section 4 of the aforesaid Ordinance, the powers to place a BPS-20 and above and equivalent officer under suspension for such period as he may consider appropriate.

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[2] Substituted vide Establishment Division's Notification No. S.R.O. 411(I)/2000 dated 17th June, 2000.

* Substituted vide Establishment Division's Notification No. S.R.O. 817(I)2003 dated 19th August, 2003.

@ The Pakistan Postal Services Management Board has been empowered to impose major penalties on officers holding posts in BS-17, 18 and 19 vide Serial No. 6 of Schedule 1 of the Pakistan Postal Services Management Board Ordinance, 2002 (No. CXXVI of 2002).

[3] Substituted vide Establishment Division's Notification No. S.R.O. 411(I)/2000 dated 17th June, 2000.

SCHEDULE NO. 3

[TABLE NO. III]

For persons in Corporation Service.

S. No.	Class of Persons:	Officer authorized to exercise the powers of competent authority:
1	2	3
1.	Holders of posts in BS-20 and above.	*Prime Minister of Pakistan.
2.	Holders of posts in BS-16-19.	Managing Director / Chief Executive Officer of the Organization by whatever name called.
3.	Holders of posts in BS-1-15.	An officer not below the appointing authority to be authorized by the Chief Executive Officer of the Organization.

[F. No. 3/13/2000-R.2]

[Authority.— Establishment Division's notification No. S.R.O. 281(I)/2000 dated 27th May, 2000.]

* Substituted vide Establishment Division's Notification No. S.R.O. 817(I)/2003 dated 19th August, 2003.

SCHEDULE NO. 4

OFFICERS AUTHORIZED TO EXERCISE THE POWERS OF COMPETENT AUTHORITIES UNDER THE REMOVAL FROM SERVICE (SPECIAL POWERS) ORDINANCE, 2000 IN RESPECT OF PERSONS HOLDING POSTS IN BASIC PAY SCALE 16 AND BELOW IN THE PAKISTAN POST OFFICE DEPARTMENT

In pursuance of Cabinet Secretariat (Establishment Division)'s Extraordinary Gazette Notification No. S.R.O. 281 (1) / 2000 dated 27th May, 2000 as amended vide Cabinet Secretariat (Establishment Division)'s Extraordinary Gazette Notification No. S.R.O. 411 (1) / 2000 dated 17th June, 2000 the Director General, Pakistan Post Office has been pleased to designate the officers shown in column (3) of the following table to exercise the power of the competent authority under Section 3 of the Removal from Service (Special Powers) Ordinance, 2000 in respect of the class of persons as shown in column (2) of the table and employed in the offices/ circles/divisions/units under the Pakistan Post Office Department.

TABLE

S. No.	Class of Persons: (Govt. Servants) in Basic Pay Scale:	Officer authorized to exercise the powers of competent authority:
1	2	3
	DIRECTORATE GENERAL, CIRCLE/REGIONAL OFFICES, OFFICES OF GENERAL MANAGER, POSTAL LIFE INSURANCE, POSTAL STAFF COLLEGE	
1.	11—16	An officer holding post in BPS-20.
2.	7—10	An officer holding post in BPS-19.
3.	1—6	An officer holding post in BPS-18.
	DIVISIONS / UNITS AND OTHER ADMINISTRATIVE OFFICES	
4.	11—16	Head of Circle in BPS-20.

SCHEDULE NO. 4

S. No.	Class of Persons: (Govt. Servants) in Basic Pay Scale:	Officer authorized to exercise the powers of competent authority:
1	2	3
5.	8—10	An officer holding post in BPS-19.
6.	1—7	Head of the Division / Unit in BPS-18, BPS-17.
	STAMPS ORGANIZATION	
7.	11—16	*Deputy Director General (BPS-20) in the Directorate General (dealing with the subject).
8.	1—10	Chief Controller of Stamps in BPS-19.
	DISPENSARIES / SCHOOLS	
9.	8—15	An officer holding post in BPS-20.
10.	1—7	An officer holding post in BPS-19.
	OFFICE OF THE DIRECTOR OF ACCOUNTS	
11.	16	An officer of Directorate-General holding Post in BPS-20.
12.	8—15	Director of Accounts in BPS-19.
13.	1—7	Deputy Director of Accounts in BPS-18.

This is in supersession of the "competent authorities" circulated vide Director General's Circular No. 02 dated 15-02-2002.

[S (II). 21-1/2000-II]

[Authority.—Director General Circular No. 09 dated 15th September, 2002].

* Substituted vide Director General Circular No. 13 dated 15th June 2003.

SCHEDULE NO. 5

AUTHORITY TO WHOM REPRESENTATIONS AGAINST ORDERS MADE BY THE PRIME MINISTER UNDER SECTION 3 OF THE REMOVAL FROM SERVICE (SPECIAL POWERS) ORDINANCE, 2000 CAN BE PREFERRED

The classes of persons specified in column (2) of the table below may prefer representations against orders made by the Prime Minister of Pakistan under Section 3 of the Removal from Service (Special Powers) Ordinance, 2000 to the Authority specified in column (3) of the said table.

TABLE

For Persons in Government service employed in an Attached Department or Subordinate Office of the Federal Government.

S. No.	Class of Persons	Authority
1	2	3
1.	Holders of post in Basic Pay Scale 20 and above or equivalent.	President of Pakistan.

[Authority.—Proviso to Sub-section (1) of Section 9 of the Removal from Service (Special Powers) Ordinance, 2000 as amended vide Ordinance No. 1 of 2003 dated 15th January, 2003].

SCHEDULE NO. 6

OFFICERS OR AUTHORITIES TO WHOM REPRESENTATIONS AGAINST ORDERS UNDER SECTION 3 OF THE REMOVAL FROM SERVICE (SPECIAL POWERS) ORDINANCE, 2000 CAN BE PREFERRED BY PERSONS HOLDING POST IN BASIC PAY SCALE 1 TO 19

An extract of Cabinet Secretariat (Establishment Division)'s Extraordinary Gazette Notification No. S.R.O. 581 (1)/2000, dated 21st August, 2000 regarding officers or authorities to whom representations can be preferred against orders under section 3 of the Removal from Service (Special Powers) Ordinance, 2000 (XVII of 2000) is circulated as an Annexure.

[S. (II). 21-1/2000].

ANNEXURE

In exercise of the Powers conferred by sub-section (1) of section 9 of the Removal form Service (Special Powers) Ordinance, 2000 (XVII of 2000) the [*]Prime Minister is pleased to designate the officers specified in column (3) of the table below to whom representations against orders under section 3 of the said Ordinance shall be preferred in respect of classes of persons specified in column (2) of the said table.

TABLE

For persons in Government service employed in an Attached Department or Subordinate Office of the Federal Government.

S. No.	Class of Persons	Officers
1	2	3
1.	Holders of posts in Basic Pay Scale 17 to 19 and equivalent.	[*]Prime Minister of Pakistan.

[*] The words "Chief Executive of Pakistan" were substituted by the words "Prime Minister" vide Removal from Service (Special Powers) (Amendment) Ordinance No. 1 of 2003, dated 15-01-2003 and subsequently vide Establishment-Division's Notification No. S.R.O.818(I)/2003, dated 19-08-2003.

SCHEDULE NO. 6

S. No.	Class of Persons	Officers
1	2	3
2.	Holders of posts in Basic Pay Scale 16 and equivalent.	Secretary of the concerned Ministry or Division.
3.	Holders of posts in Basic Pay Scale 1 to 15 and equivalent.	An officer next above the officer or authority against whose orders representation is preferred.

[F. No. 3/13/2000-R.2].

[Authority.—Cabinet Secretariat (Establishment Division)'s Notification No. S.R.O. 581 (I)/2000 dated Islamabad, the 21st August 2000].

SCHEDULE NO. 7

DESIGNATED AUTHORITIES AND AUTHORIZED OFFICERS UNDER THE GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973 IN RESPECT OF GOVERNMENT SERVANTS EMPLOYED IN AN ATTACHED DEPARTMENT OR SUBORDINATE OFFICE OF THE FEDERAL GOVERNMENT

In exercise of the powers conferred by clauses (2) and (3) of rule 2 of Government Servants (Efficiency and Discipline) Rules. 1973, the President is pleased to designate the officers specified in column (3) of the table below to be the authority and the officers specified in column (4) of that table to be the authorized officers in respect of the government servants, specified in column (2) thereof, employed in an attached department or subordinate office of the Federal Government:

S. No.	Government Servants	Authority	Authorized Officer
1	2	3	4
1.	Government servants holding posts in Basic Pay Scale *[20] or equivalent and above.	Prime Minister.	To be designated by the Prime Minister.
2.	Government servants holding posts in Basic Pay Scale 17 to *[19] or equivalent.	*Secretary.	*[An officer designated by the Authority in Column 3].
@[3.	Government servants in Basic Pay Scale 3 to 16 and equivalent.	An officer notified as appointing authority under rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.	An officer †[ ] designated by the authority in column (3).

* Substituted vide Establishment Division's Notification No. S.R.O. 471(I)/2000, dated 7-7-2000.
@ Substituted vide Establishment Division's Notification No. S.R.O. 655(I)/2000, dated 22-9-2000.
† Deleted Vide Establishment Division's Notification No. S.R.O. 35(I)/99, dated 18-1-1999.

SCHEDULE NO. 7

S. No.	Government Servants	Authority	Authorized Officer
1	2	3	4
4.	Government servants in Basic Pay Scale 1 to 2 and equivalent.	An officer notified as appointing authority under rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.	An officer †[ ] designated by the authority in column (3).]

2. For the purpose of the entry in column (4) against serial No. 3 and the entries in columns (3) and (4) against serial No. 4 more than one officers may be designated as authority and authorized officers.

3. Notwithstanding anything to the contrary hereinbefore contained, all notifications or orders issued by any Ministry or Division specifying 'authorities' and authorized officers' in respect of the Government servants to whom this notification shall apply and in force before the issuance of this notification shall continue and remain in force till finalization of disciplinary proceedings initiated against any such Government servant.

*4. For removal of doubts it is hereby clarified that in case of disciplinary proceeding already initiated against a Government servant before the 14th June, 2000, the powers of the "Authority" and the "Authorized Officer" shall be exercised by the officers designated as such before the aforesaid date.

[No. 16/25/97-R-II]

Authority.—Establishment Division's Notification No. S.R.O. 429(I)/98 dated Islamabad, the 30th April, 1998.]

* Deleted Vide Establishment Division's Notification No. S.R.O. 35(I)/99, dated 18-1-1999.
† Added vide Establishment Division's Notification No. S.R.O. 471(I)/2000, dated 7-7-2000.

SCHEDULE NO. 8

DESIGNATED AUTHORITIES UNDER THE GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973 IN RESPECT OF GOVERNMENT SERVANTS IN BASIC PAY SCALE 16 AND BELOW EMPLOYED IN THE PAKISTAN POST OFFICE DEPARTMENT.

In pursuance of clause (2) of rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973, and in supersession of this Ministry's Notification No. S.R.O. 6 (KE) 78, dated 23rd February, 1978, the President is pleased to designate the officers specified in Column 3 of the table below to be the authorities in respect of the categories of Government servants specified in Column 2 of that table and employed in the Pakistan Post Office under the Ministry of Communications:–

TABLE

[*S. No.	Government Servants in Basic Pay Scale	Authority
1	2	3
	ALL OFFICES	
1.	16	Head of the Circle/Deputy Director General / An officer holding the Post in Basic Pay Scale 20.
	DIRECTORATE GENERAL	
2.	7—15	Deputy Director-General.]
3.	[**]3—6	Assistant Director-General / Director.
4.	1—2	Assistant Deputy Director-General.

* Substituted vide Ministry of Communications (Pakistan Post Office)'s Notification No. S.R.O. 443(I)/88 dated 13-6-1988.

** The words "Grades" against re-numbered Serial No. 3 to 24 deleted vide Ministry's No. S.R.O. 443(I)/88 dated 13-6-1988.

SCHEDULE NO. 8

[*S. No.	Government Servants in Basic Pay Scale	Authority
1	2	3
	CIRCLE OFFICES INCLUDING GENERAL MANAGER POSTAL LIFE INSURANCE'S OFFICES [@].	
5.	11—15	Head of the Circle.
6.	7—10	Deputy Postmaster General/Controller of Post Offices/Chief Postmaster/Director, Postal Life Insurance.
7.	1—6	Assistant Postmaster General/Assistant General Manager (Grade-18).
	DIVISIONS / UNITS	
8.	11—15	Head of the Circle.
9.	8—10	Deputy Postmaster-General/Controller of Post Offices/Chief Postmaster/Director, Postal Life Insurance.
10.	7	Head of the Division/Unit.
11.	5—6	Head of the Division/Unit.
	FIRST CLASS POST OFFICES (INCLUDING FOREIGN POST)	
12.	1—4	Head of the Division/Unit.
	OTHER STATIONS	
13.	1—4	Head of the Division/Unit.
	RAILWAY MAIL SERVICE OFFICES, SECTIONS, RECORD OFFICES, DIVISIONAL AND SUB DIVISIONAL OFFICES	
14.	1—4	Head of the Division/Unit.

[@] The words "OTHER THAN BALUCHISTAN CIRCLE OFFICE" deleted vide Ministry of Communications (Pakistan Post Office). No. S.R.O. 609(I)/86 dated 19-6-1986.

SCHEDULE NO. 8

[*S. No.	Government Servants in Basic Pay Scale	Authority
1	2	3
	POSTAL DIVISIONAL OFFICES, AND OTHER ADMINISTRATIVE OFFICES, BAG CONTROL OFFICE AND POSTAL LIFE INSURANCE (FIELD) OFFICES ETC.	
15.	1—4	Head of the Division/Unit.
	ENGINEERING UNITS	
16.	1—4	Head of the Division/Unit.
	ACCOUNTS UNITS	
17.	1—4	Head of the Division/Unit.
	STAMPS ORGANISATION	
18.	7—15	Deputy Director-General Incharge of Organization.
19.	1—6	Chief Controller of Stamps.
	DISPENSARIES	
20.	3—7	Assistant Postmaster-General (Grade-18).
21	1—2	Assistant Postmaster-General (Grade-18).
	SCHOOLS	
22.	8—15	Head of the Circle.
23.	3—7	Deputy Postmaster-General.
24.	1—2	Assistant Postmaster-General (Grade-18).

[No. S. 21-18/73-V.]

[Authority.— Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 919(I)/83 dated 27th September, 1983. Re-affirmed vide Director General's Circular No. 8 dated 15th August, 1999.]

SCHEDULE NO. 9

DESIGNATED AUTHORITIES UNDER THE GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973 IN RESPECT OF GOVERNMENT SERVANTS IN BASIC PAY SCALE 1 TO 15 EMPLOYED IN THE OFFICE OF THE DIRECTOR OF ACCOUNTS PAKISTAN POST OFFICE

In pursuance of clause (2) of rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973, and in supersession of this Ministry's Notification No. S.R.O. 1282 (I)/81, dated the 2nd December, 1981, the President is pleased to designate the officers specified in column 3 of the table below to be the authorities in respect of the categories of Government Servants specified in column 2 of that table and employed in the office of the Director of Accounts, Lahore under the Pakistan Post Office.

TABLE

S. No.	Category of Government Servants	Authority
1	2	3
1.	*Grades 8 to 15	Director of Accounts (Grade-19).
2.	Grades 1 to 7	Deputy Director of Accounts (Grade-18).

[S. 21-13/80]

[Authority.—Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 485(I)/82 dated Islamabad, the 24th May 1982. Reaffirmed vide Director General's Circular No. 8 dated 15th August, 1999].

* The words "Grades" and "Grade" substituted by the words "Basic Pay Scale" by the Government.

SCHEDULE NO. 10

DESIGNATED AUTHORIZED OFFICERS UNDER THE GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973 IN RESPECT OF GOVERNMENT SERVANTS IN BASIC PAY SCALE 17 TO 19 EMPLOYED IN THE PAKISTAN POST OFFICE DEPARTMENT

In pursuance of clause (3) of rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973, the Director General, Pakistan Post Office is authorized to perform the functions of an authorized officer in respect of Government servants in Basic Pay Scale 17 to 19 under the administrative control of the Pakistan Post Office.

[No. 3(21)/2000-P.O]

[Authority.—Ministry of Communications and Railways (Communications Division)'s Notification No. S.R.O. 94(I)/2001 dated Islamabad, the 3rd February 2001.]

SCHEDULE NO. 11

DESIGNATED AUTHORIZED OFFICERS UNDER THE GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973 IN RESPECT OF GOVERNMENT SERVANTS IN BASIC PAY SCALE 16 AND BELOW EMPLOYED IN THE PAKISTAN POST OFFICE DEPARTMENT

In pursuance of clause (3) of rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973, and in supersession of this Ministry's Notification No. S.R.O. 6 (KE)/78, dated 23rd February, 1978, the authority is pleased to authorise the Officers specified in Column 3 of the table below to be the authorised officers in respect of Government Servants specified in Column 2 of that table, employed in the Pakistan Post Office under the Ministry of Communications:–

TABLE

*[S. No.	Category of Government Servants †[in Basic Pay Scale]	Authorised Officer
1	2	3
	ALL OFFICES	
1.	††[ ] 16	*Deputy Postmaster General / Assistant Director General / Director / Joint Director / Chief Controller.]
	DIRECTORATE-GENERAL	
**[2]	††[ ] 12—15	(*i*) Assistant Deputy Director-General (Administration) or Branch Officer concerned to perform functions in respect of penalty laid down in rule 4(1) (a) (i).

* Added vide Ministry's S.R.O. 484(I)/88 dated 13-6-1988.
† Added vide Ministry's S.R.O. 284(I)/87 dated 16-4-1987.
†† The word "Grade" and "Grades" deleted vide Ministry's S.R.O. 284(I)/87 dated 16-4-1987.
** Serial No. renumbered as "2 to 24" vide Ministry's S.R.O. 444(I)/88 dated 13-6-1988.

SCHEDULE NO. 11

*[S. No.	Category of Government Servants †[in Basic Pay Scale]	Authorised Officer
1	2	3
		(*ii*) ***[Assistant] Director General.
3.	3—11	Assistant Deputy Director-General (Administration) or Branch Officer concerned.
4.	1—2	(*i*) Branch Superintendent or Assistant-in-Charge to perform functions in respect of penalty laid down in rule 4(1) (a) (i).
		(*ii*) Assistant Director (P-I).
	CIRCLE OFFICES INCLUDING GENERAL MANAGER POSTAL LIFE INSURANCE OFFICE @[ ]	
5.	11—15	(*i*) Branch Officer to perform functions in respect of penalty laid down in rule 4(1) (a) (i).
		(*ii*) Deputy Postmaster-General/ Controller Post Offices/Chief Postmaster/Director Postal Life Insurance.
6.	7—10	Branch Officer.
7.	1—6	(*i*) Selection Grade Head Assistant/Head Clerk to whom immediately subordinate in the branch to perform functions of penalty laid down in rule 4(1) (a) (i).
		(*ii*) Administrative Officer.
	DIVISIONS/UNITS	
8.	11—15	(*i*) Head of Division/Unit to perform

*** Substituted vide Ministry's S.R.O. 444(I)/88 dated 13-6-1988.

@ The words "OTHER THAN BALOCHISTAN CIRCLE OFFICE" deleted vide Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 610(I)/86 dated 19th June, 1986.

SCHEDULE NO. 11

*[S. No.	Category of Government Servants †[in Basic Pay Scale]	Authorised Officer
1	2	3
		functions in respect of penalty laid down in rule 4(1) (a) (i).
		@(*ii*) Senior Superintendent / Senior Postmaster within his administrative control to perform functions in respect of penalties laid down in rule 4(1) (a) (ii) to (iv).
		(*iii*) Deputy Postmaster General/ Controller Post Offices/Chief Postmaster/Director Postal Life Insurance.
9.	8—10	(*i*) Officers under Head of Division/ Unit to perform functions in respect of penalties laid down in rule 4(1) (a) (i) and (ii).
		(*ii*) Head of Division/Unit (including Accounts Officer incharge of Accounts Unit).
10.	5—7	(*i*) Higher Selection Grade official to whom immediately subordinate to perform functions in respect of penalties laid down in rule 4(1) (a) (i) and (ii).
		(*ii*) Officers under Head of Division/Unit to whom immediately subordinate.
		(*iii*) Head of Division/Unit where no other officer under him is available.
FIRST CLASS POST OFFICES (INCLUDING FOREIGN POST)		
11.	**[1—5]	(*i*) Selection Grade official to whom immediately subordinate in a

@ Added vide Ministry's S.R.O. 793(I)/84 dated 19-9-1984.
** Substituted vide Ministry's S.R.O. 284(I)/87 dated 16-4-1987.

SCHEDULE NO. 11

*[S. No.	Category of Government Servants †[in Basic Pay Scale]	Authorised Officer
1	2	3
		branch of a First Class Post Office (within his branch). (*ii*) Sub Postmaster in Selection Grade (within his office). (*iii*) Assistant Superintendent of Post Offices (Town) (within offices under his control). *(*iv*) Sub Postmaster in Time Scale (BPS-7) (within his office) to perform functions in respect of penalty laid down in rule 4(1) (a) (i).
	OTHER STATIONS	
12.	**[1—5]	(*i*) Postmaster Selection Grade (within his own office). (*ii*) Assistant Superintendent of Post Offices (in offices not covered by (i) above). *(*iii*) Sub Postmaster Time Scale (BPS-7) within his office to perform functions in respect of penalty laid down in rule 4(1) (a) (i).
	RAILWAY MAIL SERVICE MAIL OFFICES, SECTIONS, RECORD OFFICES, DIVISIONAL AND SUB-DIVISIONAL OFFICES	
13.	@[3—5] in Mail Offices/Section.	(*i*) Selection Grade Head Sorter, Record Clerk, Sub-Record Clerk or Head Record Clerk, to whom immediately subordinate, to perform functions in respect of

- Added vide Ministry's S.R.O. 169(I)/87 dated 2-3-1987.
** Substituted vide Ministry's S.R.O. 284(I)/87 dated 16-4-1987.
@ Substituted vide Ministry's S.R.O. 284(I)/87 dated 16-4-1987.

SCHEDULE NO. 11

*[S. No.	Category of Government Servants †[in Basic Pay Scale]	Authorised Officer
1	2	3
		penalty laid down in rule 4(1) (a) (i). (*ii*) Assistant Superintendent, Railway Mail Service. *(*iii*) Record Clerk, Sub Record Clerk or Head Sorter in Time Scale (BPS-7) to whom immediately subordinate to perform functions in respect of penalty laid down in rule 4(1) (a) (i).
14.	1—2 in: (*a*) Mail Offices/Sections in the charge of Selection Grade Head Sorter.	(*i*) Supervisor to perform functions in respect of penalty laid down in rule 4(1) (a) (i). (*ii*) Selection Grade Head Sorter, Record Clerk, Sub or Head Record Clerk, as the case may be, to perform functions in respect of penalties as laid down in rule 4(1) (a) (i) and (ii). (*iii*) Assistant Superintendent, Railway Mail Service. *(*iv*) Record Clerk, Sub Record Clerk or Head Sorter in Time Scale (BPS-7) as the case may be, to perform functions in respect of penalty laid down in rule 4(1) (a) (i).
	(*b*) Other Mail Offices and Sections.	(*i*) Selection Grade Record Clerk/Sub-Record Clerk/Head Record Clerk to perform functions in respect of penalties laid down in rule 4(1) (a) (i) and (ii).

* Added vide Ministry's S.R.O. 169(I)/87 dated 2-3-1987.

SCHEDULE NO. 11

*[S. No.	Category of Government Servants †[in Basic Pay Scale]	Authorised Officer
1	2	3
		(*ii*) Assistant Superintendent, Railway Mail Service. *(*iii*) Head Sorter in Time Scale (BPS-7) to perform functions in respect of penalty as laid down in rule 4(1) (a) (i).
	(*c*) Record Office, Sub-Record Office, (Selection Grade) and Head Record Office.	(*i*) Record Clerk/Sub-Record Clerk (Lower Selection Grade) to perform functions in respect of penalties laid down in rule 4(1) (a) (i) and (ii). (*ii*) Head Record Clerk (Higher Selection Grade) in Head Record Office. (*iii*) Assistant Superintendent, Railway Mail Service in Sub-Record Offices not covered by (ii) above. *(*iv*) Record Clerk / Sub-Record Clerk / Assistant Accountant in Time Scale (BPS-7) to perform functions in respect of penalty laid down in rule 4(1) (a) (i).
	(*d*) Divisional or Sub-Divisional Office.	(*i*) Selection Grade Head Clerk to perform functions in respect of penalties laid down in rule 4(1) (a) (i) and (ii). (*ii*) Assistant Superintendent Railway Mail Service (Head Quarters).

* Added vide Ministry's S.R.O. 169(1)/87 dated 2-3-1987.

SCHEDULE NO. 11

*[S. No.	Category of Government Servants †[in Basic Pay Scale]	Authorised Officer
1	2	3
POSTAL DIVISIONAL OFFICES, AND OTHER ADMINISTRATIVE OFFICES, BAG CONTROL OFFICE ETC.		
15.	1—4	Officer to whom immediately subordinate, if not in lower grade than Lower Selection Grade.
POSTAL LIFE INSURANCE (FIELD UNITS)		
16.	1—4	(*i*) Head Assistant/Head Clerk (Selection Grade) to whom immediately subordinate, where available in Unit otherwise Assistant Superintendent, Postal Life Insurance. (*ii*) Assistant Superintendent (Field) Postal Life Insurance in Offices not covered by (i) above.
IN OTHER UNITS (ENGINEERING / ACCOUNTS)		
17.	1—4	Engineering Supervisor, Sub-Engineer/Supervisor, Mail Motor Service, Senior or Junior Accountant.
STAMPS ORGANIZATION		
18.	11—15	(*i*) Deputy Controller of Stamps to perform functions in respect of penalties laid down in rule 4(1) (a) (i) and (ii). (*ii*) Chief Controller of Stamps.
19.	7—10	(*i*) Deputy Controller of Stamps to perform functions in respect of penalties laid down in rule 4(1) (a) (i) and (ii). (*ii*) Chief Controller of Stamps.

SCHEDULE NO. 11

*[S. No.	Category of Government Servants †[in Basic Pay Scale]	Authorised Officer
1	2	3
20.	1—6	Deputy Controller of Stamps.
	DISPENSARIES	
21.	3—7	Medical Superintendent or Medical Officer incharge *[or Head of the Division or Unit Incharge of the Dispensary where whole time Medical Superintendent or Medical Officer is not available.]
22.	1—2	Medical Officer to whom immediately subordinate *[or Head of the Division or Unit incharge of the Dispensary where whole time Medical Superintendent or Medical Officer is not available.]
	SCHOOLS	
23.	8—15	(*i*) Headmistress to perform functions in respect of penalties laid down in rule 4(1) (a) (i) and (ii). (*ii*) Deputy Postmaster General.
24.	1—7	Headmistress.

[S. 21-18 73-V.]

[Authority.— Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 920(I)83 dated Islamabad, the 27th September, 1983. Re-affirmed vide Director General's Circular No. 8 dated 15th August 1999.]

* Added vide Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 169(I)/87 dated 2-3-1987.

SCHEDULE NO. 12

DESIGNATED AUTHORIZED OFFICERS UNDER THE GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973 IN RESPECT OF GOVERNMENT SERVANTS IN BASIC PAY SCALE 1 TO 15 EMPLOYED IN THE OFFICE OF THE DIRECTOR OF ACCOUNTS PAKISTAN POST OFFICE

In pursuance of clause (3) of rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973, the authority is pleased to authorize the officers specified in column 2 of the table below to be the authorized officers in respect of Government Servants specified in column 1 of that table in the office of the Director of Accounts, Lahore under the Pakistan Post Office Department.

TABLE

	Category of Government Servants	Authorized Officer
	1	**2**
1.	*Grades 8 to 15	Deputy Director of Accounts (*Grade-18).
2.	*Grades 1 to 7	Accounts Officer Incharge of Section/ Branch (*Grade-17).

[S. 21-13/80]

[Authority.—Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 486(I)/82 dated Islamabad, the 24th May 1982. Reaffirmed vide Director General's Circular No. 8 dated 15th August, 1999.]

* The words "Grades" and "Grade" were substituted by the words "Basic Pay Scale".

SCHEDULE NO. 13

SCHEDULE OF ADMINISTRATIVE POWERS OF THE PAKISTAN POSTAL SERVICES MANAGEMENT BOARD (PPSMB)

POWERS ALREADY DELEGATED TO THE HEAD OF THE DEPARTMENT

S. No.	Nature of Power	Powers to be exercised by PPSMB
1	2	3
	METHOD OF APPOINTMENT	
1.	Power to determine method of appointment and other conditions applicable to a post in BS-16 and below.	Full powers less contract appointments of officers of BS-19
	PENSIONS	
2.	Power to sanction all kinds of pensions (including gratuities / commutations) and to decide questions allied to the grant thereof in respect of officers holding posts in BS-17, 18, 19 & 20 other than the officers of Accounts Group (Inter Departmental Cadre).	Full powers
	SECURITY DEPOSITS	
3.	Power to increase amount of security deposits.	Full powers
	MISCELLANEOUS	
4.	Power to grant authority for institution of legal proceedings and for defence of civil suits on behalf of the Department.	Full powers

SCHEDULE NO. 13

S. No.	Nature of Power	Powers to be exercised by PPSMB
1	2	3
5.	Power to grant authority for institution of criminal proceedings against departmental officials.	Full powers
6.	Power to introduce or modify standard printed form.	Full powers
7.	Power to sanction preservation or destruction of records (other than accounts record).	Full powers
8.	Power to correspond with Foreign Postal Administrations and the International Bureau of the Postal Union regarding matters covered by the convention of the Universal Postal Union and the other arrangements of the Union or by separate arrangements regarding exchanges of postal articles and money orders entered into with Foreign Postal Administrations.	Full powers
9.	Power to open guaranteed offices for a period of 5 years or more in special cases.	Full powers
10.	Power to execute and sign contracts on behalf of the Department.	Full powers
11.	Power to sanction the condonation of residential accommodation in excess of the standard scale admissible occupied by the employees in BS-1 to 15 in leased buildings.	Full powers
12.	Power for the grant of permission for acquisition, disposal and construction of immovable property to all Government servants in the Department.	Full powers
13.	Power to grant permission to be transferred to other Government Offices/ Departments or to take up other	Full powers

SCHEDULE NO. 13

S. No.	Nature of Power	Powers to be exercised by PPSMB
1	2	3
	employment.	
14.	Power to prescribe a Government servant's headquarters.	Full powers
	POWERS DELEGATED	
	INITIAL APPOINTMENTS	
1.	Power to make first appointment to posts in BS-17, 18 & 19 other than posts in Accounts Group (Inter Departmental Cadre) through FPSC.	Upto B–18
	PROMOTIONS	
2.	Power to order promotions to all posts from BPS-16 to 17 , 17 to 18 and 18 to 19 other than posts included in Accounts Group (Inter Departmental Cadre).	Upto B–18 DG, PPO will chair this promotion committee and the Joint Secretary (I), MOC, will be a member.
	ACTING CHARGE APPOINTMENTS	
3.	Power to order acting charge appointments to Posts in BPS-17, 18 and 19.	Upto B–19
	CURRENT CHARGE APPOINTMENTS	
4.	Power to extend current charge appointment for a further three months beyond initial period of three months against a post in BPS-20.	First three months
	DUAL CHARGE APPOINTMENTS	
5.	Power to extend dual charge appointment for a further three months beyond initial period of three months to a post in BPS-	Upto BS-19

SCHEDULE NO. 13

S. No.	Nature of Power	Powers to be exercised by PPSMB
1	2	3
	20.	
	DISCIPLINARY	
6.	Power to impose major penalties on officers holding posts in BS-17, 18 and 19.	Upto B–19
7.	Power to impose minor penalties on officers holding posts in BS-20.	Upto B–19
	TRANSFERS	
8.	Power to order transfers of officers in BS-20 and below.	Upto B–20
	PROMOTION/SELECTION COMMITTEES	
9.	Power to constitute Promotion Committees for considering promotions to posts in BS-18 and below and Selection Committee for making initial appointment to posts in BS-16 and below.	Promotion for B–18
	RESIGNATION	
10.	Power to accept resignation from an officer holding post in BS-17 or 18 or 19 other than the officer of Accounts Group (Inter Departmental Cadre).	Upto B–19 subject to rules/regulations as laid down by the Establishment Division.
11.	Power to allow Government servants in BS-17 to 19 to count extra ordinary leave for increments subject to conditions laid down in F.R. 20.	Full Powers
	POWERS NOT DELEGATED	
	STUDY LEAVE	
1.	Power to grant study leave.	Communications

SCHEDULE NO. 13

S. No.	Nature of Power	Powers to be exercised by PPSMB
1	2	3
		Division.
2.	Power to correspond with Ministries/ Division.	PPSMB through Communications Division.

[Authority.— Schedule I to the Pakistan Postal Services Management Board Ordinance, 2002 (Ordinance No. CXXVI of 2002) promulgated on 15th November, 2002, was added vide pages 2160 to 2168 in the Gazette of Pakistan Extraordinary dated 11 December, 2002 and further corrected vide Third Corrigenda of Government of Pakistan Law, Justice and Human Rights Division published in the Gazette of Pakistan Extraordinary dated Islamabad, the 20th February, 2003].

SCHEDULE NO. 14

SCHEDULE OF ADMINISTRATIVE POWERS OF THE DIRECTOR GENERAL

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	APPOINTMENTS		
1.	Power to make initial appointments to vacant posts in various Basic Pay Scales in the Department.	Full powers in respect of posts where the Director General is notified as an Appointing Authority under Rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Appointments will be made subject to advertisement of vacancies in the Press and observance of all conditions laid down in the relevant Recruitment Rules to the post concerned.	On the recommendations of the Federal Public Service Commission in respect of all posts falling within their purview under rule 3 of the Federal Public Service Commission (Functions) Rules, 1978. Initial appointments against all other posts will be made on the recommendations of the appropriate Departmental Selection Committee. Rules 4 to 74 of the Post Office Manual, Volume IV.
2.	Power to make appointments by transfer of a Government servant holding an appointment under the Federal Government on a regular basis to any vacant post in the same basic pay scale in the Department.	Full powers in respect of posts where the Director General is the Appointing Authority subject to the extent of quota reserved in the relevant Recruitment Rules for making appointments by transfer and observance of all other prescribed conditions.	On the recommendations of the appropriate Departmental Promotion Committee. Rules 7, 8 and 9 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Rules 117 to 120 of the Post Office Manual, Volume IV.
3.	Power to make appointments on acting charge basis	Full powers in respect of posts where the Director General is	On the recommendations of the appropriate Departmental Promotion

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	against vacant posts in various basic pay scales in the Department.	notified as an Appointing Authority subject to the observance of conditions prescribed in the relevant Recruitment Rules for promotion to a post.	Committee. Rule 8-B of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Rules 159 to 164 of the Post Office Manual, Volume IV.
4.	Power to make recruitment by initial appointment on adhoc basis against vacant posts in Basic Pay Scale 1 to 15 in the Department.	No power to make any recruitment on adhoc basis against any vacant post in Basic Pay Scale 1 to 15.	Rule 165 of the Post Office Manual, Volume IV.
5.	Power to make recruitment by initial appointment on adhoc basis, pending the availability of nominees of the Federal Public Service Commission against vacant posts in Basic Pay Scale 16 and above in the Department.	Full powers in respect of vacant posts where the Director General is the Appointing Authority. Appointment on adhoc basis will be made subject to advertisement of the vacancies in the Press, observance of Provincial and Regional quota and by following the same procedure as laid down for initial appointments.	On the recommendations of the appropriate Departmental Selection Committee for a period not exceeding 6 months. Subject to first placement of a requisition on the Federal Pubic Service Commission immediately after the occurrence of a vacancy and obtaining their prior clearance. Rules 18 and 19 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Rules 166 to 174 of the Post Office Manual, Volume IV.
6.	Power to order current charge appointments against vacant posts in Basic Pay Scale 17 to 20 in the Department for an initial period of one month to three months.	Full powers subject to observance of all conditions prescribed by the Establishment Division and Finance Division.	Establishment Division's OM No. 1/21/76-AR.I/R-II dated 18-6-1980`, 14-3-1981 and 10-4-1981 and O.M. No. 1/4/84-R.2, dated 3-7-1984. Finance Division's O.M. No. F.2(9)-R.3/85, dated 15-3-1987, No. 2(2)R.3/92 dated 23-4-1992 and No.

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
			F.11(7)R.3/2000, dated 6-5-2000. Rules 140 to 148 of the Post Office Manual, Volume IV.
7.	Power to order additional or dual charge appointments against vacant posts in Basic Pay Scale 20 and below in the Department for an initial period of one month to three months.	Full powers subject to observance of all conditions prescribed by the Finance Division.	Finance Division's OM No. F. 2(9)-R.3/85 dated 18-03-1987 as amended vide O.M. No. F.2(2)-R.3/2000, dated 23-4-1992 and F.3(22)-R.3/94, dated 26-5-1994 and F.11(7)-R.3/2000 dated 6-5-2000. Finance Division's O.M. No. F.3(17)-R.3/93-1249, dated 28-9-1994. Rules 149 to 155 of the Post Office Manual, Volume IV.
8.	Power to extend the period of tenure of a Government servant in Basic Pay Scale 1 to 19 in the Department beyond the prescribed normal term of an individual post.	Full powers. May extend the period of tenure upto six months in one spell and for one year in aggregate in special and exceptional cases where sufficient and valid reasons exist.	Rules 329 and 344 of the Post Office Manual, Volume IV.
	METHOD OF APPOINTMENT		
9.	Power to determine method of appointment and other conditions applicable to a post in Basic Pay Scale 16 and below in the Department.	Full powers in consultation with the Ministry of Communications and Establishment Division.	Serial No. 1 of Schedule I of the Pakistan Postal Services Management Board Ordinance, 2002 read with Rule 3(2) of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.
	PROMOTIONS		
10.	Power to give promotion to	May promote officers to the posts to which	On the recommendations of the appropriate

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	Government servants against vacant posts in higher Basic Pay Scales in the Department.	the Director General is competent to make initial appointments subject to the observance of all conditions prescribed in the relevant Recruitment Rules to the post concerned.	Departmental Promotion Committee subject to conditions laid down in Rules 89 to 111 of the Post Office Manual, Volume IV.
	TRANSFERS		
11.	Power to transfer officers in Basic Pay Scale 16 to 19 and officials in Basic Pay Scale 15 and below within the same cadre, service and basic pay scale within the Department on completion of normal tenure of an individual post or for administrative reasons.	Full powers in respect of persons in BPS-3 to 19 recruited or promoted on all Pakistan basis. The persons appointed in Basic Pay Scale 1 to 16 specifically to serve in a particular Province, Region, Circle, Division, Unit or Area shall not be transferred outside that Province, Region, Circle, Division, Unit or Area as laid down in First proviso to Section 10 of the Civil Servants Act, 1973.	Section 10 of the Civil Servants Act, 1973. FR 15 read with Serial No. 6 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules. Establishment Secretary's D.O. Letter Nos. 27/3/270-F.1, dated 4-11-1971 and 30-6-1971. Rules 270 and 285 of the Post Office Manual, Volume IV.
12.	Power to transfer any Government servant in Basic Pay Scale 1 to 16 outside the parent cadre to an identical or non-identical cadre to a post in another territorial recruiting area or otherwise within or outside the Circle for administrative reasons or at the request of the official concerned or by mutual exchange of	No power. The persons recruited or promoted specifically to serve in a particular Circle, Region, Division, Unit or Area shall not be transferred outside that particular Circle, Region, Division, Unit or Area.	First proviso to Section 10 of the Civil Servants Act, 1973. Rule 275 of the Post Office Manual, Volume IV.

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	appointment.		
	PUNISHMENTS		
13.	Power to impose any of the penalties specified in Section 3 of the Removal from Service (Special Powers) Ordinance, 2000 on an accused Government servant employed in the Department.	Full powers in respect of class of persons employed in the Department against posts in various basic pay scales for whom the Director General is notified as the Competent Authority.	Subject to issuance of a Notification by the Government in pursuance of Clause (aa) of Section 2 of the Removal from Service (Special Powers) Ordinance, 2000.
14.	Power to impose any of the major penalties specified in Rule 4(1)(b) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant employed in the Department.	Full powers in respect of Government servants for whom the Director General is designated as Authority in pursuance of Clause (2) of Rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973 or is specified as Appointing Authority under Rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.	Establishment Division's Notification No. S.R.O. 429(I)/98 dated 30th April, 1998 as amended from time to time (Schedule No. 7). See also Note 1 below.
15.	Power to impose any of the minor penalties specified in Rule 4(1)(a) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant employed in the Department.	Full powers in respect of Government servants in Basic Pay Scale 17 to 19 under the administrative control of the Pakistan Post Office Department.	Ministry of Communications and Railways (Communications Division)'s Notification No. S.R.O. 94(I)/2001 dated 03-02-2001 (Schedule No. 10). See also Note 1 below.

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	SUSPENSIONS		
16.	Power to suspend a Government servant or require him to proceed on such leave as may be admissible to him.	Full powers as defined in Section 4 of the Removal from Service (Special Powers) Ordinance, 2000 in respect of any Government servant for whom the Director General is the Competent Authority.	Establishment Division's Notification No. S.R.O. 281(I)/2000 dated 27th May, 2000 (Table No. II of Schedule No. 3).
	RESIGNATIONS		
17.	Power to accept resignation of a Government servant.	Full powers in respect of all persons appointed by the Director General.	Rules 463 to 471 of the Post Office Manual, Volume IV. Rule 32 of the Post Office Manual, Volume II.
	PENSIONS		
18.	Power to sanction all kinds of pensions (including gratuities / commutations) and to decide questions allied to the grant thereof in respect of officers holding posts in Basic Pay Scale 17 to 20 other than the officers of Accounts Group (Inter Departmental Cadre).	Full powers vested under the Civil Service Regulations in the Head of the Department.	Article 911 of the Civil Service Regulations. Serial No. 2 of Schedule I of the Pakistan Postal Services Management Board Ordinance, 2002 (Ordinance No. CXXVI of 2002).
	SECURITY DEPOSITS		
19.	Power to increase amount of security deposits of the persons employed in the Department.	Full powers.	Rule 193 of Post Office Manual, Volume II.
20.	Power to order the forfeiture of security	Full powers subject to observance of	Rule 258 of the Post Office Manual, Volume

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	deposits.	prescribed rules and conditions.	II.
	MISCELLANEOUS		
21.	Power to sanction alterations in the name of a Government servant.	May sanction and notify alterations in the name of any person holding a post to which he is the Appointing Authority subject to fulfillment of the prescribed conditions.	Rule 726 of the Post Office Manual, Volume II.
22.	Power to grant authority for institution of and for defence of Civil suits on behalf of the Department and for contest of cases in the Federal Service Tribunal and Labour Courts.	Full powers on the express advice of the Law, Justice and Human Rights Division.	Rules 271 to 273, 281/1 and 281/2 of the Post Office Manual, Volume V.
23.	Power to grant authority for reporting a case to the Federal Investigation Agency for institution of an inquiry against officers in Basic Pay Scale 17 and above.	Full powers in respect of offences specified in the Schedule to the Federal Investigation Agency Act, 1974.	Rule 263/1 of the Post Office Manual, Volume V. For reporting cases to the National Accountability Bureau (NAB), see Note 2 below.
24.	Power to introduce or modify standard printed forms.	Full powers.	Rules 406 and 407 of the Post Office Manual, Volume II.
25.	Power to sanction preservation or destruction of records (other than accounts records).	Full powers. Accounts records after its preservation for the prescribed period will be torn up and sold as waste paper.	Serial No. 7 of Schedule I of the Pakistan Postal Services Management Board Ordinance, 2002. Appendix No. 3 to the Posts and Telegraphs Initial Account Code, Volume I (General

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
			Account Code).
26.	Power to correspond with Foreign Postal Administrations and the International Bureau of the Universal Postal Union regarding matters covered by the convention of the Universal Postal Union and the other arrangements of the Union or by separate arrangements regarding exchanges of Postal articles and money orders entered into with Foreign Postal Administrations.	Full powers.	Serial No. 8 of Schedule I of the Pakistan Postal Services Management Board Ordinance, 2002.
27.	Power to open guaranteed offices for a period of five years or more in special cases.	Full powers as laid down in Rule 129 of the erstwhile Posts and Telegraphs Manual, Volume XI.	Serial No. 9 of Schedule I of the Pakistan Postal Services Management Board Ordinance, 2002.
28.	Power to execute and sign contracts on behalf of the Department.	Powers as defined in Chapter IX of the Post Office Manual, Volume II.	Subject to obtaining competitive tenders and taking legal and financial advice in the drafting of all contracts.
29.	Power to sanction the condonation of residential accommodation in excess of the standard scale admissible occupied by the officers and officials of the Post Office Department.	Full powers provided that (a) there is no other employee on the waiting list entitled to that class of accommodation and (b) the employee is prepared to pay standard rent if it is higher than 5% of his pay.	Rule 7 of the Rules for Allotment of Residential Quarters in the Postal Colonies reproduced as Appendix No. 16 to the Post Office Manual, Volume II.

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
30.	Power to grant permission to be transferred to other Government offices or departments or to take up other employment lying in Pakistan while on leave.	May grant permission to anyone whom the Director General is authorized to appoint.	Rule 69 of the Fundamental Rules read with Government Servants (Applications for Services and Posts) Rules, 1966.
31.	Power to prescribe a Government servant's headquarters.	Full powers except for his deputies.	Rule 59 of the Supplementary Rules.
32.	Power to grant leave of any type to officers in Basic Pay Scale 20 and below under his administrative control.	Full powers to grant leave of any type except study leave.	Subject to conditions laid down in the Revised Leave Rules, 1980. Rules 389 to 416 of the Post Office Manual, Volume IV.
33.	Power to grant casual leave to officers.	May grant casual leave to officers to whom the Director General is the next higher Administrative Authority.	Subject to conditions of Rules 417 to 423 of the Post Office Manual, Volume IV.
34.	Power to grant casual leave Ex-Pakistan in special circumstances provided that no disciplinary proceedings are contemplated or pending against the officer concerned.	May grant casual leave Ex-Pakistan to officers to whom the Director General is the Competent Authority as defined in Rule 38 of the Revised Leave Rules, 1980 to grant leave.	Rule 418 (11) and (12) of Post Office Manual, Volume IV read with Home Affairs Division's O.M. No. 9/10/54-Public dated 27th January 1955.
35.	Power to sanction deputation of officers in Basic Pay Scale 20 and below for training within Pakistan.	May sanction deputation of officers for training within Pakistan only.	In consultation with the Establishment Division / Head of the Training Institution.
36.	Power to sanction journey of officers and officials on duty outside the limits of	Full powers in respect of any Government servant within Pakistan only.	Rule 168(I) of the Post Office Manual, Volume V.

SCHEDULE NO. 14

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	circle jurisdiction.		
37.	Power to allow government servants to count extraordinary leave for increment.	Full powers in respect of posts for which Director General is the appointing authority.	F.R. 26 read with Serial No. 9 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules.
38.	Power to accept a certificate of fitness signed by any registered medical practitioner from a Government servant on leave.	Full powers.	S.R. 213 read with sub-rule (3-A) of Rule 38 of the Revised Leave Rules, 1980.
39.	Power to dispense with production of medical certificate of fitness, before appointment to government service, in individual cases.	Full powers subject to the conditions of F.R. 10.	F.R. 10 read with Serial No. 3 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules.
40.	Power to declare a Government servant to be a ministerial servant.	Full powers for officials in Basic Pay Scale 3 to 15 only.	F.R. 9 (17) read with Serial No. 1 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules.

Note 1.— The exercise of powers under the Government Servants (Efficiency and Discipline) Rules, 1973 is subject to the provisions of sections 12 and 13 of the Removal from Service (Special Powers) Ordinance, 2000, as amended.

Note 2.— All cases of corruption, corrupt practices, misuse/abuse of power or authority, misappropriation of public property, kickbacks, commissions, criminal breach of trust, etc., by serving or retired Government servants including any offence under sections 161, 162, 163, 164, 165, 165A and 409 of the Pakistan Penal Code (Act X LV of 1860) as well as that specified in the Schedule to the National Accountability Bureau Ordinance, 1999 (No. XVIII of 1999), as amended, shall be referred to the National Accountability Bureau (NAB) forthwith.

SCHEDULE NO. 15

SCHEDULE OF ADMINISTRATIVE POWERS OF THE POSTMASTER GENERAL, GENERAL MANAGER POSTAL LIFE INSURANCE, DIRECTOR POSTAL STAFF COLLEGE AND HEAD OF A CIRCLE (BASIC PAY SCALE 20)

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	APPOINTMENTS		
1.	Power to make initial appointments to vacant posts in Basic Pay Scales 11 to 16 in the Circle subject to the conditions in Note 1 below.	Full powers in respect of posts where the Head of the Circle is notified as an Appointing Authority by the Secretary Ministry of Communications in pursuance of sub-rule (1) of Rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Appointments will be made subject to advertisement of vacancies in the Press and observance of all conditions laid down in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Selection Committee. Appointments to posts in Basic Pay Scale 16 will be offered only to the candidates selected and nominated by the Federal Public Service Commission. Ministry of Communications and Railways (Communication Division)'s Notification No. SRO. 470 (1)/2002 dated 20-7-2002 (Schedule No.2). Rules 4 to 74 of the Post Office Manual, Volume IV.
2.	Power to make appointments by transfer of a Government servant holding an appointment under the Federal Government on a regular basis in the	Full powers in respect of persons whom the Head of the Circle is competent to appoint, subject to the extent of quota reserved in the relevant Recruitment Rules for making appointments by	On the recommendations of the appropriate Departmental Promotion Committee. Rules 7, 8 and 9 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Rules 117 to 120 of the Post Office

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	same Basic Pay Scale to any vacant post in Basic Pay Scales 11 to 16 in the Circle.	transfer to the post concerned and observance of all other prescribed conditions.	Manual, Volume IV.
3.	Power to make appointments on acting charge basis against vacant posts in Basic Pay Scales 11 to 16 in the Circle.	Full powers in respect of posts where the Head of the Circle is notified as an Appointing Authority subject to the observance of conditions prescribed in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Promotion Committee. Rule 8-B of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Rules 159 to 164 of the Post Office Manual, Volume IV.
4.	Power to make recruitment by initial appointment on adhoc basis against vacant posts in the Circle.	No power to make any recruitment on adhoc basis against any vacant post in Basic Pay Scale 1 to 15.	Rule 165 of the Post Office Manual, Volume IV.
5.	Power to make recruitment by initial appointment on adhoc basis against vacant posts in Basic Pay Scale 16 and above.	No power. All cases for making initial appointments against vacant posts falling under the purview of the Federal Public Service Commission will be referred to the Director General for appropriate action.	Rules 18 and 19 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Rules 166 to 174 of the Post Office Manual, Volume IV.
6.	Power to order current charge appointments against vacant posts in Basic Pay Scale 11 to 16 and Basic Pay Scale 17 to 18 in the Circle for an initial period of one month to three months.	Full powers subject to observance of the conditions prescribed by the Establishment Division and Finance Division. Power to make current charge appointments against vacant posts in Basic Pay Scale 17 and 18 will be exercised only by a Head of Department as defined	Establishment Division's OM No. 1/21/76-AR.I/R-II dated 18-6-1980`, 14-3-1981 and 10-4-1981 and O.M. No. 1/4/84-R.2, dated 3-7-1984. Finance Division's O.M. No. F.2(9)-R.3/85, dated 15-3-1987, No. 2(2)R.3/92 dated 23-4-1992 and No. F.11(7)R.3/2000, dated 6-5-2000. Rules 140 to 148 of the Post Office

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
		in S.R. 2(10) not below Basic Pay Scale 20.	Manual, Volume IV.
7.	Power to order additional or dual charge appointments against vacant posts in Basic Pay Scale 11 to 16 under his administrative control in the Circle for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making additional or dual charge appointment to a vacant post in Basic Pay Scale 17 and above, he will refer the case to the Director General for specific and prior approval.	Pakistan Postal Services Corporation (Pakistan Post) Memo No. S.21-10/79 dated 14-6-1994 which has the legal cover under Para 8 of the Ministry of Communications' Notification No. 3(16)/92-PO (Pt.) dated 26-8-1996. Rules 149 to 155 of the Post Office Manual, Volume IV.
8.	Power to extend the period of tenure of Government servants in Basic Pay Scale 1 to 19 in the Circle under his administrative control beyond the prescribed normal term of an individual post.	No power. May recommend to the Director General for consideration of, extension of the period of tenure upto six months in one spell and for one year in aggregate in special and exceptional cases where sufficient and valid reasons exist.	Rules 329 and 344 of the Post Office Manual, Volume IV.
	PROMOTIONS		
9.	Power to give promotion to Government servants against vacant posts in Basic Pay Scale 11 to 16 in the Circle.	Full powers to promote officials to the posts to which the Head of the Circle is competent to make initial appointments subject to the observance of all conditions prescribed in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Promotion Committee subject to conditions laid down in Rules 5(3) and 89 to 111 of the Post Office Manual, Volume IV.

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	TRANSFERS		
10.	Power to transfer officers in Basic Pay Scale 17 to 18 within the same cadre, service and basic pay scale within the Circle on completion of normal tenure of an individual post or for administrative reasons.	May transfer officers holding posts in Basic Pay Scale 17 and 18 within the Circle. A copy of the transfer order will be sent to the Director General for issuing a formal notification in the Gazette of Pakistan.	Section 10 of the Civil Servants Act, 1973. FR 15 read with Serial No. 6 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules. Establishment Secretary's D.O. Letter Nos. 27/3/270-F.1, dated 4-11-1971 and 30-6-1971. Rules 270 to 285 read with Rules 327 to 336 of the Post Office Manual, Volume IV.
11.	Power to transfer any Government servant in Basic Pay Scale 11 to 16 within the Circle and within the same cadre and basic pay scale on completion of normal tenure of an individual post or for administrative reasons.	Full powers in respect of Government servants in Basic Pay Scale 11 to 16 under his administrative control.	FR 15 read with Serial No. 6 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules. Rules 270 to 284 read with Rules 337 to 343 of the Post Office Manual, Volume IV.
12.	Power to transfer any Government servant in Basic Pay Scale 1 to 16 outside the parent cadre to an identical or non-identical cadre to a post in another territorial recruiting area within or outside the Circle for administrative reasons or at the request of the official concerned or by mutual exchange of appointment.	No power. The persons recruited or promoted specifically to serve in a particular Circle, Region, Division, Unit or Area shall not be transferred outside that particular Circle, Region, Division, Unit or Area.	First proviso to Section 10 of the Civil Servants Act, 1973. Rule 275 of the Post Office Manual, Volume IV.

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	PUNISHMENTS		
13.	Power to impose any of the penalties specified in Section 3 of the Removal from Service (Special Powers) Ordinance, 2000 on an accused Government servant in Basic Pay Scale 11 to 16 employed in the Circle.	Full powers in respect of class of persons employed in the Circle against posts for whom he is notified as the Competent Authority in pursuance of Clause (aa) of Section 2 of the Removal from Service (Special Powers) Ordinance, 2000.	Establishment Division's Notification No. S.R.O. 281(I)/2000 dated 27-5-2000 as amended (Schedule No. 3). Director General Circular No. 09 dated 15th September 2002 as amended (Schedule No. 4).
14.	Power to impose any of the major penalties specified in Rule 4(1)(b) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 11 to 16 employed in the Circle.	Full powers in respect of all Government servants for whom the Head of the Circle is designated as Authority in pursuance of Clause (2) of Rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973.	Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 919(I)/83 dated 27th September 1983 and reaffirmed vide Director General Circular No. 08 dated 15th August 1999 (Schedule No. 8). See also Note 2 below.
15.	Power to impose any of the minor penalties specified in Rule 4(1)(a) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant employed in the Circle.	Full powers in respect of all Government servants for whom the Head of the Circle is designated by the Authority as an Authorized Officer in pursuance of Clause (3) of Rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973.	Establishment Division's Notification No. S.R.O. 429(I)/98 dated 30th April, 1998 as amended (Schedule No. 7). See also Note 2 below.
	SUSPENSIONS		
16.	Power to suspend a Government servant in Basic Pay Scale 11	Full powers as defined in Section 4 of the Removal from Service	For determining the Competent Authority notified by the

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	to 16 or to require him to proceed on such leave as may be admissible to him.	(Special Powers) Ordinance, 2000 in respect of the Government servants in Basic Pay Scale 11 to 16 for whom he is notified as the Competent Authority.	Government in pursuance of Clause (aa) of Section 2 of the Removal from Service (Special Powers) Ordinance, 2000 see Schedule No. 4.
	RESIGNATIONS		
17.	Power to accept resignation of a Government servant in Basic Pay Scale 11 to 16.	Full powers in respect of all persons appointed by the Head of the Circle.	Rules 463 to 471 of the Post Office Manual, Volume IV. Rule 32 of the Post Office Manual, Volume II.
	PENSIONS		
18.	Power to sanction ordinary pensions (including gratuities/ commutations) and to decide questions allied to the grant thereof in respect of officials holding posts in Basic Pay Scale 11 to 16.	Full powers vested under the Civil Service Regulations in respect of officials whom the Head of the Circle is competent to appoint.	Articles 911 and 919 of the Civil Service Regulations.
	SECURITY DEPOSITS		
19.	Power to fix the amount of security deposits of the persons employed in the Circle.	Full powers subject to the rules in the Manual.	Rule 193 of Post Office Manual, Volume II.
20.	Power to order the forfeiture of security deposit.	Full powers subject to observance of prescribed rules and conditions.	Rule 258 of the Post Office Manual, Volume II.
	MISCELLANEOUS		
21.	Power to grant permission to be	May grant permission to anyone whom the	Rule 69 of the Fundamental Rules read

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	transferred to other Government offices or departments or to take up other employment lying in Pakistan while on leave.	Head of the Circle is authorized to appoint.	with Government Servants (Applications for Services and Posts) Rules, 1966.
22.	Power to sanction alterations in the name of a Government servant.	May sanction and notify alterations in the name of all subordinates except those whom the Head of the Circle has not the power to appoint, subject to fulfillment of the prescribed conditions.	Rule 726 of the Post Office Manual, Volume II.
23.	Power to grant casual leave to Government servants.	Full powers to grant casual leave to Government servants to whom the Head of the Circle is the next higher Administrative Authority.	Subject to conditions of Rules 417 to 423 of the Post Office Manual, Volume IV.
24.	Power to grant casual leave Ex-Pakistan in special circumstances provided that no disciplinary proceedings are contemplated or pending against the officer or official concerned.	May grant casual leave Ex-Pakistan to a Government servant to whom the Head of the Circle is the Competent Authority as defined in Rule 38 of the Revised Leave Rules, 1980 to grant leave.	Sub-rules (11) and (12) of Rule 418 of the Post Office Manual, Volume IV read with Home Affairs Division's O.M. No. 9/10/54-Public dated 27th January 1955.
25.	Power to grant leave including Leave ex-Pakistan to Government servants in Basic Pay Scale 11 to 16 under his administrative control.	Full power to grant leave of any type except study leave subject to observance of prescribed conditions.	Revised Leave Rules, 1980. Rules 389 to 416 of the Post Office Manual, Volume IV.
26.	Power to grant leave	May grant leave of	Subject to observance of

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	of any type to Government servants in Basic Pay Scale 17 to 18 under his administrative control.	any type except study leave upto 4 months subject to the condition that soon after return from leave of the officer, the Head of the Circle will send complete papers to the Director General for issuing a formal Gazette notification sanctioning leave to the officer concerned.	conditions laid down in Revised Leave Rules, 1980. Rules 389 to 416 of the Post Office Manual, Volume IV.
27.	Power to execute and sign contracts on behalf of the Department.	Powers as defined in Chapter IX of the Post Office Manual, Volume II.	Subject to obtaining competitive tenders and use of prescribed standard Forms. Legal and financial advice should be taken in drafting of all contracts.
28.	Power to grant authority for institution and defence of all civil suits on behalf of the Department and for contest of cases in the Federal Service Tribunal and Labour Courts.	Full powers on the express advice of the Law, Justice and Human Rights Division.	Rules 271 to 273, 281/1 and 281/2 of the Post Office Manual, Volume V.
29.	Power to authorize the institution of criminal proceedings in non-cognizable cases against officials under his control except officers appointed by the Director General or the Government of Pakistan.	Full powers except against a public servant accused of any offence specified in the Schedule to the Pakistan Criminal Law Amendment Act, 1958 or Federal Investigation Agency Act, 1974.	Rules 133 and 134 of the Post Office Manual, Volume II and Sub-rule (1) of Rule 264 of the Post Office Manual, Volume V.
30.	Power to grant authority for reporting	Full powers in respect of offences specified in	Rule 263/1 of the Post Office Manual, Volume

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	a case to the Federal Investigation Agency for institution of an inquiry against officials in Basic Pay Scale 11 to 16.	the Schedule to the Federal Investigation Agency Act, 1974. Cases against officers in Basic Pay Scale 17 and above will be reported by the Head of Circle to the Director General.	V. For reporting cases to the National Accountability Bureau (NAB), see Note 3 below.
31.	Power to authorize the institution of criminal proceedings on behalf of the Department pertaining to offences punishable under Section 51, 53, 54 Clauses (a) and (b), 55, 56, 58, 59, 61, 64, 65, 66 and 67 of the Post Office Act, 1898.	Full powers. This power will be exercised by the Postmaster General concerned only.	Section 72 of the Post Office Act, 1898. Sub-rule (4) of Rule 263 of the Post Office Manual, Volume V.
32.	Power to employ Government pleader on behalf of the Department in criminal cases.	Power as defined in Rule 146 of Post Office Manual, Volume II.	In consultation with the Law, Justice and Human Rights Division, if special fee is payable to the pleader. Rule 267 of the Post Office Manual, Volume V.
33.	Power to sanction deputation for training of Government servants in Basic Pay Scale 16 and below at the Postal Staff College or a Postal Training Centre.	May sanction the deputation of officers and officials under his administrative control for training provided that the relieving arrangement can be made within the Circle.	In consultation with the Head of the Training Institution.
34.	Power to authorize a Government servant to travel on duty beyond the limits of his jurisdiction but within the limits of the Circle.	Full powers.	Note 2 below Rule 37 of the Post Office Manual, Volume VIII-Edition 2004 and Sub-rule (1) of Rule 168 of the Post Office Manual, Volume V.

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
35.	Power to sanction journey of a Government servant in Basic Pay Scale 1 to 19 deputed for official duty outside the limits of Circle jurisdiction.	No power. The Head of the Circle should obtain prior permission of the Director General before sanctioning such journey within or outside Pakistan.	Note 2 below Rule 37 of the Post Office Manual, Volume VIII-Edition 2004 and Sub-rule (1) of Rule 168 of the Post Office Manual, Volume V.
36.	Power to condone excesses over the standard scale of accommodation occupied as residences by the officers and officials of the Pakistan Post Office Department employed in the Circle.	Full powers provided that (a) there is no other employee on the waiting list entitled to that class of accommodation and (b) the employee is prepared to pay standard rent if it is higher than 5% of his pay.	Rule 7 of the Rules for Allotment of Residential Quarters in the Postal Colonies reproduced as Appendix No. 16 to the Post Office Manual, Volume II.
37.	Power to print a book, pamphlet or correction memo or such like matter.	No power. The Head of the Circle may submit the matter intended to be printed for prior approval of the Director General.	Rule 406 of the Post Office Manual, Volume II.
38.	Power to introduce or modify standard printed forms.	No power. The Head of the Circle may freely submit his proposals to the Director General for introduction, deletion or amendment of a standard form.	Rules 407 and 417 of the Post Office Manual, Volume II.
	POST OFFICE, MAIL SORTING AND TRANSPORTATION AND POSTAL LIFE INSURANCE–SPECIAL		
39.	Power to fix the period of preservation of	Powers as defined in Rule 16 of the Post	Accounts records will be preserved for the period

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	records (other than accounts records) in a Circle Office.	Office Manual, Volume VIII.	as indicated in Appendix No. 3 to the Posts and Telegraphs Initial Account Code, Volume I (General Account Code).
40.	Power to order the destruction of Post Office records (other than accounts records) of a permanent character.	Full powers as defined in Rule 25 of the Post Office Manual, Volume VI.	Accounts records after its preservation for the prescribed period will be torn up and sold as waste paper.
41.	Power to fix the extent of the jurisdiction of any (a) Unit Officer viz., Divisional Superintendent of Post Offices and Mail Sorting and Transportation, Assistant Director (Field), Postal Life Insurance, etc; and (b) Assistant Superintendent of Post Offices, Mail Sorting and Transportation and Postal Life Insurance.	Full powers.	Rules 17 and 18 of the Post Office Manual, Volume VIII.
42.	Power to settle claims of defrauded persons.	Powers as defined in Rule 223 of the Post Office Manual, Volume V.	The amounts refunded to the claimants, if not recovered subsequently, should be adjusted in the accounts by a write off upto the amount within his power of sanction.
43.	Power to authorize Superintendents of Post Offices and Postmasters in Basic Pay Scale 16 and above to apply and pay for Police escort for the transmission of	Full powers.	Rule 148 of the Post Office Manual, Volume VIII.

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	cash.		
44.	Power to add questions to the standard inspection questions to meet local requirements in Post Offices, Mail Sorting and Transportation and Postal Life Insurance (Field) Units.	Full powers.	Note below Rule 417 of the Post Office Manual, Volume II.
	COMBINED OFFICES		
45.	Power to sanction the opening of combined offices.	Full powers provided the office is estimated to work at a profit on the basis of usual guarantee calculations.	In agreement of the Head of Telecommunication Region concerned.
46.	Power to renew or terminate guarantees for combined offices after expiry of the guaranteed period.	Power as defined in Rule 140-142 of the erstwhile Posts and Telegraphs Manual, Volume IX.	In consultation with the Head of a Telecommunication Region.
47.	Power to close combined offices.	May close an office provided the abolition of its working charges is within his powers of sanction.	In consultation with the Head of a Telecommunication Region.
48.	Power to close a guaranteed combined office.	No power.	Rule 141 of the erstwhile Posts and Telegraphs Manual, Volume IX. (In consultation with the Head of a Telecommunication Region).
	REGISTRATION OF NEWS PAPERS		
49.	Power to grant applications for registration of	May grant such applications subject to fulfillment of all the	Rule 32 of the Pakistan Post Office Rules, 1961 and Clauses 89 to 91 of

SCHEDULE NO. 15

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	newspapers under Press Laws and Rules.	prescribed conditions.	the Post Office Guide, Edition July, 1991.
	GENERAL		
50.	Power to declare a Government servant to be a ministerial servant.	Full powers for officials in Basic Pay Scale 3 to 15 only.	F.R. 9 (17) read with Serial No. 1 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules.
51.	Power to dispense with production of a medical certificate of fitness, before appointment to Government service, in individual cases.	Full powers provided he is authorized to make appointments to the post subject to the conditions of F.R. 10.	F.R. 10 read with Serial No. 3 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules.
52.	Power to allow Government servants to count extraordinary leave for increment.	Full powers in respect of posts for which the Head of the Circle is the appointing authority.	F.R. 26 read with Serial No. 9 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules.
53.	Power to prescribe a Government servant's headquarters.	Full powers except for his deputies.	Rule 59 of the Supplementary Rules.
54.	Power to accept a certificate of fitness signed by any registered medical practitioner from a Government servant on leave.	Full powers.	S.R. 213 read with sub-rule (3-A) of Rule 38 of the Revised Leave Rules, 1980.

Note 1.— Under the provisions of Part-II of Director General Circular No. 3 dated 15th February, 2004, all recruitments by initial appointments to all vacant posts in the Department since stand centralized. Advertisement of vacancies in the Newspapers will be the prerogative of the Directorate General. The whole recruitment process including conduct of examinations, declaration of result, etc, will be the privilege of the respective Central / Mobile Recruitment Committee. The appointing authority will, of course, issue appointment orders to the selectees from the Lists of approved candidates.

Note 2.— The exercise of powers under the Government Servants (Efficiency and Discipline) Rules, 1973 is subject to the provisions of sections 12 and 13 of the Removal from Service (Special Powers) Ordinance, 2000 as amended.

SCHEDULE NO. 15

Note 3.— All cases of corruption, corrupt practices, misuse / abuse of power or authority, misappropriation of public property, kickbacks, commissions, criminal breach of trust, etc., by serving or retired Government servants including any offence under sections 161,162,163,164,165,165A and 409 of the Pakistan Penal Code (Act X LV of 1860) as well as that specified in the Schedule to the National Accountability Bureau Ordinance, 1999 (No. XVIII of 1999), as amended, shall be referred to the National Accountability Bureau (NAB) forthwith.

SCHEDULE NO. 16

SCHEDULE OF ADMINISTRATIVE POWERS OF THE REGIONAL DEPUTY POSTMASTER GENERAL, DEPUTY POSTMASTER GENERAL, DIRECTOR POSTAL LIFE INSURANCE AND JOINT DIRECTOR POSTAL STAFF COLLEGE (BASIC PAY SCALE 19)

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	APPOINTMENTS		
1.	Power to make initial appointments to vacant posts in Basic Pay Scales 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office, subject to the conditions in Note 1 below.	Full powers in respect of posts where he is designated as an Appointing Authority. Appointments will be made subject to advertisement of vacancies in the Press and observance of all conditions laid down in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Selection Committee. Ministry of Communications and Railways (Communication Division)'s Notification No. SRO. 470 (1)/2002 dated 20-7-2002 (Schedule No. 2). Rules 4 to 74 of the Post Office Manual, Volume IV.
2.	Power to make appointment by transfer of a Government servant holding an appointment under the Federal Government on a regular basis in the same Basic Pay Scale to any vacant post in Basic Pay Scales 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office.	Full powers in respect of persons whom he is competent to appoint, subject to the extent of quota reserved in the relevant Recruitment Rules for making appointments by transfer to the post concerned and observance of all other prescribed conditions.	On the recommendations of the appropriate Departmental Promotion Committee. Rules 117 to 120 of the Post Office Manual, Volume IV read with Rules 7, 8 and 9 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.
3.	Power to make appointments on acting charge basis against vacant posts	Full powers in respect of posts where he is notified as an Appointing Authority,	On the recommendations of the appropriate Departmental Promotion Committee. Rules 159 to

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	in Basic Pay Scales 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office.	subject to observance of conditions prescribed in the relevant Recruitment Rules to the post concerned.	164 of the Post Office Manual, Volume IV read with Rule 8-B of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.
4.	Power to make recruitment by initial appointment on adhoc basis against vacant posts.	No power to make any recruitment on adhoc basis against any vacant post in Basic Pay Scale 1 to 15.	Rule 165 of the Post Office Manual, Volume IV.
5.	Power to order current charge appointments against vacant posts in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making current charge appointment against a vacant post in Basic Pay Scale 11 and above he will refer the case to the Competent Authority.	Rules 140 to 148 of the Post Office Manual, Volume IV.
6.	Power to order additional or dual charge appointments against vacant posts under his administrative control in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making additional or dual charge appointment to a vacant post in Basic Pay Scale 11 and above, he will refer the case to the designated appointing authority.	Pakistan Postal Services Corporation (Pakistan Post) Memo No. S.21-10/79 dated 14-6-1994. (V of Appendix No. 13). Rules 149 to 155 of the Post Office Manual, Volume IV.
7.	Power to extend the period of tenure of officers and officials under his administrative control in any Basic Pay Scale beyond the prescribed normal term of an individual post.	No power. May recommend the extension of the period of tenure upto six months in one spell and for one year in aggregate in special and exceptional cases where sufficient and valid reasons exist	Rules 329 and 344 of the Post Office Manual, Volume IV.

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
		through proper channel to the Director General for consideration.	
	PROMOTIONS		
8.	Power to give promotion to Government servants against vacant posts in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office.	Full powers to promote officials to the posts to which he is competent to make initial appointments subject to the observance of all conditions prescribed in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Promotion Committee subject to conditions laid down in Rules 5(3) and 89 to 111 of the Post Office Manual, Volume IV.
	TRANSFERS		
9.	Power to transfer officials in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office within the same cadre and basic pay scale on completion of normal tenure of an individual post or for administrative reasons.	Full powers.	FR 15 read with Serial No. 6 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules. Rules 273 to 284 and 337 to 343 of the Post Office Manual, Volume IV.
10.	Power to transfer any Government servant outside the parent cadre to an identical or non-identical cadre to a post in another territorial recruiting area within or outside the Region or Organization for administrative reasons or at the request of the official	No power. The Government servants recruited or promoted specifically to serve in a particular Region, Division, Unit or Area shall not be transferred outside that Region, Division, Unit or Area.	First proviso to Section 10 of the Civil Servants Act, 1973. Rule 275 of the Post Office Manual, Volume IV.

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	concerned or by mutual exchange of appointment.		
	PUNISHMENTS		
11.	Power to impose any of the penalties specified in Section 3 of the Removal from Service (Special Powers) Ordinance, 2000 on an accused Government servant in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office.	Full powers in respect of class of persons employed against the posts in various Basic Pay Scales for whom he is notified as the Competent Authority in pursuance of Clause (aa) of Section 2 of the Removal from Service (Special Powers) Ordinance, 2000.	Director General Circular No. 09 dated 15th September, 2002 as amended (Schedule No. 4).
12.	Power to impose any of the major penalties specified in Rule 4(1)(b) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office.	Full powers as specified in Schedule No. 8 in respect of all Government servants for whom he is designated as Authority in pursuance of Clause (2) of Rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973.	Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 919(I)/83 dated 27th September, 1983 and reaffirmed vide Director General Circular No. 08 dated 15th August, 1999 (Schedule No. 8). See also Note 2 below.
13.	Power to impose any of the minor penalties specified in Rule 4(1)(a) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 11 to 16.	Full powers as specified in Schedule No. 11 in respect of Government servants in Basic Pay Scale 11 to 16 under his administrative control.	Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 920(I)/83 dated Islamabad the 27-09-1983 and reaffirmed vide Director General Circular No. 8 dated 15-08-1999. See also Note 2 below.

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	SUSPENSIONS		
14.	Power to suspend a Government servant in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office or to require him to proceed on such leave as may be admissible to him.	Full powers as defined in Section 4 of the Removal from Service (Special Powers) Ordinance, 2000 in respect of Government servants for whom he is notified as the Competent Authority.	For determining the Competent Authority notified by the Government in pursuance of Clause (aa) of Section 2 of the Removal from Service (Special Powers) Ordinance, 2000 see Schedule No. 4.
	RESIGNATIONS		
15.	Power to accept resignation of a Government servant in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office.	Full powers in respect of all Government servants appointed by him.	Rules 463 to 471 of the Post Office Manual, Volume IV. Rule 32 of the Post Office Manual, Volume II.
	PENSIONS		
16.	Power to sanction ordinary pensions (including gratuities/ commutations) and to decide questions allied to the grant thereof in respect of officials holding posts in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office.	Full powers vested under the Civil Service Regulations in respect of officials whom he is competent to appoint.	Article 919 of the Civil Service Regulations.
	MISCELLANEOUS		
17.	Power to grant authority for institution and defence of all civil suits on behalf of the Department and for contest of cases in the Federal Service	No power. All cases should be reported by him through proper channel to the Director General for seeking advice of the Law, Justice and Human Rights	Rules 271 to 273, 281/1 and 281/2 of the Post Office Manual, Volume V.

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	Tribunal and Labour Courts.	Division.	
18.	Power to grant authority for reporting a case to the Federal Investigation Agency for institution of an inquiry against officials in Basic Pay Scale 8 to 10 in the Units and Basic Pay Scale 7 to 10 in his own office.	Full powers in respect of offences specified in the Schedule to the Federal Investigation Agency Act, 1974. He will report cases against Government servants in Basic Pay Scale 11 and above to the appointing authority concerned.	Rule 263/1 of the Post Office Manual, Volume V. For reporting cases to the National Accountability Bureau (NAB), see Note 3 below.
19.	Power to authorize the institution of criminal proceedings on behalf of Department pertaining to offences punishable under Section 51, 53, 54 Clauses (a) and (b), 55, 56, 58, 59, 61, 64, 65, 66 and 67 of the Post Office Act, 1898.	No power. All cases will be reported by him to the Postmaster General concerned for grant of authority for institution of criminal proceedings against the culprit(s).	Section 72 of the Post Office Act, 1898. Rule 263 (4) of the Post Office Manual, Volume V.
20.	Power to authorize the institution of criminal proceedings in non-cognizable cases against officials under his administrative control.	Full powers except against a public servant accused of any offence specified in the Schedule to the Pakistan Criminal Law Amendment Act, 1958 or Federal Investigation Agency Act, 1974.	Rules 133 and 134 of the Post Office Manual, Volume II and Sub-rule (1) of Rule 264 of the Post Office Manual, Volume V.
21.	Power to grant permission to be transferred to other Government offices or departments or to take up other employment lying in Pakistan while on leave.	May grant permission to any Government servant whom he is authorized to appoint.	Rule 69 of the Fundamental Rules read with Government Servants (Applications for Services and Posts) Rules, 1966.
22.	Power to grant leave	Full power to grant	Subject to the conditions

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	including Leave ex-Pakistan to Government servants in Basic Pay Scale 16 and below under his administra-tive control.	leave of any type except study leave to a Government servant to whom he is the Head of Office.	laid down in the Revised Leave Rules, 1980. Rules 389 to 416 of the Post Office Manual, Volume IV.
23.	Power to grant casual leave to Government servants under his administrative control.	May grant casual leave to Government servants to whom he is the next higher administrative Authority.	Subject to conditions of Rules 417 to 423 of the Post Office Manual, Volume IV.
24.	Power to grant casual leave Ex-Pakistan in special circumstances provided that no disciplinary proceedings are contemplated or pending against the officer or official concerned.	May grant casual leave Ex-Pakistan to any Government servant to whom he is Competent Authority as defined in Rule 38 of the Revised Leave Rule, 1980 to grant leave.	Rule 418 (11) and (12) of Post Office Manual, Volume IV read with Home Affairs Divisions O.M. No. 9/10/54-Public dated 27th January 1955.
25.	Power to authorize a Government servant in Basic Pay Scale 15 and below to travel on official duty outside the limits of his jurisdiction but within the limits of the Region or Organization.	Full powers in respect of officials in Basic Pay Scale 15 and below only. For authorizing travel to officers in Basic Pay Scale 16 and above prior written permission of the Head of the Circle would be obtained.	Director General Circular No. 10 dated 15-7-2004 read with Note 2 below Rule 37 of the Post Office Manual, Volume VIII-Edition 2004 and Rule 168(I) of the Post Office Manual, Volume V.
26.	Power to sanction journey of Government servants in Basic Pay Scale 1 to 19 deputed for official duty outside the limits of Region or Organization.	No power. Cases involving travelling within the limits of Circle would be considered by the Head of the Circle and those outside the limits of Circle must be referred to the Director General.	Note 2 below Rule 37 of the Post Office Manual, Volume VIII-Edition 2004 and Rule 168(I) of the Post Office Manual, Volume V.

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
27.	Power to introduce or modify standard printed forms.	No power. He may freely submit his proposals for introduction, deletion or amendment of a standard form through proper channel for consideration of the Director General.	Rules 406, 407 and 417 of the Post Office Manual, Volume II.
28.	Power to print a book, pamphlet or correction memo or such like matter.	No power. He may submit the matter intended to be printed through proper channel for prior approval of the Director General.	Rule 406 of the Post Office Manual, Volume II.
29.	Power to accept a certificate of fitness signed by any registered medical practitioner from a Government servant on leave.	Full powers.	S.R. 213 read with Sub-rule (3-A) of Rule 38 of the Revised Leave Rules, 1980.
30.	Power to keep safe custody and maintain Annual Confidential Reports Dossiers of Government servants in Basic Pay Scale 11 to 16 in the Region / Organization.	Full powers in respect of all Government servants in Basic Pay Scale 11 to 16 under his administrative control in his entire jurisdiction.	Director General Circular No. 10 dated 15-07-2004. Para 5.1 of "A Guide to Performance Evaluation" published by the O & M Division, Government of Pakistan.
31.	Power to watch the tenure cases of all subordinates in his entire jurisdiction. **POST OFFICE–SPECIAL**	Full powers.	Rules 327 to 344 of the Post Office Manual, Volume IV. Director General Circular No. 10 dated 15-07-2004.
32.	Power to execute and sign contracts on behalf of the	Powers as defined in Chapter IX of the Post Office Manual,	Subject to obtaining competitive tenders and use of prescribed

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	Department.	Volume II.	standard Forms. Legal and financial advice should be taken in drafting of all contracts. Director General Circular No. 10 dated 15-07-2004.
33.	Power to order the destruction of Post Office records (other than accounts records).	Full powers as defined in Rule 25 of the Post Office Manual, Volume VI.	Director General Circular No. 10 dated 15-07-2004. Accounts records after its preservation for the period indicated in Appendix No. 3 to the Posts and Telegraphs Initial Account Code, Volume I should be torn up and sold as waste paper.
34.	Power to authorize Superintendents of Post Offices and Postmasters in Basic Pay Scale 16 and above to apply and pay for Police escort for the transmission of cash.	Full powers.	Director General Circular No. 10 dated 15-07-2004 read with Rule 148 of the Post Office Manual, Volume VIII.
35.	Power to inspect post offices in the Region as per inspection programme approved by the Postmaster General.	Full powers.	Director General Circular No. 10 dated 15-07-2004 read with Rules 10, 20/1 and 21 of the Post Office Manual, Volume VIII.
36.	Power to issue licences for the use of Franking Machines for pre-payment of postage on private and official postal articles.	Full powers subject to observance of prescribed conditions.	Director General Circular No. 10 dated 15-7-2004 read with Rule 196 of the Pakistan Post Office Rules, 1961. Rule 74 of the Post Office Manual, Volume VIII. Rules 30 to 31 of the Post Office Manual, Volume VI.

SCHEDULE NO. 16

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
37.	Power to check the income after permanency of establishment of experimental post offices.	Full powers.	Rules 554, 566 to 568 of the Post Office Manual, Volume IV.
38.	Power to grant applications for registration of newspapers under Press Laws and Rules.	Full powers subject to observance of prescribed conditions.	Director General Circular No. 10 dated 15-07-2004 read with Rule 32 of the Pakistan Post Office Rules, 1961 and Clauses 89 to 91 of the Post Office Guide, Edition July, 1991.

Note 1.— Under the provisions of Part-II of Director General Circular No. 3 dated 15th February, 2004, all recruitments by initial appointments to all vacant posts in the Department since stand centralized. Advertisement of vacancies in the Newspapers will be the prerogative of the Directorate General. The whole recruitment process including conduct of examinations, declaration of result, etc., will be the privilege of the respective Central / Mobile Recruitment Committee. The appointing authority will, of course, issue appointment orders to the selectees from the Lists of approved candidates.

Note 2.— The exercise of powers under the Government Servants (Efficiency and Discipline) Rules, 1973 is subject to the provisions of sections 12 and 13 of the Removal from Service (Special Powers) Ordinance, 2000 as amended.

Note 3.— All cases of corruption, corrupt practices, misuse / abuse of power or authority, misappropriation of public property, kickbacks, commissions, criminal breach of trust, etc., by serving or retired Government servants including any offence under sections 161,162,163,164,165,165A and 409 of the Pakistan Penal Code (Act X LV of 1860) as well as that specified in the Schedule to the National Accountability Bureau Ordinance, 1999 (No. XVIII of 1999), as amended, shall be referred to the National Accountability Bureau (NAB) forthwith.

SCHEDULE NO. 17

SCHEDULE OF ADMINISTRATIVE POWERS OF THE CHIEF CONTROLLER OF STAMPS (BASIC PAY SCALE 19)

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	APPOINTMENTS		
1.	Power to make initial appointments to vacant posts in Basic Pay Scales 5 to 10 subject to the conditions in Note 3 below.	Full powers in respect of posts where he is designated as an Appointing Authority. Appointments will be made subject to advertisement of vacancies in the Press and observance of all conditions laid down in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Selection Committee. Rules 4 to 74 of the Post Office Manual, Volume IV. Ministry of Communications and Railways (Communication Division)'s Notification No. SRO. 470 (1)/2002 dated 20-7-2002. (Schedule No. 2).
2.	Power to make appointments by transfer of a Government servant holding an appointment under the Federal Government on a regular basis in the same Basic Pay Scale to any vacant post in Basic Pay Scale 5 to 10.	Full powers in respect of persons whom he is competent to appoint, subject to the extent of quota reserved in the relevant Recruitment Rules for making appointments by transfer to the post concerned and observance of all other prescribed conditions.	On the recommendations of the appropriate Departmental Promotion Committee. Rules 117 to 120 of the Post Office Manual, Volume IV read with Rules 7, 8 and 9 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.
3.	Power to make appointments on acting charge basis against vacant posts in Basic Pay Scales 5 to 10.	Full powers in respect of posts where he is notified as an Appointing Authority, subject to observance of conditions prescribed in the relevant Recruitment Rules to the post	On the recommendations of the appropriate Departmental Promotion Committee. Rules 159 to 164 of the Post Office Manual, Volume IV read with Rule 8-B of the Civil Servants (Appointment, Promotion and Transfer)

SCHEDULE NO. 17

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
		concerned.	Rules, 1973.
4.	Power to make recruitment by initial appointment on adhoc basis against vacant posts.	No power to make any recruitment on adhoc basis against any vacant post in Basic Pay Scale 1 to 15.	Rule 165 of the Post Office Manual, Volume IV.
5.	Power to order current charge appointments to posts in Basic Pay Scale 5 to 10 for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making current charge appointments against a vacant post in Basic Pay Scale 11 and above he will refer the case to the Competent Authority.	Rules 140 to 148 of the Post Office Manual, Volume IV.
6.	Power to order additional or dual charge appointments against vacant posts in Basic Pay Scale 5 to 10 under his administrative control for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making additional or dual charge appointment against a vacant post in Basic Pay Scale 11 and above he will refer the case to the designated appointing Authority.	Pakistan Postal Services Corporation (Pakistan Post) Memo No. S.21-10/79 dated 14-6-1994. (V of Appendix No. 13). Rules 149 to 155 of the Post Office Manual, Volume IV.
7.	Power to extend the period of tenure of officers and officials under his administrative control in any Basic Pay Scale beyond the prescribed normal term of an individual post.	No power. May recommend to the Director General, the extension of the period of tenure upto six months in one spell and for one year in aggregate in special and exceptional cases where sufficient and valid reasons exist.	Rules 329 and 344 of the Post Office Manual, Volume IV.
	PROMOTIONS		
8.	Power to give promotion to Government servants	Full powers to promote officials to the posts to which he	On the recommendations of the appropriate Departmental Promotion

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S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	against vacant posts in Basic Pay Scale 5 to 10.	is competent to make initial appointments subject to the observance of all conditions prescribed in the relevant Recruitment Rules to the post concerned.	Committee subject to conditions laid down in Rules 5(3) and 89 to 111 of the Post Office Manual, Volume IV.
	TRANSFERS		
9.	Power to transfer officials in Basic Pay Scale 10 and below within the same cadre and Basic Pay Scale within the Organization on completion of normal tenure of an individual post or for administrative reasons.	Full powers.	FR 15 read with Serial No. 6 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules. Rules 273 to 284 and 337 to 343 of the Post Office Manual, Volume IV.
10.	Power to transfer any Government servant outside the parent cadre to an identical or non-identical cadre to a post in another recruiting area within or outside the Organization for administrative reasons or at the request of the official concerned or by mutual exchange of appointment.	No power.	Rule 275 of the Post Office Manual, Volume IV.
	PUNISHMENTS		
11.	Power to impose any of the penalties specified in Section 3 of the Removal from Service (Special Powers) Ordinance,	Full powers in respect of class of persons employed against the posts in various Basic Pay Scales for whom he is notified as the	Director General Circular No. 09 dated 15th September 2002 as amended (Schedule No. 4).

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S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	2000 on an accused Government servant in Basic Pay Scale 1 to 10.	Competent Authority in pursuance of Clause (aa) of Section 2 of the Removal from Service (Special Powers) Ordinance, 2000.	
12.	Power to impose any of the major penalties specified in Rule 4(1)(b) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 5 to 10 under his administrative control.	Full powers in respect of all Government servants for whom he is notified as Appointing Authority under Rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 (Schedule No. 2) or is designated as Authority in pursuance of Clause (2) of Rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973.	Establishment Division's Notification No. S.R.O. 429(I)/98 dated 30-04-1998 (Schedule No. 7). Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 919(I)/83 dated 27th September 1983 and reaffirmed vide Director General Circular No. 08 dated 15th August 1999 (Schedule No. 8). See also Note 4 below.
13.	Power to impose any of the minor penalties specified in Rule 4(1)(a) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 11 to 16.	Full powers as specified in Schedule No. 11 in respect of Government servants in Basic Pay Scale 11 to 16 under his administrative control.	Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 920(I)/83 dated Islamabad the 27-09-1983 and reaffirmed vide Director General Circular No. 8 dated 15-08-1999. See also Note 4 below.
	SUSPENSIONS		
14.	Power to suspend a Government servant in Basic Pay Scale 1 to 10 or to require him to proceed on such leave as may be admissible	Full powers as defined in Section 4 of the Removal from Service (Special Powers) Ordinance, 2000 in respect of Government	For determining the Competent Authority notified by the Government in pursuance of Clause (aa) of Section 2 of the

SCHEDULE NO. 17

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	to him.	servants for whom he is notified as the Competent Authority.	Removal from Service (Special Powers) Ordinance, 2000 see Schedule No. 4.
	RESIGNATIONS		
15.	Power to accept resignation of a Government servant in Basic Pay Scale 5 to 10.	Full powers in respect of all Government servants appointed by him.	Rules 463 to 471 of the Post Office Manual, Volume IV. Rule 32 of the Post Office Manual, Volume II.
	PENSIONS		
16.	Power to sanction ordinary pensions (including gratuities/ commutations) and to decide questions allied to the grant thereof in respect of officials holding posts in Basic Pay Scale 5 to 10.	Full powers vested under the Civil Service Regulations in respect of officials whom he is competent to appoint.	Article 919 of the Civil Service Regulations.
	MISCELLANEOUS		
17.	Power to grant authority for institution and defence of all civil suits on behalf of the Department and for contest of cases in the Federal Service Tribunal and Labour Courts.	No power. He should report all cases to the Director General for seeking advice of the Law, Justice and Human Rights Division.	Rules 271 to 273, 281/1 and 281/2 of the Post Office Manual, Volume V.
18.	Power to grant authority for reporting a case to the Federal Investigation Agency for institution of an inquiry against officials in Basic Pay Scale 5 to 10.	Full powers in respect of offences specified in the Schedule to the Federal Investigation Agency Act, 1974. He will report cases against Government servants in Basic Pay Scale 11 and above to the Appointing Authority concerned.	Rule 263/1 of the Post Office Manual, Volume V. For reporting cases to the National Accountability Bureau (NAB), see Note 5 below.

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S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
19.	Power to authorize the institution of criminal proceedings in non-cognizable cases against officials under his control.	Full powers except against a public servant accused of any offence specified in the Schedule to the Pakistan Criminal Law Amendment Act, 1958 or Federal Investigation Agency Act, 1974.	Rules 133 and 134 of the Post Office Manual, Volume II and Sub-rule (1) of Rule 264 of the Post Office Manual, Volume V.
20.	Power to grant permission to be transferred to other Government offices or departments or to take up other employment lying in Pakistan while on leave.	May grant permission to Government servants in Basic Pay Scale 5 to 10 whom he is authorized to appoint.	Rule 69 of the Fundamental Rules read with Government Servants (Applications for Services and Posts) Rules, 1966.
21.	Power to grant leave including Leave ex-Pakistan to Government servants in Basic Pay Scale 16 and below under his administrative control.	Full power to grant leave of any type except study leave to a Government servant to whom he is the Head of Office.	Subject to conditions laid down in the Revised Leave Rules, 1980. Rules 389 to 416 of the Post Office Manual, Volume IV.
22.	Power to grant casual leave to Government servants under his administrative control.	May grant casual leave to Government servants to whom he is the next higher administrative Authority.	Subject to conditions of Rules 417 to 423 of the Post Office Manual, Volume IV.
23.	Power to grant casual leave Ex-Pakistan in special circumstances provided that no disciplinary proceedings are contemplated or pending against the officials concerned.	May grant casual leave Ex-Pakistan to any Government servant to whom he is the Competent Authority as defined in Rule 38 of the Revised Leave Rules, 1980 to grant leave.	Rule 418 (11) and (12) of Post Office Manual, Volume IV read with Home Affairs Divisions O.M. No. 9/10/54-Public dated 27th January 1955.
24.	Power to authorize a	Full powers in respect	Note 2 below Rule 37 of

SCHEDULE NO. 17

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	Government servant in Basic Pay Scale 10 and below to travel on duty outside the limits of his jurisdiction but within the limits of the Organization.	of officials in Basic Pay Scale 10 and below only. For authorizing travel to officials in Basic Pay Scale 11 and above prior written permission of the Director General would be obtained.	the Post Office Manual, Volume VIII - Edition 2004 and Sub-rule (1) of Rule 168 of the Post Office Manual, Volume V.
25.	Power to sanction journey of Government servants in Basic Pay Scale 1 to 19 deputed for official duty outside the limits of Organization.	No power. He will obtain prior permission of the Director General before sanctioning such journey.	Note 2 below Rule 37 of the Post Office Manual, Volume VIII - Edition 2004 and Sub-rule (1) of Rule 168 of the Post Office Manual, Volume V.
26.	Power to introduce or modify standard printed forms.	No power. He may freely submit his proposals for introduction, deletion or amendment of a standard form for consideration of the Director General.	Rules 406, 407 and 417 of the Post Office Manual, Volume II.
27.	Power to print a book, pamphlet or correction memo or such like matter.	No power. He may submit the matter intended to be printed for prior approval of the Director General.	Rule 406 of the Post Office Manual, Volume II.
28.	Power to execute and sign contracts on behalf of the Department.	Powers as defined in Chapter IX of the Post Office Manual, Volume II or any other existing rule on the subject.	Subject to obtaining competitive tenders and use of prescribed standard Forms. Legal and financial advice should be taken in drafting of all contracts.
29.	Power to order the destruction of records (other than accounts records).	Powers as defined in the relevant rules on the subject.	Accounts records after its preservation for the period indicated in Appendix No. 3 to the Posts and Telegraphs Initial Account Code,

SCHEDULE NO. 17

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
			Volume I should be torn up and sold as waste paper.
30.	Power to accept a certificate of fitness signed by any registered medical practitioner from a Government servant on leave.	Full powers.	S.R. 213 read with Sub-rule (3-A) of Rule 38 of the Revised Leave Rules, 1980.
31.	Power to write Performance Evaluation Reports / Annual Confidential Reports of Government servants under his administrative control directly reporting to him and with whose work he is concerned.	Full powers. He will have these reports countersigned by the authority higher than the reporting authority who is concerned with the work of the Government servants reported upon.	Para 2.33 of "A Guidance to Performance Evaluation – 1991" published by the Organization and Method Division, Government of Pakistan.
32.	Power to keep safe custody and maintain Annual Confidential Reports Dossiers of Government servants in Basic Pay Scale 7 to 16.	Full powers.	Para 5.1 of "A Guide to Performance Evaluation".
33.	Power to watch the tenure cases of all subordinates in his jurisdiction.	Full powers.	Rules 327 to 344 of the Post Office Manual, Volume IV.

Note 1.—The Director of Accounts, Pakistan Post Office Department will also exercise powers at items 1, 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 16, 18, 20 and 24 in respect of Government servants in Basic Pay Scale 8 to 15 under his administrative control in his office.

Note 2.—The Director of Accounts, Pakistan Post Office Department will also exercise powers at items 4, 7, 10, 17, 19, 21, 22, 23, 25, to 33 above in his own office.

Note 3.— See Note 1 below Schedule No. 16.

Note 4.— See Note 2 below Schedule No. 16.

Note 5.— See Note 3 below Schedule No. 16.

SCHEDULE NO. 18

SCHEDULE OF ADMINISTRATIVE POWERS OF DIVISIONAL SUPERINTENDENT OF POST OFFICES, DIVISIONAL SUPERINTENDENT MAIL SORTING AND TRANSPORTATION, CHIEF POSTMASTER, CONTROLLER FOREIGN POST, DEPUTY CONTROLLER FOREIGN POST, PRINCIPAL POSTAL TRAINING CENTRE, ASSISTANT DIRECTOR (FIELD) POSTAL LIFE INSURANCE, CONTROLLER BAG CONTROL OFFICE AND ALL OTHER UNIT OFFICERS IN BASIC PAY SCALE 16, 17 AND 18

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	APPOINTMENTS		
1.	Power to make initial appointments to vacant posts in Basic Pay Scales 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office subject to the conditions in Note 2 below.	Full powers in respect of posts where the Head of the Unit is notified as an Appointing Authority (Schedule No. 2). Appointments will be made subject to advertisement of vacancies in the Press and observance of all conditions laid down in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Selection Committee. Rules 4 to 74 of the Post Office Manual, Volume IV. Ministry of Communications and Railways (Communication Division)'s Notification No. SRO. 470 (1)/2002 dated 20-7-2002.
2.	Power to make appointments by transfer of a Government servant holding an appointment under the Federal Government on a regular basis in the same Basic Pay Scale to any vacant post in	Full powers in respect of persons whom the Head of the Unit is competent to appoint, subject to the extent of quota reserved in the relevant Recruitment Rules for making appointments by transfer to the post concerned and	On the recommendations of the appropriate Departmental Promotion Committee. Rules 117 to 120 of the Post Office Manual, Volume IV read with Rules 7, 8 and 9 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

SCHEDULE NO. 18

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	Basic Pay Scales 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office.	observance of all other prescribed conditions.	
3.	Power to make appointments on acting charge basis against vacant posts in Basic Pay Scales 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office.	Full powers in respect of posts where the Head of the Unit is notified as an Appointing Authority subject to the observance of conditions prescribed in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Promotion Committee. Rules 159 to 164 of the Post Office Manual, Volume IV read with Rule 8-B of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.
4.	Power to make recruitment by initial appointment on adhoc basis against vacant posts in various Basic Pay Scales in the Unit.	No power to make any recruitment on adhoc basis against any vacant post in Basic Pay Scale 1 to 15.	Rule 165 of the Post Office Manual, Volume IV.
5.	Power to order current charge appointments against vacant posts in Basic Pay Scales 2 to 7 in the Unit and in his own office for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making current charge appointment to post in Basic Pay Scale 8 and above, he will refer the case to the Competent Authority.	Rules 140 to 148 of the Post Office Manual, Volume IV.
6.	Power to order additional or dual charge appointments against vacant posts under his administrative control in Basic Pay Scale 1 to 7 for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making additional or dual charge appointment to a vacant post in Basic Pay Scale 8 and above he will refer the case to the designated Appointing Authority.	Pakistan Postal Services Corporation (Pakistan Post) Memo No. S.21-10/79 dated 14-6-1994. (V of Appendix No. 13). Rules 149 to 155 of the Post Office Manual, Volume IV.

SCHEDULE NO. 18

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
7.	Power to extend the period of tenure of officers and officials under his administrative control in any Basic Pay Scale in the Division / Unit beyond the prescribed normal term of an individual post.	No power. May recommend the extension of the period of tenure upto six months in special and exceptional cases where sufficient and valid reasons exist through proper channel for consideration of the Director General.	Rules 329 and 344 of the Post Office Manual, Volume IV.
	PROMOTIONS		
8.	Power to give promotion to officials against vacant posts in Basic Pay Scale 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office.	Full powers to promote officials to the posts to which the Head of the Unit is competent to make initial appointments subject to the observance of all conditions prescribed in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Promotion Committee subject to conditions laid down in Rules 5(3) and 89 to 111 of the Post Office Manual, Volume IV.
	TRANSFERS		
9.	Power to transfer officials in Basic Pay Scale 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office within the same cadre and basic pay scale on completion of normal tenure of an individual post or for administrative reasons.	Full powers. The officials recruited or promoted specifically to serve in a particular Area shall not be transferred outside that Area as laid down in First proviso to Section 10 of the Civil Servants Act, 1973.	FR 15 read with Serial No. 6 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules. Rules 273 to 284 and 337 to 343 of the Post Office Manual, Volume IV.
10.	Power to transfer any Government servant in Basic Pay Scale 1 to 16 outside the parent	No power in respect of any Government servant in any Basic Pay Scale. The	First proviso to Section 10 of the Civil Servants Act, 1973. Rule 275 of the Post Office Manual,

SCHEDULE NO. 18

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	cadre to an identical or non-identical cadre to a post in another territorial recruiting area within or outside the Unit for administrative reasons or at the request of the official concerned or by mutual exchange of appointment.	officials recruited or promoted specifically to serve in a particular Division, Unit or Area shall not be transferred outside that Division, Unit or Area.	Volume IV.
	PUNISHMENTS		
11.	Power to impose any of the penalties specified in Section 3 of the Removal from Service (Special Powers) Ordinance, 2000 on an accused Government servant in Basic Pay Scale 1 to 7 in the Unit and in his own office.	Full powers in respect of class of persons employed against the posts in various Basic Pay Scales for whom the Head of the Unit is notified as the Competent Authority in pursuance of Clause (aa) of Section 2 of the Removal from Service (Special Powers) Ordinance, 2000.	Director General Circular No. 09 dated 15th September 2002 as amended (Schedule No. 4). The Unit Officer holding a post in Basic Pay Scale 16 shall not exercise this power.
12.	Power to impose any of the major penalties specified in Rule 4(1)(b) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office.	Full powers as specified in Schedule No. 8 in respect of all Government servants for whom the Head of the Unit is designated as Authority in pursuance of Clause (2) of Rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973.	Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 919(I)/83 dated 27th September 1983 and reaffirmed vide Director General Circular No. 08 dated 15th August 1999 (Schedule No. 8). See also Note 3 below.
13.	Power to impose any of the minor penalties specified in Rule	Full powers as specified in Schedule No. 11 in respect of	Ministry of Communi-cations (Pakistan Post Office) Notification No.

SCHEDULE NO. 18

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	4(1)(a) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 8 to 15 in the Units and in his own office.	Government servants in Basic Pay Scale 8 to 15 under the administrative control of the Head of the Unit.	S.R.O. 920(I)/83 dated 27-09-1983 and reaffirmed vide Director General Circular No. 8 dated 15-08-1999 (Schedule No. 11). See also Note 3 below.
	SUSPENSIONS		
14.	Power to suspend a Government servant in Basic Pay Scales 1 to 7 in the Unit and in his own office or to require him to proceed on such leave as may be admissible to him.	Full powers as defined in Section 4 of the Removal from Service (Special Powers) Ordinance, 2000 in respect of Government servants in Basic Pay Scale 1 to 7 under his administrative control.	This power shall not be exercised by an officer holding post in Basic Pay Scale 16.
	RESIGNATIONS		
15.	Power to accept resignation of a Government servant in Basic Pay Scale 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office.	Full powers in respect of any official whom the Head of the Unit is authorized to appoint.	Rules 463 to 471 of the Post Office Manual, Volume IV. Rule 32 of the Post Office Manual, Volume II.
	PENSIONS		
16.	Power to sanction ordinary pensions (including gratuities/ commutations) and to decide questions allied to the grant thereof in respect of officials holding posts in Basic Pay Scale 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office.	Full powers vested under the Civil Service Regulations in respect of officials whom the Head of the Unit is competent to appoint.	Article 919 of the Civil Service Regulations.

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S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	MISCELLANEOUS		
17.	Power to grant authority for institution and defence of Civil suits on behalf of the Department and for contest of cases in the Federal Service Tribunal and Labour Courts.	No power. All cases should be reported by the Head of the Unit to the Director General through proper channel for seeking advice of the Law, Justice and Human Rights Division.	Rules 271 to 273, 281/1 and 281/2 of the Post Office Manual, Volume V.
18.	Power to grant authority for reporting a case to the Federal Investigation Agency for institution of an inquiry against officials in Basic Pay Scales 5 to 7 in the Unit and Basic Pay Scale 7 and below in his own office.	Full powers in respect of offences specified in the Schedule to the Federal Investigation Agency Act, 1974. The Head of the Unit will report cases against Government servants in Basic Pay Scale 8 to 16 to the appointing authority concerned.	Rule 263/1 of the Post Office Manual, Volume V. For reporting cases to the National Accountability Bureau (NAB), see Note 4 below.
19.	Power to authorize the institution of criminal proceedings in non-cognizable cases against officials under his administrative control.	Full powers except against a public servant accused of any offence specified in the Schedule to the Pakistan Criminal Law Amendment Act, 1958 or Federal Investigation Agency Act, 1974.	Rules 133 and 134 of the Post Office Manual, Volume II and Rule 264(1) of the Post Office Manual, Volume V.
20.	Power to grant permission to be transferred to other Government offices or departments or to take up other employment lying in Pakistan while on leave.	May grant permission to any Government servant whom the Head of the Unit is authorized to appoint.	Rule 69 of the Fundamental Rules read with Government Servants (Applications for Services and Posts) Rules, 1966.
21.	Power to grant leave including Leave ex-	Full power to grant leave of any type	Subject to conditions as laid down in the Revised

SCHEDULE NO. 18

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	Pakistan to Government servants in Basic Pay Scale 10 and below under his administrative control.	except study leave to the officials to whom he is the Head of Office as defined in Rule 38 of the Revised Leave Rules, 1980.	Leave Rules, 1980. Rules 389 to 416 of the Post Office Manual, Volume 4.
22.	Power to grant casual leave to Government servants under his administrative control.	May grant casual leave to Government servants to whom the Head of the Unit is the next higher administrative Authority.	Subject to conditions of Rules 417 to 423 of the Post Office Manual, Volume IV.
23.	Power to grant casual leave Ex-Pakistan in special circumstances provided that no disciplinary proceedings are contemplated or pending against the officials concerned.	May grant casual leave Ex-Pakistan to a Government servant to whom he is Competent Authority as defined in Rule 38 of the Revised Leave Rules, 1980 to grant leave.	Rule 418 (11) and (12) of Post Office Manual, Volume IV read with Home Affairs Divisions O.M. No. 9/10/54-Public dated 27th January 1955.
24.	Power to authorize a Government servant in Basic Pay Scale 7 and below to travel on duty outside the limits of his jurisdiction but within the limits of the Division/Unit.	Full powers. All such cases involving travel of Government servants in Basic Pay Scale 8 and above will be referred to the Competent Authority for approval.	Note 2 below Rule 37 of the Post Office Manual, Volume VIII - Edition 2004 and Sub-rule (1) of Rule 168 of the Post Office Manual, Volume V.
25.	Power to sanction journey of a Government servant in Basic Pay Scale 1 to 16 or 17 under his administrative control deputed for official duty outside the limits of the Division/Unit.	No power. All such cases will be referred by Head of the Unit to the Competent Authority for approval.	Note 2 below Rule 37 of the Post Office Manual, Volume VIII - Edition 2004 and Sub-rule (1) of Rule 168 of the Post Office Manual, Volume V.
26.	Power to introduce or modify standard printed forms.	No power. The Head of the Unit may freely submit his proposals for introduction,	Rules 406, 407 and 417 of the Post Office Manual, Volume II.

SCHEDULE NO. 18

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
		deletion or amendment of a standard form through proper channel for consideration of the Director General.	
27.	Power to print a book, pamphlet or correction memo or such like matter.	No power. The Head of the Unit may submit the matter intended to be printed through proper channel for consideration of the Director General.	Rule 406 of the Post Office Manual, Volume II.
28.	Power to write Performance Evaluation Reports / Annual Confidential Reports of Government servants under his administrative control directly reporting to him and with whose work he is concerned.	Full powers. He will have these reports countersigned by the authority higher than the reporting authority who is concerned with the work of the Government servants reported upon.	Para 2.33 of "A Guidance to Performance Evaluation – 1991" published by the Organization and Method Division, Government of Pakistan.
29.	Power to keep safe custody and maintain Annual Confidential Reports Dossiers of Government servants in Basic Pay Scale 7 to 10 under his administrative control.	Full powers in respect of all Government servants in Basic Pay Scale 7 to 10 in his entire jurisdiction.	Para 5.1 of "A Guide to Performance Evaluation".
30.	Power to watch tenure cases of all officers and officials under his administrative control in the entire Division/ Unit.	Full powers.	Rules 327 to 344 of the Post Office Manual, Volume IV.

SCHEDULE NO. 18

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	POST OFFICE – SPECIAL		
31.	Power to fix scale of fees to be charged by professional letter-writers and to lease out right to use post office premises for the purpose of carrying out the business of professional letter writing.	Full powers.	Rule 105 of the Post Office Manual, Volume VIII – Edition 2004.
32.	Power to execute and sign contracts on behalf of the Department.	Powers as defined in Chapter IX of the Post Office Manual, Volume II.	Subject to obtaining competitive tenders and use of prescribed standard Form.
33.	Power to inspect books and accounts of the sub-account department of first class head offices.	Full powers.	Rules 10 and 102 of the Post Office Manual, Volume VIII.
34.	Power to verify balances of first class head offices.	Full powers.	Rule 10 and 102 of the Post Office Manual, Volume VIII.
35.	Power to take possession of records of post offices.	Powers as defined in Note below Rule 102 of the Post Office Manual, Volume VIII.	Rule 102 of the Post Office Manual, Volume VIII.
36.	Power to authorize the institution of criminal proceedings on behalf of Department pertaining to offences punishable under Section 51, 53, 54 Clauses (a) and (b), 55, 56, 58, 59, 61, 64, 65, 66 and 67 of the Post Office Act, 1898.	No power. All cases will be reported by the Head of the Unit to the Postmaster General concerned through proper channel for grant of authority for institution of proceedings against the culprit(s).	Section 72 of the Post Office Act, 1898. Rule 263 (4) of the Post Office Manual, Volume V.

SCHEDULE NO. 18

Note 1.— Officers in Basic Pay Scale 16 or 17, as the case may be, who are directly subordinate to the Divisional Superintendent / Unit Officer will also exercise the powers at items 5, 6, 7, 13, 21, 22, 23, 25 to 30 and 33 to 36 above in their own offices.

Note 2.— Under the provisions of Part-II of Director General Circular No. 3 dated 15th February, 2004, all recruitments by initial appointments to all vacant posts in the Department since stand centralized. Advertisement of vacancies in the Newspapers will be the prerogative of the Directorate General. The whole recruitment process including conduct of examinations, declaration of result, etc., will be the privilege of the respective Central / Mobile Recruitment Committee. The appointing authority will, of course, issue appointment orders to the selectees from the Lists of approved candidates.

Note 3.— The exercise of powers under the Government Servants (Efficiency and Discipline) Rules, 1973 is subject to the provisions of sections 12 and 13 of the Removal from Service (Special Powers) Ordinance, 2000 as amended.

Note 4.— All cases of corruption, corrupt practices, misuse / abuse of power or authority, misappropriation of public property, kickbacks, commissions, criminal breach of trust, etc., by serving or retired Government servants including any offence under sections 161,162,163,164,165,165A and 409 of the Pakistan Penal Code (Act X LV of 1860) as well as that specified in the Schedule to the National Accountability Bureau Ordinance, 1999 (No. XVIII of 1999), as amended, shall be referred to the National Accountability Bureau (NAB) forthwith.

SCHEDULE NO. 19

SCHEDULE OF ADMINISTRATIVE POWERS OF AN ASSISTANT SUPERINTENDENT OF POST OFFICES AND ASSISTANT SUPERINTENDENT, MAIL SORTING AND TRANSPORTATION (BASIC PAY SCALE 11) WHEN INCHARGE OF A SUB–DIVISION

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	APPOINTMENTS		
1.	Power to make initial appointments to posts in Basic Pay Scale 1 to 4 subject to the conditions in Note 2 below.	May appoint temporarily officials in Basic Pay Scale 1 to 4 in offices under his jurisdiction (except in post offices in Higher Selection Grade and above in Postal and Mail Sorting and Transportation Divisional Offices and in Mail Offices situated at the Headquarter of the Divisional Superintendent, Mail Sorting and Transportation) subject to observance of all conditions laid down in the Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Selection Committee after advertisement of vacancies in the Press. Rules 4 to 74 of the Post Office Manual, Volume IV. Ministry of Communications and Railways (Communication Division)'s Notification No. SRO. 470 (1)/2002 dated 20-7-2002.
2.	Power to make appointments by transfer of a Government servant holding an appointment under the Federal Government on a regular basis in the same Basic Pay Scale to any vacant post in	May appoint temporarily subject to the extent of quota reserved in the relevant Recruitment Rules for making appointments by transfer to the post concerned and observance of all other prescribed conditions.	On the recommendations of the appropriate Departmental Promotion Committee. Rules 117 to 120 of the Post Office Manual, Volume IV.

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S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	Basic Pay Scales 1 to 4.		
3.	Power to make recruitment by initial appointment on adhoc basis against vacant posts in various Basic Pay Scales.	No power to make any recruitment on adhoc basis against any vacant post in any basic pay scale.	Rule 165 of the Post Office Manual, Volume IV.
4.	Power to order current charge appointments against vacant posts in various Basic Pay Scales under his administrative control for an initial period of one month to three months.	No power. For appointing officials on Current Charge basis against vacant posts in Basic Pay Scale 2 to 10, he will refer the case to the Competent Authority.	Rules 140 to 148 of the Post Office Manual, Volume IV.
5.	Power to order additional or dual charge appointments against vacant posts under his administrative control in Basic Pay Scale 1 to 4 for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making additional or dual charge appointments against posts in Basic Pay Scale 5 to 10, he will refer the case to the designated Appointing Authority concerned.	Pakistan Postal Services Corporation (Pakistan Post) Memo No. S.21-10/79 dated 14-6-1994. (V of Appendix No. 13). Rules 149 to 154 of the Post Office Manual, Volume IV.
6.	Power to extend the period of tenure of a Government servant under his administrative control in Basic Pay Scale 1 to 10 beyond the prescribed normal term of an individual post.	No power. May recommend to the Director General, the extension of the period of tenure upto six months in special and exceptional cases where sufficient and valid reasons exist.	Rule 344 read with Rules 337 to 343 of the Post Office Manual, Volume IV.

SCHEDULE NO. 19

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	PROMOTIONS		
7.	Power to give promotion to an official to a post in Basic Pay Scale 2 to 4.	May promote temporarily officials to the posts in Basic Pay Scale 2 to 4, subject to the observance of all conditions prescribed in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Promotion Committee subject to conditions laid down in Rules 5(3) and 89 to 111 of the Post Office Manual, Volume IV.
	TRANSFERS		
8.	Power to transfer officials in Basic Pay Scale 1 to 4 within the same cadre and basic pay scale on completion of normal tenure of an individual post or for administrative reasons.	Full powers. The persons recruited or promoted specifically to serve in a particular Area shall not be transferred outside that Area as laid down in First proviso to Section 10 of the Civil Servants Act, 1973.	FR 15 read with Serial No. 6 of Appendix No. 4 of the Compilation of Fundamental and Supplementary Rules. Rules 273 to 284 and 337 to 343 of the Post Office Manual, Volume IV.
9.	Power to transfer any official outside the parent cadre to an identical or non-identical cadre to a post in another territorial recruiting area within or outside his administrative jurisdiction for administrative reasons or at the request of the official concerned or by mutual exchange of appointment.	No power. The persons recruited specifically to serve in a particular Area shall not be transferred outside that Area.	First proviso to Section 10 of the Civil Servants Act, 1973. Rule 275 of the Post Office Manual, Volume IV.
	PUNISHMENTS		
10.	Power to impose any of the minor penalties specified in Rule	Full powers as specified in Schedule No. 11 in respect of	Ministry of Communications (Pakistan Post Office) Notification No.

SCHEDULE NO. 19

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	4(1)(a) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 1 to 5.	the accused Government servants in various Basic Pay Scales under his administrative control.	S.R.O. 920(I)/83 dated Islamabad the 27-09-1983 and reaffirmed vide Director General Circular No. 8 dated 15-08-1999. See also Note 3 below.
	RESIGNATIONS		
11.	Power to accept resignation of a Government servant in Basic Pay Scale 1 to 4 under his administrative control.	Full powers in respect of all persons appointed by him.	Rules 463 to 471 of the Post Office Manual, Volume IV. Rule 32 of the Post Office Manual, Volume II.
	PENSIONS		
12.	Power to sanction ordinary pensions (including gratuities/ commutations) and to decide questions allied to the grant thereof in respect of officials holding posts in Basic Pay Scale 1 to 4 under his administrative control.	Full powers vested under the Civil Service Regulations in respect of officials whom he is competent to appoint.	Article 919 of the Civil Service Regulations.
	MISCELLANEOUS		
13.	Power to grant authority for institution and defence of Civil suits on behalf of the Department and for contest of cases in the Federal Service Tribunal and Labour Courts.	No power. All cases should be reported by him to the Director General through proper channel for seeking advice of the Law, Justice and Human Rights Division.	Rules 271 to 273, 281/1 and 281/2 of the Post Office Manual, Volume V.
14.	Power to grant authority for reporting	Full powers in respect of offences specified in	Rule 263/1 of the Post Office Manual, Volume

SCHEDULE NO. 19

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	a case to the Federal Investigation Agency for institution of an inquiry against officials in Basic Pay Scale 1 to 4 under his administrative control.	the Schedule to the Federal Investigation Agency Act, 1974. He will report cases against Government servants in higher Basic Pay Scales to the appointing authority concerned.	V. For reporting cases to the National Accountability Bureau (NAB), see Note 4 below.
15.	Power to authorize the institution of criminal proceedings on behalf of Department pertaining to offences punishable under Section 51, 53, 54 Clauses (a) and (b), 55, 56, 58, 59, 61, 64, 65, 66 and 67 of the Post Office Act, 1898.	No power. He will report all cases through proper channel to the Postmaster General concerned for grant of authority for institution of criminal proceedings against the culprit(s).	Section 72 of the Post Office Act, 1898. Rule 263 (4) of the Post Office Manual, Volume V.
16.	Power to authorize the institution of criminal proceedings in non-cognizable cases against officials under his administrative control.	Full powers except against a public servant accused of any offence specified in the Schedule to the Pakistan Criminal Law Amendment Act, 1958 or Federal Investigation Agency Act, 1974.	Rules 133 and 134 of the Post Office Manual, Volume II and Rule 264(1) of the Post Office Manual, Volume V.
17.	Power to grant permission to be transferred to other Government offices or departments or to take up other employment lying in Pakistan while on leave.	May grant permission to anyone whom he is authorized to appoint.	Rule 69 of the Fundamental Rules read with Government Servants (Applications for Services and Posts) Rules, 1966.
18.	Power to grant leave including Leave ex-Pakistan to Government servants in Basic Pay Scale 1 to 4 under his	Full power to grant leave of any type except study leave to whom he is the Head of Office.	Subject to conditions laid down in the Revised Leave Rules, 1980. Rules 389 to 416 of the Post Office Manual, Volume IV.

SCHEDULE NO. 19

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	administrative control.		
19.	Power to grant casual leave to Government servants under his administrative control.	May grant casual leave to Government servants to whom he is the next higher administrative Authority.	Subject to conditions of Rules 417 to 423 of the Post Office Manual, Volume IV.
20.	Power to sanction journey of a Government servant under his administrative control deputed for duty outside the limits of the Sub-division / jurisdiction.	No power. All such cases will be referred to the Competent Higher Authority.	Note 2 below Rule 37 of the Post Office Manual, Volume VIII - Edition 2004 and Sub-rule (1) of Rule 168 of the Post Office Manual, Volume V.
21.	Power to introduce or modify standard printed forms.	No power. He may freely submit his proposals for introduction, deletion or amendment of a standard form through proper channel for consideration of the Director General.	Rules 407 and 417 of the Post Office Manual, Volume II.
22.	Power to print a book, pamphlet or correction memo or such like matter.	No power. He may submit the matter intended to be printed through proper channel for consideration of the Director General.	Rule 406 of the Post Office Manual, Volume II.
23.	Power to write Annual Confidential Reports on the work and conduct of subordinate Government servants in Basic Pay Scales 6 and 7.	Full powers in respect of all officials in Basic Pay Scale 6 and 7 working in time scale offices only and departmental branch postmasters, mail overseers and cash overseers and other	Para 2.33 of "A Guide to Performance Evaluation". Director General Circular No. 16 dated 15 September, 2004. He will have these reports countersigned by the authority higher than the reporting authority

SCHEDULE NO. 19

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
		officials in Basic Pay Scale 10 and below not covered by Schedule No. 20 and 21 and with whose work he is directly concerned.	who is concerned with the work of the Government servants reported upon.
24.	Power to maintain character sheets on the work and conduct of subordinate officials reporting to him directly.	Full powers in respect of all officials in Basic Pay Scale 1 to 2 working under his administrative control in his own office.	Para 2.33 of "A Guide to Performance Evaluation".
25.	Power to watch tenure cases of all Government servants working in all offices in the Sub-division / jurisdiction.	Full powers in respect of all officials employed in his entire territorial jurisdiction.	Rules 337 to 344 of the Post Office Manual, Volume IV.
	POST OFFICE-SPECIAL		
26.	Power to inspect books and accounts of the sub-account department of a head office.	Full powers.	Rule 102 of the Post Office Manual, Volume VIII-Edition 2004.
27.	Power to verify balances of a head office.	Full powers.	Rules 10(4) and 102 of the Post Office Manual, Volume VIII.
28.	Power to take possession of records of Post Offices.	Powers as defined in note below. Rule 102 of the Post Office Manual, Volume VIII.	Rule 102 of the Post Office Manual, Volume VIII.
29.	Power to grant leave to extra departmental branch postmasters for a period not exceeding 4 months at a time.	Full powers provided that a suitable substitute is obtained in every case.	Note 1 below Rule 261 of the Post Office Manual, Volume VIII.
30.	Power to correspond	Full powers.	Note 2 below Rule 261 of

SCHEDULE NO. 19

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	with Manager Postal Stock Depot in respect of matters relating to the articles of stock of Branch Offices under his jurisdiction.		the Post Office Manual, Volume VIII.
	MAIL SORTING AND TRANSPORTATION - SPECIAL		
31.	Power to authorize the return, to the Manager Postal Stock Depot, of un-serviceable or surplus articles from Mail Offices and Record Offices inspected by him and from one office to another under his jurisdiction.	Full powers.	Sub-rule (2) of Rule 323 of the Post Office Manual, Volume VIII.

Note 1.— Assistant Superintendent Postal Life Insurance, Assistant Superintendent Post Offices and Assistant Superintendent Mail Sorting and Transportation (other than Incharge of a Sub-Division) will exercise powers at items 4, 5, 6, 10, 13 to 16, 19 and 21 to 25 above.

Note 2.— Under the provisions of Part-II of Director General Circular No. 3 dated 15th February, 2004, all recruitments by initial appointments to all vacant posts in the Department since stand centralized. Advertisement of vacancies in the Newspapers will be the prerogative of the Directorate General. The whole recruitment process including conduct of examinations, declaration of result, etc., will be the privilege of the respective Central / Mobile Recruitment Committee. The appointing authority will, of course, issue appointment orders to the selectees from the Lists of approved candidates.

Note 3.— The exercise of powers under the Government Servants (Efficiency and Discipline) Rules, 1973 is subject to the provisions of sections 12 and 13 of the Removal from Service (Special Powers) Ordinance, 2000 as amended.

Note 4.— All cases of corruption, corrupt practices, misuse / abuse of power or authority, misappropriation of public property, kickbacks, commissions, criminal breach of trust, etc., by serving or retired Government servants including any offence under sections 161,162,163,164,165,165A and 409 of the Pakistan Penal Code (Act X LV of 1860) as well as that specified in the Schedule to the National Accountability Bureau Ordinance, 1999 (No. XVIII of 1999), as amended, shall be referred to the National Accountability Bureau (NAB) forthwith.

SCHEDULE NO. 20

SCHEDULE OF ADMINISTRATIVE POWERS OF A HEAD POSTMASTER, SUB-POSTMASTER, HEAD RECORD CLERK, RECORD CLERK AND SUB-RECORD CLERK (BASIC PAY SCALE 11)

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	APPOINTMENTS		
1.	Power to make initial appointments to posts in Basic Pay Scale 1 to 4 in his own office subject to the conditions in Note 2 below.	May appoint temporarily officials in Basic Pay Scale 1 to 4 in his own office, subject to advertisement of vacancies in the Press and observance of Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Selection Committee. Rules 4 to 74 of the Post Office Manual, Volume IV. Ministry of Communications and Railways (Communication Division)'s Notification No. SRO. 470 (1)/2002 dated 20-7-2002.
2.	Power to make appointments by transfer of a Government servant holding an appointment under the Federal Government on a regular basis in the same Basic Pay Scale to any vacant post in Basic Pay Scale 1 to 4 in his own office.	May appoint temporarily subject to the extent of quota reserved in the relevant Recruitment Rules for making appointments by transfer to the post concerned and observance of all other prescribed conditions.	Rules 117 to 120 of the Post Office Manual, Volume IV, subject to recommendation of the appropriate Departmental Promotion Committee.
3.	Power to make recruitment by initial appointment on adhoc basis against any vacant post in his own office.	No power to make any recruitment on adhoc basis against any vacant post in any Basic Pay Scale.	Rule 165 of the Post Office Manual, Volume IV.
4.	Power to order current	No power. For	Rules 140 to 148 of the

SCHEDULE NO. 20

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	charge appointments against a vacant post in any Basic Pay Scale in his own office for an initial period of one month to three months.	appointing officials on Current Charge basis against vacant post in Basic Pay Scale 2 to 10, he will refer the case to the Competent Authority.	Post Office Manual, Volume IV.
5.	Power to order additional or dual charge appointments to vacant posts in Basic Pay Scale 1 to 4 in his own office for an initial period of one month to three months.	Full powers subject to observance of the prescribed conditions. For making additional or dual charge appointments to vacant posts in Basic Pay Scale 5 to 10, he will refer the case to the designated Appointing Authority.	Pakistan Postal Services Corporation (Pakistan Post) Memo No. S.21-10/79 dated 14-6-1994. (V of Appendix No. 13). Rules 149 to 154 of the Post Office Manual, Volume IV.
6.	Power to extend the period of tenure of officials in any Basic Pay Scale under his administrative control in his own office beyond the prescribed normal term of an individual post.	No power. May recommend the extension of the period of tenure upto six months in special and exceptional cases where sufficient and valid reasons exist through proper channel for consideration of the Director General.	Rule 344 read with Rules 337 to 343 of the Post Office Manual, Volume IV.
	PROMOTIONS		
7.	Power to give promotion to an official to a post in Basic Pay Scale 2 to 4.	May promote temporarily officials to the posts in Basic Pay Scale 2 to 4, subject to the observance of all conditions prescribed in the relevant Recruitment Rules to the post concerned.	On the recommendations of the appropriate Departmental Promotion Committee subject to conditions laid down in Rules 5(3) and 89 to 111 of the Post Office Manual, Volume IV.
	TRANSFERS		

SCHEDULE NO. 20

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
8.	Power to rotate / transfer officials in Basic Pay Scale 1 to 5 in his own office within the same cadre and basic pay scale on completion of normal tenure of the post or for administrative reasons.	Full powers.	Subject to conditions laid down under Fundamental Rule 15. Rules 273 to 284 and 337 to 343 of the Post Office Manual, Volume IV.
	PUNISHMENTS		
9.	Power to impose any of the minor penalties specified in Rule 4(1)(a) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant in Basic Pay Scale 1 to 5.	Full powers as specified in Schedule No. 11 in respect of Government servants in Basic Pay Scale 1 to 5 under his administrative control subject to Note 3 below.	Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 920(I)/83 dated Islamabad the 27-09-1983 and reaffirmed vide Director General Circular No. 8 dated 15-08-1999.
	RESIGNATIONS		
10.	Power to accept resignation of a Government servant in Basic Pay Scale 1 to 4 under his administrative control.	Full powers in respect of all persons appointed by him.	Rules 463 to 471 of the Post Office Manual, Volume IV. Rule 32 of the Post Office Manual, Volume II.
	PENSIONS		
11.	Power to sanction ordinary pensions (including gratuities/ commutations) and to decide questions allied to the grant thereof in respect of officials holding posts in Basic Pay Scale 1 to 4 under his administrative	Full powers vested under the Civil Service Regulations in respect of officials whom he is competent to appoint.	Article 919 of the Civil Service Regulations.

SCHEDULE NO. 20

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	control.		
	MISCELLANEOUS		
12.	Power to grant authority for reporting a case to the Federal Investigation Agency for institution of an inquiry against officials in Basic Pay Scale 1 to 4 under his administrative control.	Full powers in respect of offences specified in the Schedule to the Federal Investigation Agency Act, 1974. He will report cases against officials in Basic Pay Scale 5 and above to the Appointing Authority concerned.	Rule 263/1 of the Post Office Manual, Volume V. For reporting cases to the National Accountability Bureau (NAB), see Note 4 below.
13.	Power to authorize the institution of criminal proceedings on behalf of Department pertaining to offences punishable under Section 51, 53, 54 Clauses (a) and (b), 55, 56, 58, 59, 61, 64, 65, 66 and 67 of the Post Office Act, 1898.	No power. He will report all cases through proper channel to the Postmaster General concerned for authorizing institution of criminal proceedings against the culprit(s).	Section 72 of the Post Office Act, 1898. Rule 263 (4) of the Post Office Manual, Volume V.
14.	Power to authorize the institution of criminal proceedings in non-cognizable cases against officials under his administrative control.	Full powers except against a public servant accused of any offence specified in the Schedule to the Pakistan Criminal Law Amendment Act, 1958 or Federal Investigation Agency Act, 1974.	Rules 133 and 134 of the Post Office Manual, Volume II and Rule 264(1) of the Post Office Manual, Volume V.
15.	Power to grant permission to be transferred to other Government offices or departments or to take up other employment lying in Pakistan while on leave.	May grant permission to any Government servant to whom he is authorized to appoint.	Rule 69 of the Fundamental Rules read with Government Servants (Applications for Services and Posts) Rules, 1966.

SCHEDULE NO. 20

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
16.	Power to grant leave including Leave ex-Pakistan to Government servants in Basic Pay Scale 1 to 4 under his administrative control.	Full power to grant leave of any type except study leave to any Government servant to whom he is the Head of Office.	Subject to conditions laid down in the Revised Leave Rules, 1980. Rules 389 to 416 of the Post Office Manual, Volume IV.
17.	Power to grant casual leave to Government servants under his administrative control.	May grant casual leave to Government servants to whom he is the next higher administrative Authority and where no substitute is required.	Subject to conditions of Rules 417 to 423 of the Post Office Manual, Volume IV.
18.	Power to sanction journey of officials on duty outside the limits of his jurisdiction.	No power.	Rule 168(I) of the Post Office Manual, Volume V.
19.	Power to introduce or modify standard printed forms.	No power. He may freely submit his proposals for introduction, deletion or amendment of a standard form through proper channel for consideration of the Director General.	Rules 407 and 417 of the Post Office Manual, Volume II.
20.	Power to print a book, pamphlet or correction memo or such like matter.	No power. He may submit the matter intended to be printed through proper channel for consideration of the Director General.	Rule 406 of the Post Office Manual, Volume II.
21.	Power to write Annual Confidential Reports on the work and conduct of Government servants in Basic Pay Scale 3 to	Full powers in respect of all officials in Basic Pay Scale 3 to 10 working in his own Office and directly reporting to him and	Para 2.33 of "A Guide to Performance Evaluation". Director General Circular No. 16 dated 15 September, 2004. The reports of

SCHEDULE NO. 20

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	10 under his administrative control in his own Office.	with whose work he is concerned.	officials in Basic Pay Scale 3 to 10 will be got countersigned by an Authority higher than the Reporting Authority who is also concerned with the work of the Government servants reported upon.
22.	Power to maintain character sheets on the work and conduct of subordinate officials reporting to him directly.	Full powers in respect of all officials in Basic Pay Scale 1 to 2 working under his administrative control in his own office.	Para 2.33 of "A Guide to Performance Evaluation".
	POST OFFICE – SPECIAL		
23.	Power to deal with local complaints.	Full powers. All complaints if tendered by the members of public will be forwarded to the Unit Officer after furnishing relevant information, if available.	Director General Circular No. 11 dated 1st June 1987.
24.	Power to review local mail arrangements and rearrangements of delivery beats.	May make periodical review and submit his suggestions to the Unit Officer concerned.	Director General Circular No. 11 dated 1st June 1987.
	MAIL SORTING AND TRANSPOR-TATION– SPECIAL		
25.	Power to transfer temporarily a sorter from one set or section to another.	Full powers.	Sub-rule (2) of rule 122 of the Post Office Manual, Volume VII.
26.	Power to summon a sorter to the Record Office or to the Railway Station	Full powers.	Sub-rule (2) of rule 122 of the Post Office Manual, Volume VII.

SCHEDULE NO. 20

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	during his rest time.		
27.	Power to apply to the Railway authorities for extra accommodation for the use of the Department in Railway trains.	Powers as defined in rule 9.	Rule 9 of the Post Office Manual, Volume VII.

Note 1.—Manager, Postal Stock Depot, Manager, Returned Letter Office and all other Higher Selection Grade Officials in Basic Pay Scale 11 will also exercise powers at items 4, 5, 6, 8, 9, 17 to 22 above in his own office.

Note 2.— Under the provisions of Part-II of Director General Circular No. 3 dated 15th February, 2004, all recruitments by initial appointments to all vacant posts in the Department since stand centralized. Advertisement of vacancies in the Newspapers will be the prerogative of the Directorate General. The whole recruitment process including conduct of examinations, declaration of result, etc., will be the privilege of the respective Central / Mobile Recruitment Committee. The appointing authority will, of course, issue appointment orders to the selectees from the Lists of approved candidates.

Note 3.— The exercise of powers under the Government Servants (Efficiency and Discipline) Rules, 1973 is subject to the provisions of sections 12 and 13 of the Removal from Service (Special Powers) Ordinance, 2000 as amended.

Note 4.— All cases of corruption, corrupt practices, misuse / abuse of power or authority, misappropriation of public property, kickbacks, commissions, criminal breach of trust, etc., by serving or retired Government servants including any offence under sections 161,162,163,164,165,165A and 409 of the Pakistan Penal Code (Act X LV of 1860) as well as that specified in the Schedule to the National Accountability Bureau Ordinance, 1999 (No. XVIII of 1999), as amended, shall be referred to the National Accountability Bureau (NAB) forthwith.

SCHEDULE NO. 21

SCHEDULE OF ADMINISTRATIVE POWERS OF A SUB-POSTMASTER, RECORD CLERK, SUB-RECORD CLERK AND HEAD SORTER (TIME SCALE IN BASIC PAY SCALE 7)

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	APPOINTMENTS		
1.	Power to make recruitment by initial appointment on adhoc basis against vacant posts in his own office.	No power to make any recruitment on adhoc basis against any vacant post in any basic pay scale.	Rule 165 of the Post Office Manual, Volume IV.
2.	Power to order current charge appointment against a vacant post in any Basic Pay Scale in his own office for an initial period of one month to three months.	No power. For appointing officials on Current Charge basis against any vacant post in Basic Pay Scale 2 to 6 he will refer the case to the Head of the Unit promptly.	Rules 140 to 148 of the Post Office Manual, Volume IV.
3.	Power to order additional or dual charge appointments to various posts in his own office for an initial period of one month to three months.	No power. For making additional or dual charge appointments to vacant posts in Basic Pay Scale 1 to 6 he will refer the case to the Head of the Unit promptly.	Pakistan Postal Services Corporation (Pakistan Post) Memo No. S.21-10/79 dated 14-6-1994. Rules 149 to 154 of the Post Office Manual, Volume IV.
4.	Power to extend the period of tenure of a Government servant in any Basic Pay Scale in his own office beyond the prescribed normal term of an individual post.	No power. He may recommend to the Director General through proper channel, the extension of the period of tenure upto six months in special and exceptional cases where sufficient and valid reasons exist.	Rule 344 read with Rules 337 to 343 of the Post Office Manual, Volume IV.

SCHEDULE NO. 21

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	TRANSFERS		
5.	Power to rotate/transfer officials in Basic Pay Scale 1 to 5 in his own office within the same cadre and basic pay scale on completion of normal tenure of the post or for administrative reasons.	Full powers.	Subject to conditions laid down under Fundamental Rule 15. Rules 273 to 284 and 337 to 343 of the Post Office Manual, Volume IV. Director General Circular No. 11 dated 1-6-1987.
	PUNISHMENTS		
6.	Power to impose any of the minor penalties specified in Rule 4(1)(a)(i) of the Government Servants (Efficiency and Discipline) Rules, 1973 on an accused Government servant.	Full powers as specified in Schedule No. 11 in respect of an accused Government servant in any Basic Pay Scale working within his own office under his administrative control.	Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 920(I)/83 dated Islamabad the 27-09-1983 and reaffirmed vide Director General Circular No. 8 dated 15-08-1999. See also Note 2 below.
	MISCELLANEOUS		
7.	Power to authorize the institution of criminal proceedings on behalf of Department pertaining to offences punishable under Section 51, 53, 54 Clauses (a) and (b), 55, 56, 58, 59, 61, 64, 65, 66 and 67 of the Post Office Act, 1898.	No power. He will report all cases through proper channel to the Postmaster General concerned for authorizing the institution of criminal proceedings against the culprit(s).	Section 72 of the Post Office Act, 1898. Rule 263 (4) of the Post Office Manual, Volume V.
8.	Power to authorize the institution of criminal proceedings in non-cognizable cases against officials under his control.	Full powers except against a public servant accused of any offence specified in the Schedule to the Pakistan Criminal Law Amendment Act,	Rules 133 and 134 of the Post Office Manual, Volume II and Rule 264(1) of the Post Office Manual, Volume V. All cases of any nature

SCHEDULE NO. 21

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
		1958 or Federal Investigation Agency Act, 1974, or National Accountability Ordinance, 1999.	whatsoever against any accused Government servant must be reported to the Unit Officer promptly.
9.	Power to grant casual leave to Government servants in Basic Pay Scale 1 to 5 under his administrative control.	May grant casual leave to an official in Basic Pay Scale 1 to 5 under his administrative control where no substitute is required.	Director General Circular No. 11 dated 1st June 1987. Subject to conditions of Rules 417 to 423 of the Post Office Manual, Volume IV.
10.	Power to introduce or modify standard printed forms.	No power. He may freely submit his proposals through proper channel for introduction, deletion or amendment of a standard form for consideration of the Director General.	Rules 407 and 417 of the Post Office Manual, Volume II.
11.	Power to print a book, pamphlet or correction memo or such like matter.	No power. He may submit the matter intended to be printed through proper channel for consideration of the Director General.	Rule 406 of the Post Office Manual, Volume II.
12.	Power to write Annual Confidential Reports on the work and conduct of subordinate officials in Basic Pay Scale 3 to 6 working under him directly in his own Office.	Full powers. The reports of officials in Basic Pay Scale 3 to 6 will be got countersigned by an Authority higher than the Reporting Authority who is also concerned with the work of the Government servants reported upon.	Para 2.33 of "A Guide to Performance Evaluation". Director General Circular No. 11 dated 1-6-1987 and No. 16 dated 15-9-2004.
13.	Power to maintain character sheets on	Full powers in respect of all officials in Basic Pay Scale 1 to 2	Director General Circular No. 11 dated 1st

SCHEDULE NO. 21

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	the work and conduct of subordinate officials.	working under his administrative control in his own Office.	June 1987 and No. 16 dated 15-9-2004 read with Para 5.1 of "A Guide to Performance Evaluation".
	POST OFFICE – SPECIAL		
14.	Power to deal with local complaints.	Full powers. All complaints if tendered by the members of public will be forwarded to the Unit Officer after furnishing relevant information, if available.	Director General Circular No. 11 dated 1st June 1987.
15.	Power to review local mail arrangements and rearrangements of delivery beats.	May make periodical review and submit his suggestions to the Unit Officer concerned.	Director General Circular No. 11 dated 1st June 1987.
	MAIL SORTING AND TRANSPORTATION – SPECIAL		
16.	Power to apply to the Railway authorities for extra accommodation for the use of the Post Office in Railway trains.	This power is exercised by a Head Sorter of a Section. At stations where a Record Clerk or Mail Agent is available request for extra accommodation shall be made by the latter, as the case may be.	Rule 9 of the Post Office Manual, Volume VII.
17.	Power to order sorters to perform extra duty.	In emergency only.	Rule 122 (2) of the Post Office Manual, Volume VII.
18.	Power to transfer temporarily a sorter from one set or section	Full powers.	Sub-rule (2) of rule 122 of the Post Office Manual, Volume VII.

SCHEDULE NO. 21

S. No.	Nature of Power	Extent of Power	Remarks
1	2	3	4
	to another.	Full powers.	
19.	Power to summon a sorter to the Record Office or to the Railway Station during his rest time.		Sub-rule (2) of rule 122 of the Post Office Manual, Volume VII.

Note 1.—A Sub-postmaster, Record Clerk, Sub-record Clerk and Head Sorter holding a post in Lower Selection Grade in Basic Pay Scale 9 will also exercise powers at items 1 to 19 within his own Office. Nevertheless, he will be empowered to write Annual Confidential Reports on the Work and Conduct of all officials in Basic Pay Scale 3 to 8 in his own Office directly reporting to him and with whose work he is concerned.

Note 2.— The exercise of powers under the Government Servants (Efficiency and Discipline) Rules, 1973 is subject to the provisions of sections 12 and 13 of the Removal from Service (Special Powers) Ordinance, 2000 as amended.

Note 3.— All cases of corruption, corrupt practices, misuse / abuse of power or authority, misappropriation of public property, kickbacks, commissions, criminal breach of trust, etc., by serving or retired Government servants including any offence under sections 161, 162, 163, 164, 165, 165A and 409 of the Pakistan Penal Code (Act X LV of 1860) as well as that specified in the Schedule to the National Accountability Bureau Ordinance, 1999 (No. XVIII of 1999), as amended, shall be referred to the National Accountability Bureau (NAB) forthwith through the Unit Officer.

APPENDIX NO. 1

GOVERNMENT SERVANTS (CONDUCT) RULES, 1964

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 Government 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 women.

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 Organization 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.

[@] 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. 9/4/97-TK dated 21-8-2000 and 26-9-2001 (Item No. I of Appendix No.2)

(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.

(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 demonstration 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 questions, 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 other wise 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. *[Omitted]

11-A. *[Omitted]

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 the usual channel an annual declaration of income, assets and expenses for

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* Rule 11 omitted *vide* Estt. Division Notification No. SRO 984(I)/2004, dated 15-12-2004.

- Rule 11-A omitted *vide* Estt. Division Notification No. S.R.O. 984(I)/2004, dated 15-12-2004.

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

*** In rule 12, sub-rule (2) substituted *vide* Estt. Division Notification Nr. S.R.O. 984(I)/2004, dated 15-12-2004.

the financial year, ending on 30th June, showing any increase or decrease of property as shown in the declaration under sub-rule (1) or the last annual return as the case may be: and

[@](3) Declaration of Assets Performa shall be opened in the concerned section each year and entered into the relevant database.

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 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.

[@] In rule 12, sub-rule (3) added *vide* Estt. Division Notification No. S.R.O. 984(I)/2004, dated 15-12-2004.

[@@] Added *vide* Estt. Division Notification No. S.R.O. 225(I)/92. Dated 31-3-1992

16. Private trade, employment or work.—(I) 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 no 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 accomodation 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 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 periodical.—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 communication 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.

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

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 subject, 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 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, nor 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.

(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:

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

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.

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 favoritism as are likely to affect his integrity in the discharge of his duties or to embarrass the administration or create feelings of discontent or displeasure amongst the 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.

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[*] Sub *vide* Estt. Division Notification No. S.R.O. 993(I) 76. Dated 30-9-1976

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

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

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 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, publish 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 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

* Added *vide* Estt. Division Notification S.R.O. No. 1809(K), dated 8-9-69

competent authority, for the time being in force, relating to the conduct of Government servants.

[**Authority.—** Establishment Division Notification No. S.R.O. 405/(K)/64. Dated 1-5-1964]

MISCLELLANCEOUS

I. Delegation of powers to Secretaries to Government Under the Government Servants (Conduct) Rules, 1964

Sl. No. A

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:—** Establishment Division Notification No. 3/10/65-D-II Dated 19-7-1965]

Sl. No. B

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 Servant (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:—** Establishment Division O.M. No. 3/10/65 D.II, Dated 27-8-1966]

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

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 Establishment 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:—** Establishment Division O.M. No. 26/1/69-D-IV. Dated 17-12-1969.]

APPENDIX NO. 2

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

I. RULES FOR THE ACCEPTANCE AND DISPOSAL OF GIFTS BY GOVERNMENT SERVANTS

In supersession of the existing rules regarding acceptance and disposal of gifts received by Government servants issued in pursuance of rule 5 of the Government Servants (Conduct) Rules, 1964 vide Cabinet Division's O.M. No. 8/19/77-TK, dated 10th March 2000 and all other instructions issued on the subject from time to time, the following rules regarding acceptance and disposal of the gifts by the Government servants have been prescribed by the Government:—

(1) The responsibility for reporting the receipt of the gifts shall devolve on the individual recipient. All gifts received by a Government servant, irrespective of their prices, must be reported to the Toshakhana in the Cabinet Division, Government of Pakistan If it is found, on checking, that an individual has not reported the receipt of a gift, appropriate action will be taken against him under the relevant rules.

(2) If the Chief of Protocol, Ministry of Foreign Affairs, 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 received, 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 or his representative 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. In the case of outgoing delegations or visits abroad of our dignitaries, 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.

(3) Government officials, except those in BPS 1 to BPS 4, are prohibited from receiving cash awards offered by the visiting foreign dignitaries. Such gifts may be politely refused. In case, however, it becomes impossible to refuse without causing offence to the visiting dignitary the amount shall be immediately deposited in the Government treasury.

(4) Government officials, except the President and the Head of the Government, are prohibited from receiving gifts of any kind for their persons or for members of their families from diplomatic, consular and other foreign government representatives who are stationed in Pakistan or from any public organization or private individual and firm within the country. However, if due to very exceptional reasons the gift cannot be declined, it shall invariably be deposited in the Troshakhana. These instructions, do not apply to gifts and donations made to institutions.

(5) The Cabinet Division shall get the value of the gifts assessed.

(6) The monetary limits upto which the gifts can be retained by the recipient are as follows:—

(i) Gifts upto a value of Rs. 10,000 (Rupees ten thousand only) may be retained free of cost by the recipient. In case of low paid Government employees (BPS 1 — BPS 10), the gift may be retained by the recipient irrespective of the value assessed and subject to provisions of these rules.

(ii) Gifts valued above Rs. 10,000 may be allowed to be retained by the recipient on payment of 15% of the value exceeding Rs. 10,000.

(iii) Gifts valued at Rs. 4,00,000 or more shall not be retained by the recipients, except President and Head of the Government. This exemption shall, however, not be available in case of antiques and gifts of intrinsic historical value.

(7) The Head of Account of Toshakhana in which the amounts are to be deposited is 1300000-Other (NES) Misc. Receipt of Darbar Presents (Central).

(8) Gifts deposited in the Toshakhana which are fit for display, shall be properly catalogued and then displayed in the public rooms of the Foreign Office and in the residences of the Head of the State, the Head of the Government and the Governors. Such articles shall be properly entered in the Toshakhana register and in the stock registers of the respective offices. An annual verification shall be carried out in respect of such articles by an authorized officer of the Cabinet Division.

(9) Gifts which are not fit to be retained or displayed shall be disposed of by periodical sales to be arranged by the Cabinet Division, Government of Pakistan. These sales shall be held once or twice a year. The list of gifts to be sold shall be circulated to all Federal Government officers and officers of the Armed Forces.

(10) Antique items and cars shall not be allowed to be purchased by the recipient. Antiques shall be placed in museums or displayed in official buildings owned by the Government. Cars shall be given to the Central Pool of Cars of the Cabinet Division.

(11) Gifts, other than in the nature of antiques or of intrinsic historic value, given to but not retained by the President, the Head of the Government and Governors, will be sold in accordance with sub-rule (9) above. The gift in the nature of antiques or of intrinsic historical value shall be put on display in accordance with sub-para (8) above.

(12) The Ministry of Foreign Affairs shall standardize gifts to be presented at various levels to foreign delegations and dignitaries. These standardized gifts can be used by other Ministries also.

(13) These rules shall also apply to the President, Head of the Government, members of the Federal Cabinet, dignitaries holding ministerial status, Governors of Provinces, members of Provincial Cabinet and all the employees of the Government controlled corporations, autonomous and semi autonomous bodies.

[Authority.— Cabinet Division's O.M. No. 9/4/97-TK, dated 21st August, 2000 and 26th September, 2001]

[S. 46-1/69.]

II. BAR AGAINST DEMANDING DOWRY AND ACCEPTANCE OF GIFTS ON OCCASIONS OF MARRIAGES

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.—Establishment Division O.M. No. 3/8/67-D.II. dated 27-6-1967].

III. BAR AGAINST ACCEPTANCE OF GRATIFICATION BY GRADE 1-3 EMPLOYEES ON OCCASIONS OF EID ETC. FROM PUBLIC

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 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.— Establishment Division O.M. No. 4-11-62-D.II. dated 14-4-1962].

IV. ACCEPTANCE OF FOREIGN TRIPS SPONSORED BY COMMERCIAL FIRMS

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.—Establishment Division O.M. No. 3/8/66-D.II. dated 13-8-1966].

V. ACCEPTANCE OF FOREIGN AWARDS BY GOVERNMENT SERVANTS

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 is ignorance of the rules.

2. The competent authority has taken serious notice of this tendency and has been pleased to direct that all Ministries/Division/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

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

employees working under them and also to the employees of autonomous statutory bodies under their administrative control.

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

VI. HOLDING OF FAREWELL PARTIES ON THE OCCASION OF TRANSFERS OF GOVERNMENT SERVANTS IN THEIR HONOUR

Sl. No. A

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 application of this rule issued in the Establishment Division O.M. No. 4/39/61-EVI, dated the 26th July 1961 (Sl. No. A of Item No. VII) enjoin that subscriptions which tend to glorify a particular 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.—Establishment Division Letter No. 4/4/63-D-II, dated 15-3-1963].

Sl. No. B

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.

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

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

VII. RAISING OF SUBSCRIPTIONS FOR FUNCTIONS, ETC.

Sl. No. A

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.—Establishment 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. B

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.—Establishment Division O.M. No. 4/39/61-D. II, dated 28-4-1962].

VIII. SUBMISSION OF DECLARATION OF INCOME AND ASSETS HELD AND ACQUIRED BY GOVERNMENT SERVANTS AND CORPORATION EMPLOYEES.

The Competent Authority has been pleased to make amendments in the Government Servants (Conduct) Rules, 1964 vide SRO No. 984(I)/2004, dated 15-12-2004. Rules 11 and 11A pertaining to buying / selling of moveable / immoveable property and construction of building, etc; have been omitted. By

virtue of substitution of sub-rule(2) of Rule-12 every Government servant shall submit to the Government, through the usual channel an annual declaration of income, assets and expenses for each financial year, (from 1st July to 30th June), showing any increase or decrease of property as shown in the declaration under sub-rule (I) or the last annual return, as the case may be. According to the new sub-rule (3) of Rule 12, declaration of assets proforma shall be opened in the concerned section each year and entered into the relevant database. In order to meet the requirements of the amended provision of Rule 12 of the Government Servants (Conduct) Rule, 1964, a revised Declaration of Assets proforma has been devised (copy enclosed).

2. Following guidelines may be noted for strict compliance:-

i. Declaration of Income, Assets and Expenses are to be submitted on prescribed proforma by all Government servants of all Basic Pay Scales including all persons reemployed / employed on contract.

ii. First Declaration of Assets on the revised proforma containing **full details** of assets and liabilities shall be submitted by all concerned for the Financial Year ending on 30th June, 2005 by 31st July, 2005. The Government servants appointed after 30th June, 2005 shall submit Declaration of Assets as on the date of their first appointment. Thereafter, every Government servant is required to submit declaration of his income and assets on close of every Financial Year i.e. 30th June by 31st July each year.

iii. The declaration of assets belonging to officers of APUG and OMG only will be forwarded to the Establishment Division.

iv. A certificate to the effect that such declaration has been obtained from all officers/officials should be forwarded to the Establishment Division by all the Ministries/Divisions by 1st of September 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 such declarations by the prescribed date or within fifteen days thereof.

vi. Ministries / Divisions / Departments / Corporations / Autonomous bodies, etc; shall also maintain database regarding annual declaration of income, assets and expenses in respect of the officers / officials administratively controlled by them.

[Authority.—Establishment Division's Circular No. 2/1/2004. D-4, dated 22-12-2004.]

APPENDIX NO. 2

Rental income

APPENDIX NO. 2

ASSETS AND LIABILITIES

9. Immoveable Assets (Agricultural and Non-Agricultural lands, House properties, Commercial and Industrial properties, Open plots of all types)

	Identification & nature of Asset(s)	Mode of acquisition/year	Cost of acquisition
a)			
b)			
c)			
d)			
e)			
f)			
g)			
h)			
i)			
j)			
k)			
l)			
m)			

10. Moveable Assets (Cash in hand, Motor vehicles, Jewellery, Household items, Equipment, Business capital etc.)

	Identification & nature of Asset(s)	Mode of acquisition/year	Cost of acquisition
a)			
b)			
c)			
d)			
e)			
f)			
g)			
h)			
i)			
j)			
k)			
l)			
m)			

11. Assets held as Attorney

	Identification & nature of Asset(s)	Nature of Power of Attorney revocable/irrevocable	Name and address of the legal owner
a)			
b)			

12. Assets disposed off during the year

	Identification & nature of Asset(s)	Date of disposal	Amount received as sale proceed (Rs.)
a)			
b)			
c)			
d)			

13. Investments (Bonds, Shares, Certificates, Deposits/Advances, Loans granted etc.)

	Details of Bonds held		Investment	
	Bond No.(s)	Denomination Rs.		Rs.
a)				
b)				
c)				
d)				

14. Bank Accounts (Current, Saving, Deposit A/c & F.C. A/cs)

	A/c No. & Bank Branch	Year of opening	Main source of deposits	Balance on 30.6 (Rs.)
a)				
b)				
c)				
d)				

15. Total Assets (9 – 14) **Rs.** _____

16. Liabilities (Departmental/Bank loans, over drafts, Mortgages secured, private loans, etc.)

	Outstanding liabilities (A)		Liabilities paid off during the year (B)	
a)		Rs.		Rs.
b)		Rs.		Rs.
c)		Rs.		Rs.
d)		Rs.		Rs.

(15-16(A) **Net worth** **Rs.** _____
As on 30.6._____

Net worth declared previously **Rs.** _____
As on 30.6._____

Signature_____
Name _____
Designation_____
Name of the Organization/Deptt._____
_____
Place _____
Date _____

APPENDIX NO. 2

INSTRUCTIONS

1. If the space provided in the form is found inadequate or some explanation is required, a separate page may be attached/annexed.
2. All assets should be valued at cost and in the cases of assets acquired through gift name, address of the donor and donees relationship with him is to be declared.
3. Income declared at Serial 4 must include income earned by the spouse and children as well.
4. Information requested must be complete. No column should be left blank. Columns which are not applicable should be crossed.
5. All assets owned by the officer and his family members (Family as defined in Rule 3(I) (c) of Conduct Rules 1964) should be declared. Assets acquired by major children dependents and others where funds have been provided by the officer are also to be declared.
6. Assets owned partly or acquired on "Hire purchase Agreement" or installment should also be declared.
7. If any exact figure cannot be inserted an estimated / approximate figure may be given.
8. Sale proceeds of assets disposed off during the relevant financial year must be declared under the head "other sources" (Serial 4).
9. If there is no change in Assets over the previous year (for which the declaration had been filed) relevant columns (Serial 9, 10, & 11) may be marked "As Before".
10. At Serial 11 assets held by others as attorney on behalf of declarant, his spouse or dependent children are also to be declared.
11. Expenses against utilities (Serial 5) should include bills paid against all meters (Gas and Electricity installed on the residence) and telephone connections, (including Mobile) in use of the officers, spouse and dependent children.
12. Notwithstanding the applicability of any other law for the time being in-force, this declaration is being filed under Conduct Rules, 1964 and any breach thereof (including concealment of assets or giving wrong information) is punishable under Removal from Service (Special Powers) Ordinance, 2000.

[No. S. 46-1/69-VI-Director General Circular No. 2 dated 15th February, 2005].

IX. TRANSACTION OF INSURANCE BUISNESS BY GOVERNMENT SERVANTS

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.—Establishment Division. O.M. No. 3/9/66-D.II. dated 15-8-1966].

X. PRIVATE WORK DURING AND AFTER OFFICE HOURS

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.—Establishment Division. O.M. No. 1/20/76-D.IV. dated 5-3-1976].

XI. EMPLOYMENT OF DEPENDENT FAMILY MEMBERS OF A GOVERNMENT SERVANT IN FOREIGN MISSIONS IN PAKISTAN

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.—Establishment Division. O.M. No. 1/148/76-D.IV. dated 23-11-1976].

XII. ENGAGEMENT IN TRADE, BUSINESS ETC; BY SPOUSES OF GOVERNMENT SERVANTS

Under the Government Servants (Conduct) Rules, 1964, no Government servants 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 possible 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 tender 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.—Establishment Division. O.M. No. 7/1/79-D.IV. dated 1-8-1979].

XIII. MEMBERSHIP OF PRIVATE ASSOCIATIONS CONNECTED WITH SOCIAL WORK

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 there under and it is stated that there is no bar to Government servants 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.—Establishment Division. O.M. No. 4/1/49-Ests. (SE), dated 8-6-1949].

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

XIV. ASSOCIATION WITH PRIVATE TRUSTS, FOUNDATIONS, ETC.

The Government of Pakistan have considered the desirability and otherwise of serving Government servants being associated with Private Trusts, Foundation and similar other Institutions which are not sponsored by the Government itself, and 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.—Establishment Division. O.M. No. 4/8/63-D.II. dated 7-6-1963] read with O.M. of even number dated 8-7-1963].

XV. PROSECUTION OF STUDIES BY GOVERNMENT SERVANTS IN THE EDUCATIONAL INSTITUTIONS

A references is invited to the Establishment Division's 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 of the Department is satisfied that the prosecution of studies will not interfere with the Government servant's 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.—Establishment Division. O.M. No. 4/9/63-D.II. dated 23-9-1964].

XVI. APPEARING AT AN EXAMINATION AS PRIVATE CANDIDATES BY GOVERNMENT SERVANTS

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 educational 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.—Establishment Division. O.M. No. 4/9/63-D.VII. (D-IV). dated 18-8-1969].

XVII. BAR AGAINST NAMING OF INSTITUTIONS, PROJECTS, ROADS, STREETS ETC. IN THE COUNTRY AFTER THE NAMES OF GOVERNMENT SERVANTS

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 considered 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 or 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].

XVIII. PARTICIPATION IN FOREIGN CULTURAL ASSOCIATIONS OR ORGANIZATIONS

Sl. No. A

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

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

Sl. No. B

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.—Establishment Division. O.M. No. 4/26/60-D.II. dated 16-9-1961].

XIX. MEMBERSHIP OF BRITISH LIBRARY

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.—Establishment Division. O.M. No. 4/26/60-D.II. dated 15-11-1961].

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

XX. UNAUTHORIZED COMMUNICATION OF OFFICIAL DOCUMENTS OR INFORMATION

The Rules of Business contain a provision to the effect that no information acquired directly or indirectly from official documents or relating to official mattes 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 the 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.—Establishment Division. O.M. No. Cord. (1)-8/99/58, dated 28-11-1958].

XXI. PREMATURE LEAKAGE OF INFORMATION TO THE PRESS

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.—Establishment Division. O.M. No. 3/10/66-D.II. dated 23-8-1966].

XXII. PRESS STATEMENTS AND CONFERENCES

Sl. No. A

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. (1) 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. (1)-8/79/58, dated 3-8-1959].

ANNEXURE

Copy of Cabinet Division letter No. Cord (1)-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.

2. 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. B

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.

(iii) 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 or 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.—Establishment Division. O.M. No. 4/1/72-D.IV, dated 2-3-1972].

XXIII. LETTERS TO EDITOR

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.

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].

XXIV. MEASURES TO CHECK THE GOVERNMENT SERVANTS FROM VENTILATING THEIR GRIEVANCES THROUGH MEMBERS OF THE LEGISLATURE

Sl. No. A

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 covey to Government servants belonging to other Departments or to non-official persons or the Press any information of which he 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.—Establishment Division. O.M. No. 4/22/50-SEII dated 24-10-1950].

Sl. No. B

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.—Establishment Division. O.M. No. 8/17/57-SE.IV,dated 27-2-1958].

XXV. APPROACHES TO MINISTERS, M.N.As ETC. FOR PURCHASE OR SALE OF PROPERTY

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.

* **Note.—**The instructions reproduced at Sl. Nos. A & B were issued in the context of Government Servants Conduct Rules which were in force prior to 1.5.1954, Rule 17 of the said rules corresponds to Rule 19 of the Government Servants (Conduct) Rule, 1964.

2. Such acts are not only in serious breach of Government Servants Conduct Rules, but also contrary to all tenents 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].

XXVI. EXTRANEOUS INFLUCENCE BY GOVERNMENT SERVANTS IN RESPECT OF SERVICE MATTERS

Sl. No. A

It has been observed that the Government servants, at times, attempt to bring extraneous influences in respect of service matters, such as posting, 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 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."

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.—Establishment Division. D.O. Letter No. 5/4/82-DI, dated 28-4-1982].

Sl. No. B

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 Rules 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 emphasizing the need to refrain from bringing in extraneous influences in service matters, (Serial Nos. A, B and C of Item No. XXVI), 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.—Establishment Division d.o. letter No. 5/4/82-D.I, dated 5-7-1995].

Sl. No. C

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 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.—Establishment Division d.o. letter No. 5/4/82-D.I. dated 7-11-1996].

XXVII. EVIDENCE BEFORE COMMITTEE OF THE NATIONAL ASSEMBLY

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 restrains 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.—Establishment Division. O.M. No. 1/1/64-F.L/DII, dated 14-1-1965].

XXVIII. RADIO BROADCASTS

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

(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 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

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

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 Head 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].

XXIX. TAKING PART IN POLITICS

APPENDIX NO. 2

Sl. No. A

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 be proceeded against under the Government Servants (Efficiency and Discipline) Rules.

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

Sl. No. B

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.

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

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

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.—Establishment Division. O.M. No. 4/11/63-D.II, dated 5-8-1963].

Sl. No. C

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 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 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.*— Rules 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

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

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. The may be warned that any violation of these rules will be dealt with strictly.

[Authority.—Establishment Division. O.M. No. 3/1/69-D.II, dated 19-2-1969].

Sl. No. D

Bar against discussing politics in offices, clubs, restaurants and public places.— Attention is drawn 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-rule (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 all Government servants for strict compliance. The Government servants should be warned that any breach of these instructions will be dealt with severely.

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

Sl. No. E

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

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

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.—Establishment Division. O.M. No. 4/5/62-D.II, dated 17-3-1962].

Sl. No. F

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) 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

[**] Subs *vide* Estt. Division Notification No. S.R.O. 993(I)/76 dated 30-9-1976.

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, 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 take against them.

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

XXX. PROPAGATION OF SECTARIAN CREED

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.—Establishment Division. O.M. No. 4/22/52-SE.II, dated 27-9-1952].

XXXI. INSTRUCTIONS RELEVANT TO SERVICE ASSOCIATIONS

Sl. No. A

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 meeting so long as they remain in the Establishment Division.

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

Sl. No. B

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 as long as they remain in the Administration Branches.

2. The term "business meeting", 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.—Establishment Division. O.M. No. 4/3/63-F.VII, dated 8-8-1963].

Sl. No. C

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.—Establishment Division. O.M. No. 16/1/82-D.5, dated 20-6-1982].

Sl. No. D

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 cased to exist.

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

Sl. No. E

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

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

Sl. No. F

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.—Establishment Division. O.M. No. 6/4/74-F.I, dated 7-5-1974].

Sl. No. G

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.—Establishment Division. O.M. No. F. 16/4/74-F.I, dated 11-6-1974].

Sl. No. H

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 order 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.—Establishment Division. O.M. No. 16/4/74-F.I, dated 1-4-1976].

Sl. No. I

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.—Establishment Division. O.M. No. 16/3/87-D-3, dated 7-4-1987].

Sl. No. J

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.—Establishment Division. O.M. No. 16/5/88-D.5, dated 20-3-1988].

Sl. No. K

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.—Establishment Division. D.O. No. 1471/PS/ES/76, dated 23-6-1967].

Sl. No. L

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 Division 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's 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.—Establishment Division. O.M. No. 1814/75-F.II, dated 28-3-1977].

XXXII. 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. A

It has come to Cabinet's notice that certain officers of the Central or Provincial Governments have approached Foreign Government or their representatives in Pakistan for the grant to them of scholarship, 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. B

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/Government 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., are 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.—Establishment Division. O.M. No. 1/17/53-SE.II, dated 9-10-1953].

Sl. No. C

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.—Establishment Division. D.O. letter No. 1/35/53-SE.II, dated 29-10-1953].

Sl. No. D

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 country 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 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.—Establishment Division. D.O. letter No. 63/55/SE.II, dated 3-4-1956].

Sl. No. E

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 instruction.

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

Sl. No. F

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.—Establishment Division. Letter No. 1/73/58-EX., dated 17-7-1961].

Sl. No. G

[*Omitted*]

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].

XXXIII. FRATERNISATION BETWEEN GOVERNMENT SERVANTS AND THE FOREIGN MISSIONS IN PAKISTAN

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 Secretary 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.—Establishment Division D.O. letter no. 6/17/72-DA/D-IV, dated 14-4-1990].

XXXIV. STREAMLINING THE PROCEDURE OF GOVERNMENT FUNCTIONARIES APPEARING ON PRIVATE MEDIA CHANNELS

The success of various Government policies and programmes largely depends on their effective dissemination to the masses. The TV talk shows provide an excellent opportunity to the Government to make its policies heard and understood by a large section of the public.

2. However, it has been observed with much concern that senior officers are reluctant to avail such opportunities to highlight Government's point of view. Instead, Junior-level functionaries appear in such programmes. Who being not well versed with the subject are unable to project Government's point of view.

3. In order to streamline the situation the Chairman P.P.S.M.B / Director General has been pleased to designate the below mentioned officers as spokesmen in their respective sphere of administration:–

i) Additional Director General (Operation), Directorate-General.

ii) Postmaster General, respective Postal Circle.

iii) General Manager in respective PLI, Circle.

iv) Chief Controller of Stamps, Karachi.

(No. PR/Marketing. 8-6/04)

[Authority.—Director General Special Circular No. 11 dated 5ch August, 2004 read with cabinet Division's letter No. 1-8/2004-IMP-II, dated 5ch July, 2004].

APPENDIX NO. 3

REMOVAL FROM SERVICE (SPECIAL POWERS) OPRDINANCE, 2000 (ORDINANCE NO. XVII OF 2000).

AN

ORDINANCE*

To provide for dismissal, removal, compulsory retirement from service and reduction to lower post or pay scale of certain persons from Government service and corporation service:

WHEREAS, in view of prevailing circumstances it is expedient and necessary and in the public interest and further for good governance to provide for measure, *inter-alia*, dismissal, removal etc., of certain persons from Government service and corporation service as hereinafter stated;

AND WHEREAS, it is necessary to provide for speedy disposal of such cases and for matters connected therewith or ancillary thereto;

AND WHEREAS, the National Assembly and the Senate stand suspended in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999;

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

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, as well as Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:-

1. Sort title, extent, commencement and application:— (1) This Ordinance may be called the Removal from Service (Special Powers) Ordinance, 2000.

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* The Ordinance received assent of the President on 27th May, 2000 and was published in the Gazette of Pakistan Extra-ordinary *vide* Ministry of Law, Justice, Human Rights and Parliamentary Affairs (Law, Justice and Human Rights Division) Notification F. No. 2(I)/2000 – Pub, dated Islamabad, the 27th May 2000.

(2) It extends to the whole of Pakistan.
(3) It shall come into force at once.
(4) It shall apply to persons in Government service and corporation service.

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

[1](a) [Omitted]

[2][(aa)] "competent authority" means, [*][The Prime Minister] and where, in relation to any persons or class of persons, the [*][Prime Minister] authorizes any officer or authority not being inferior in rank to the appointing authority prescribed for the post held by the person against whom action is proposed to be taken, to exercise the powers, of competent authority under this Ordinance, that officer or authority, and, in relation to an employee of a Court or Tribunal functioning under the Federal Government, the appointing authority or the Chairman or Presiding Officer of the Court or the Tribunal;

(b) "Misconduct" includes conduct prejudicial to good order or service discipline or conduct unbecoming of an officer and a gentleman or involvement or participation for gain either directly or indirectly in industry, trade or speculative transactions or abuse or misuse of the official position to gain undue advantage or assumption of financial or other obligations to private institutions or persons such as may cause embarrassment in the performance of official duties or functions;

(c) "Person in corporation service" means every person in the employment of a corporation, corporate body, authority, statutory body or other organizations or institutions set up, established, owned, managed or controlled by the Federal Government, or by or under any law for the time being in force or a body or organisation in which the Federal Government has a controlling share or interest

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[1] Omitted *vide* removal from Service (Special Powers) (Amendment) Ordinance, 2003, dated 15-1-2003 which was previously inserted vide Ordinance, 2001 *ibid* dated 3-2-2001.
[2] Clause "(a)" re-lettered as clause "(aa)", *vide* Removal from Service (Special Powers) (Amendment) Ordinance, 2001 (Ordinance No. V of 2001) dated 03-02-2001.
[*] Substituted *vide* Removal from Service (Special Powers) (Amendment) Ordinance, 2003 dated 15-1-2003.

and includes the Chairman and the Managing Director, and the holder of any other office therein; and

(d) "Person in Government service" includes every person who is a member of an All-Pakistan Service or of a Civil Service of the Federation or who holds a civil post in connection with the affairs of the Federation or any employee serving in any Court or Tribunal set up or established by the Federal Government but does not include a Judge of the Supreme Court or of a High Court or Federal Shariat Court or any Court subordinate to the High Court, or any employee thereof.

3. [3][Dismissal, removal or compulsory retirement etc.] of certain persons in Government or corporation service, etc.—(1) Where, in the opinion of the competent authority, a person in Government or corporation service, is:-

(a) inefficient, or has ceased to be efficient for any reason; or [4][is guilty of being habitually absent from duty without prior approval of leave; or].

(b) guilty of misconduct; or

(c) corrupt, or may reasonably be considered as corrupt because:-

(i) he, or any of his dependents or any other person, through him or on his behalf, is in possession of pecuniary [5][sources] or of property, for which he cannot reasonably account for, and which are disproportionate to his known [5][sources] of income; or

(ii) he has assumed a style of living beyond his known sources of income; or

(iii) he has a persistent reputation of being corrupt; or

[6][(iv) he has entered into plea bargaining under any law for the time being in force and has returned the assets or

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[3] Substituted *vide* Removal from Service (Special Powers) (Amendment) Ordinance, 2001 (Ordinance No. V of 2001) dated 3-2-2001.
[4] In clause (a), added, *ibid*.
[5] In sub-clause (i) substituted *ibid*, for "resources".
[6] Sub-clause (iv) added *vide* removal from Service (Special Powers) (Amendment) Ordinance, 2001 (Ordinance No. V of 2001) dated 3-2-2001.

gains acquired through corruption or corrupt practices voluntarily; or]

(d) engaged, or is reasonably believed to be engaged, in subversive activities, and his retention in service is prejudicial to national security or he is guilty of disclosure of official secrets to any unauthorized person; or

(e) found to have been appointed or promoted on extraneous grounds in violation of law and the relevant rules;

the competent authority, after inquiry by the *[Inquiry Officer or the Inquiry Committee appointed] under section 5, may, notwithstanding any thing contained in any law or the terms and conditions of service of such person, by order in [7][writing] dismiss or remove such person from service, compulsorily retire from service or reduce him to lower post or pay scale, or impose one or more minor penalties as prescribed in the Government Servants (Efficiency and Discipline) Rules, 1973 [8][* *]

[9][* *]

[10][(2) Before passing an order under sub-section (1), the competent authority 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 within seven days or within such extended period as the competent authority may determine;

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

Provided further that no such opportunity shall be given 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 where the competent authority is satisfied for reason to be recorded in

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[7] Substituted, *vide* Removal from service (Special Powers) Amendment Ordinance 2001 (Ordinance No. V of 2001), dated 3-2-2001 for the "Official Gazette".
[8] Omitted, *ibid.*
[9] Proviso omitted, *ibid*
[10] Sub-section (2) substituted by new sub-section(2) and (3), *ibid.*

writing that it is not reasonably practicable to give the accused an opportunity of showing cause.

(3) The dismissal or removal or premature retirement from service or reduction to lower post or pay scale of a person under sub-section (1) shall not absolve such person from liability to any punishment to which he may be liable for an offence under any law committed by him while in service.]

4. Suspension— A person against whom action is proposed to be taken under sub-section (1) of section 3 may be placed under suspension with immediate effect if, in the opinion of the competent authority, suspension is necessary or expedient:

Provided that the competent authority may, in an appropriate case, for reasons to be recorded in writing, instead of placing such person under suspension, require him to proceed on such leave as may be admissible to him from such date as may be specified by the competent authority.

[11]**[5. Power to appoint an Inquiry Officer or Inquiry Committee:-** (1) Subject to the provisions of sub-section (2), the competent authority shall, before passing an order under section 3, appoint an Inquiry Officer or Inquiry Committee to scrutinize the conduct of a person in Government service or a person in corporation service who is alleged to have committed any of the acts or omissions specified in section 3. The Inquiry officer or, as the case may be, the Inquiry Committee shall-

(a) communicate to the accused the charges and statement of allegations specified in the order of inquiry passed by the competent authority;

(b) require the accused within seven days from the day the charge is communicated to him to put in a written defence;

(c) 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; and

(d) hear the case from day to day and no adjournment shall be given except for special reasons to be recorded in writing and intimated to the competent authority.

(2) Where the Inquiry Officer or as the case may be, the Inquiry committee is satisfied that the accused is hampering or attempting to

[11] Substituted *vide* Removal from Service (Special Powers) (Amendment) Ordinance, 2001 (Ordinance No V of 2001) dated 3-2-2001.

hamper, the progress of the inquiry he or it shall record a finding to that effect and proceed to complete the inquiry in such manner as he, or it, deems proper in the interest of justice.

(3) The Inquiry Officer or, as the case may be, the Inquiry Committee shall submit his, or its findings and recommendations to the competent authority within twenty five days of the initiation of inquiry.

(4) The competent authority may dispense with the inquiry under sub-section (1) if it is in possession of sufficient documentary evidence against the accused, or for reasons to be recorded in writing, it is satisfied that there is no need of holding an inquiry.

(5) Where a person who has entered into plea bargaining under any law for the time being in force, and has returned the assets or gains acquired through corruption or corrupt practices voluntarily, the inquiry shall not be ordered:

Provided that show cause notice shall be issued on the basis of such plea bargaining to such person informing of the action proposed to be taken against him and the grounds of such action requiring him to submit reply within fifteen days of the receipt of the notice. On receipt of the reply, the competent authority may pass such orders as it may deem fit.]

6. Powers of the [12][Inquiry Officer or] Inquiry Committee—The [12][Inquiry Officer or] Inquiry Committee shall have power:–

(a) to summon and enforce attendance of any person and examine him on oath;

(b) to require the discovery and production of any documents;

(c) to receive evidence on affidavits; and

(d) to record evidence.

7. Procedure to be followed by the [13][Inquiry Officer or] Inquiry Committee:— The [13][Inquiry Officer or] Inquiry Committee shall, subject to any rules made under this Ordinance, have power to regulate its own procedure [14][for] the fixing of place and time of its sitting and deciding whether to sit in public or in private, and in the case of corporate committee, to act notwithstanding the temporary absence of any of its members.

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[12] Inserted *vide* Removal from Service (Special Powers) (Amendment) Ordinance, 2001 (Ordinance No. V of 2001) dated 3-2-2001.

[13] Inserted *vide* Removal from Service (Special Powers) (Amendment) ordinance 2001 dated 3-2-2001.

[14] Substituted, *vide* Removal from service (Special Powers) Amendment Ordinance, 2001 (Ordinance No. V of 2001) dated 3-2-2001 for the word "including".

8. Order to be passed upon a finding—Every finding recorded by the [15][Inquiry Officer or, as the case may be, Inquiry Committee] under section 5 shall, with the recommendation provided for in that section, be submitted to the competent authority and the competent authority may pass such orders thereon as it may deem proper in accordance of the provisions of this ordinance.

[†]**[9. Representation—** (1) A person on whom a penalty is imposed under section 3, may, within fifteen days from the date of communication of the order prefer a representation to the [*]Prime Minister or such officer or authority as the *Prime Minister may designate:

Provided that where the order has been made by the [*]Prime Minister such person may, within the aforesaid period, submit a representation to the President.

(2) The President, the [*]Prime Minister, or an officer or authority, as may be designated for the purpose by the [*]Prime Minister, may, on consideration of the representation, and any other relevant material, confirm, set aside, vary or modify the order in respect of which such representation is made.]

10. Appeal— Notwithstanding anything contained in any other law for the time being in force, any person aggrieved by any final order under section 9 may, within thirty days of the order, prefer an appeal to the Federal Service Tribunal established under the Service Tribunals Act, 1973 (LXX of 1973):

[16][Provided that where a representation [@][***] has been preferred under section 9 but no decision has been received by, or communicated to, the applicant or, as the case may be, petitioner, within a period of sixty days of its submission to the prescribed authority, he may prefer appeal to the Service Tribunal within thirty days of the expiry of the aforesaid period].

11. Ordinance to override other laws:—The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in the Civil Servants Act, 1973 (LXXI of 1973), and the rules made thereunder and any other law for time being in force.

12. Proceedings under this Ordinance:—All proceedings initiated on the commencement of this Ordinance in respect of matters and persons in

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[15] Substituted, *ibid*

[*] Subs *vide* Removal from service (Special Powers) (Amendment) Ordinance No. XXXII of 2002, dated 23rd July, 2002.

[-] Substituted *vide* Removal from Service (Special Power) (Amendment) Ordinance No. of 2003, dated 15-1-2003.

[16] Inserted *vide* Ordinance No. XIX of 2002, dated 6-4-2002.

[@] Omitted *vide* ordinance No. XXXII of 2002, dated 23-7-2002.

service provided for in this Ordinance shall be governed by the provisions of this Ordinance and rules made thereunder.

[17][Provided that the Federal Government may, by notification in the official Gazette, exempt any class or classes of employees of a corporation, a Corporate body, Authority, Statutory body or other organization or institution set up, established, owned, managed or controlled by it or a body or organization in which it has a controlling share or interest from the provisions of this Ordinance, be proceeded against and dealt with under the laws and rules applicable to such employees before the commencement to this Ordinance.]

13. Pending Proceedings to continue:—For the removal of doubts, it is hereby provided that all proceedings pending immediately before the commencement of this Ordinance against any person whether in Government service or corporation service under the Civil Servants Act, 1973 (LXXI of 1973) and rules made thereunder or any other law or rules, shall continue under the said laws and rules, and as provided thereunder.

14. Pensionary benefits, etc:—Notwithstanding anything contained in this Ordinance the payment of pension or other benefits to a person retired or reduced to a lower post or pay scale under this Ordinance shall, if admissible, be regulated in accordance with the law for the time being in force relating thereto.

[18]**[14-A. Indemnity.—**No suit, prosecution or other legal proceedings shall lie against the competent authority or an officer or authority authorized by it for any thing which is in good faith done or intended to be done under this Ordinance or the rules, instructions or directions made or issued thereunder.

14-B. Jurisdiction barred.— Save as provided under this Ordinance, no order made or proceedings taken under this Ordinance, or the rules made thereunder, by the competent authority or any officer or authority authorized by it shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made or proceedings taken in pursuance of any power conferred by, or under, this Ordinance, or the rules made thereunder.]

15. Power to make rules:— The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

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[17] Proviso inserted *vide* Ordinance No. XXIX of 2001, dated 10-7-2001.
[18] Sections 14A and 14B added *vide* Ordinance No. LXII of 2001, dated 07-11-2001.

16. Removal of difficulties:—If any difficulty arises in giving effect to any of the provisions of this Ordinance, the President may make such order, not inconsistent with the provisions of this Ordinance, as may appear to him to be necessary for the purpose of removing the difficulty.

APPENDIX NO. 4

CLARIFICATION OF PROVISIONS OF REMOVAL FROM SERVICE (SPECIAL POWERS) ORDINANCE, 2000

I. CLARIFICATION IN REGARD TO SECTION 12 AND 13 OF THE REMOVAL FROM SERVICE (SPECIAL POWERS) ORDINANCE, 2000

The undersigned is directed to refer to Section 12 of the Removal From Services (Special Powers) Ordinance, 2000 which lays down that "all proceedings initiated on the commencement of this Ordinance in respect of matters and persons in service provided for in this Ordinance shall be governed by the provisions of this Ordinance and rules made thereunder" and section 13 which lays down that "for the removal of doubts it is hereby provided that all the proceedings pending immediately before the commencement of this Ordinance against any person whether in Government service or Corporation service under the Civil Servants Act, 1973 (LXXI of 1973) and rules made thereunder or any other law or rules, shall continue under said laws and rules and as provided thereunder". In this connection a reference was made to Law Division for advice on the following points :—

(i) Whether the expression "proceedings pending immediately before the commencement of this Ordinance" used in section 13 cited above would cover following cases :—

(a) proceedings initiated against a civil servants under the E&D Rules, or a corporation employee under the law and rules applicable to him, on which final orders of the competent authority, whether for exoneration or for imposition of a penalty, had not been passed before 27th May, 2000, the date of commencement of the Ordinance.

(b) Cases in which proceedings initiated against a civil servants before 27th May, 2000 under the E&D Rules or a corporation employee under the applicable law/rules, are quashed for any reason either under an order passed by a competent Court of Law or by the prescribed competent departmental authority, and it is decided to order fresh inquiry on the same charges which formed the basis of the earlier disciplinary

proceedings under E&D Rules in the case of civil servants and applicable law/rules in the case of corporation employee.

(ii) Whether in cases where disciplinary proceedings initiated before the commencement of the said Ordinance, i.e. 27th May, 2000 are set aside and a fresh inquiry involving a change in the charges which formed the subject matter of the earlier disciplinary proceedings under the E&D Rules in the case of civil servants and the applicable law/rules in the case of a corporation employee is initiated, the new proceedings would fall outside the ambit of section 13 of the Ordnance, and would be covered by section 12.

2. The Law Division have confirmed the views expressed in sub-paras (i) (a) and (b).

3. With regard to sub-para (ii) of para 1, Law Division have clarified that "mere change of the charges (which were substantially a part of the earlier proceedings) may not attract section 12 of the Ordinance. However, charges being fresh in substance and spirit can be processed under the said section 12 of the Removal From Service (Special Powers) Ordinance, 2000".

4. The above clarification is circulated for information and guidance of all Ministries/Divisions/Departments.

[Authority.— Establishment Division No. 11/10/2000-D.1, dated 29th September, 2000 addressed to all Secretariats by name. Also reproduced in the Director General Circular No. 11 dated 15th November, 2000.]

II. CLARIFICATION IN REGARD TO INVOCATION OF RULES 3 AND 8 OF THE GOVERNMENT SERVANTS (EFFICIECY AND DISCIPLINE) RULES, 1973 AFTER COMING INTO FORCE OF THE REMOVAL FROM SERVICE (SPECIAL POWERS) ORDINANCE, 2000

Rule 5 of the Government Servants (Efficiency and Discipline) Rules, 1973 requires, *inter alia*, that before passing an order of imposition of a penalty, an accused government servant should be informed in writing of the action proposed to be taken against him and the grounds of the action and he should be given a reasonable opportunity of showing cause against the penalty proposed to be imposed by him. Rule 8 of the said rules, however, provides that "nothing in rule 5 shall apply to a case where the accused is dismissed or removal from service or reduced in rank, on the ground of conduct which has led to a sentence of fine or imprisonment."

2. The Removal from Service (Special Powers) Ordinance, 2000 does *not contain any provision on the lines of rule 8 cited above. This means that, if it is proposed to impose a penalty on a Government servant under the said Ordinance on account of conviction by a Court of Law, the mandatory procedure of enquiry and show cause notice provided in Section 3 of the said Ordinance will have to be observed. This would inevitably entail delay. In order to avoid unnecessary delay it would be appropriate to invoke the provisions of Rule 3 read with Rule 8 of the Government Servants (Efficiency and Discipline) Rules for the purpose of imposing an appropriate penalty in case where a court of law passed an order of imprisonment or imposition of fine.

3. Section 12 of the Removal from Service (Special Powers) Ordinance, 2000 lays down as under :–

"All proceedings initiated on the commencement of this Ordinance in respect of matters and persons in service provided for in this Ordinance shall be governed by the provisions of this Ordinance and rules made thereunder".

4. A question had arisen whether, in cases referred to in para 2, invocation of powers conferred by rules 3 and 8 of the Government Servants (Efficiency and Discipline) Rules, 1973 is legally sustainable or is hit by Section 12 of the said Ordinance cited above? The position has been examined and Law Division have clarified that, as matters provided in Rules 3 and 8 of the Government Servants (Efficiency and Discipline) Rules, 1973 have not been provided in the said *Ordinance, the cases where a court of law passes an order of imprisonment or imposition of fine on a Government servant, can be dealt with under Rule 3 read with Rule 8 of the Government Servants (Efficiency and Discipline) Rules, 1973, and the provisions of Removal from Service (Special Powers) Ordinance, 2000 would not come into play.

5. The above clarification is circulated for information and guidance of all Heads of Circles and Subordinate Offices under their administrative control.

[Authority:— Establishment Division's O.M. NO. 3/64/2000. R-2, dated 25th October, 2000 and reproduced in Director General Circulars N0. 12 dated 15th December, 2000]

III. DISCIPLINARY PROCEEDINGS UNDER REMOVAL FROM SERVICE (SPECIAL POWERS) ORIDNANCE, 2000.

It has been observed that disciplinary cases against employees of Post Office Department are not being processed properly in terms of Removal from Service (Special Powers) Ordinance, 2000. In some cases the inquiry officer and the Authorities have not even been found aware about the time factor

* Insertion of second Proviso to clause (b) of sub-section (2) of section 7 of Removal from Service (Special Powers) Ordinance, 2000 on 3rd February 2001 has rectified this draw back.

prescribed for completion of enquiry and passing decisions after receipt of defence in response to show cause notices.

2. The Director General has seriously viewed the casual and careless attitude of inquiry officers and Authorities in connection with initiation and finalization of disciplinary proceedings and has been pleased to order that :

i). All the officers/ authorities should get them-selves familiar with the contents and real perspectives of the Removal from Service (Special Powers) Ordinance, 2000.

ii). The cases in which an enquiry through an inquiry officer or a committee is not considered essential, the Authority may initiate action by issuing a show cause notice to the accused giving him 7 days period for submitting his defence.

iii). The case in which an enquiry is necessary, the inquiry orders should be issued by the Authority by appointing an inquiry officer/ committee who may clearly be ordered to complete the inquiry proceedings against the accused and submit their findings and recommendation to the Authority concerned within 25 days.

iv). The Authority/Inquiry officer, on whose part any delay in finalization of a disciplinary case is noticed, will be treated as "Inefficient" and disciplinary action will be initiated against him besides recording of suitable adverse remarks in his ACR.

3. The above instructions should be implemented in letter and spirit and brought to the notice of all concerned under your jurisdiction.

No. Disp6-9/2001.

[Authority.— Director General Circular No. 7 dated July, 2002].

IV. GUIDELINES FOR SUBMISSION OF REPRESENTATIONS TO THE PRIME MINISTER / PRESIDENT UNDER REMOVAL FROM SERVICE (SPECIAL POWERS) ORDINANCE, 2000.

It has been noticed that the Summaries received from Ministries / Divisions / Departments relating to representations filed by aggrieved persons under the Removal form Service (Special Powers) Ordinance, 2000 are generally not accompanied by related documents which are essential for proper examination of such representations.

APPENDIX NO. 4

2. In order to ensure expeditious processing of representations, it is requested that the following documents should be attached to the Summaries:-

(i) A copy of order of inquiry specifying the charges on which the disciplinary proceedings were initiated.

(ii) A copy of the letter through which the Inquiry Officer/Inquiry Committee communicated the charges/statements of allegations to the accused officer.

(iii) A copy of reply of the accused officer to the Inquiry Officer/Inquiry Committee.

(iv) In case the inquiry was dispensed with by the Authority under Sub-Section (4) of Section 5 of the Removal from Service (Special Powers) Ordinance, 2000, a copy of such orders of the Authority.

(v) A copy of inquiry report including its enclosures.

(vi) A copy of Show Cause Notice.

(vii) A copy of reply of the accused officer to the Show Cause Notice.

(viii) A copy of the speaking note of the Authority leading to the passing of the order of imposition of penalty.

(ix) A copy of notification of imposition of penalty.

(x) Representation (in original) alongwith its enclosures, if any.

(xi) Detailed parawise comments on the representation in juxtaposition, as per prescribed format annexed herewith.

[**Authority.—** Establishment Division O. M. No. 8/13/2003-D.3., dated 19th April, 2003.]

PARAWISE COMMENTS ON THE REPRESENTATION SUBMITTED BY …….. (NAME, DESIGNATION, OFFICE, BPS), AGAINST MINOR / MAJOR PENALTY OF ……..

Sl. No.	Contention of the accused (Relevant paras in representation to be reproduced	Comments of the Ministry / Division / Department	Comments to be offered by Establishment Division
1	**2**	**3**	**4**

APPENDIX NO. 5

GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973

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 appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973];

[@][Provided that in the case of disciplinary proceedings already initiated against a Government Servant before 14th June, 2000, the powers of "authority" shall be exercised by the officer designated as such before the aforesaid date.];

(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;

(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

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[*] 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. 336(I)/2000, dated 14-6-2000.
[@] Added *vide* Estt. Division Notification No. S.R.O. 470(I)/2000, dated 7-7-2000.
[***] Added *vide* Establishment Division Notification No. S.R.O. 861/(I)/78, dated 3-7-1978.

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. Ground 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 caused 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].

(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

* Added *vide* Estt. Division Notification No. S.R.O. 853(I)/84, dated 30-9-1984.
** Added *vide* Estt. Division Notification no. S.R.O. 43(I)/86, dated 7-1-1986.

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 witness 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.

(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.

* Renumbered and added *vide* Estt. Division Notification No. 7/5/75-Dl. Dated 14-5-1975.

(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.

*[6A. **Revision.**—(1) Subject to sub-rule (2), 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:

(2) No order under sub-rule (I) shall be passed in respect of an accused unless the authorized officer to be designated by the authority has informed him in writing of the grounds on which it is proposed to make the order and has been given an opportunity of showing cause against it, including an opportunity of personal hearing if requested by the accused or is otherwise necessary in the interest of justice, in particular, when the authority contemplates to pass an order adverse to the interest of the accused:

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

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.

(2) The proceeding 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).

* Added *vide* Estt. Division Notification No. 4/2/27-Dl, dated 3-7-1978 and subsequently substituted *vide* Estt. Division Notification No. S.R.O. 74(I)/2001, dated 3-2-2001.

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 or inquiry against Government servants serving in Provincial Governments or working on deputation outside their department or service to which they belong:—** When a Government servant to whom these rules apply, is serving under a Provincial Government or in a department, outside the department or service to which he belongs, or in a statutory organization, corporate body, or local authority, and the borrowing authority wants to initiate disciplinary proceeding against such Government servant under these rules, the borrowing authority shall forward to the concerned lending authority a report with supporting documents on the basis of which disciplinary proceedings are proposed, and, if considered necessary, it may with the approval of the lending authority place him under suspension or send him on forced leave. On receipt of report from the borrowing authority, the lending authority shall take action as prescribed by 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.

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[*] Added *vide* Estt. Division Notification No. 2/14/73-DI. Dated 12-3-1975.
[**] Substituted *vide* Estt. Division Notification No. S.R.O. 74(I)/ 2001, dated 3-2-2001.
[***] Subs *vide* Estt. Division Notification No. S.R.O. 55(I)/77, dated 18-1-1977.

[@][**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.

[**Authority.—** Cabinet Secretariat (Establishment Division)'s Notification No. S.R.O. 1213(I)/73 Rawalpindi, the 18th August 1973]

[@] Added *vide* Estt. Division Notification No. 7/3/74-D.I. dated 14-11-1974 (S.R.O. 1412(I)/74.
[@@] Added *vide* Estt. Division Notification No. S.R.O. 1809(I)/73, dated 31-12-1973.

APPENDIX NO. 6

GENERAL INSTRUCTIONS RELEVANT TO THE GOVERNMENT SERVANTS (EFFICENCY AND DISCIPLINE) RULES, 1973

I. INSTRUCTIONS FOR TAKING ACTION AGAINST AN ACCUSED GOVERNMENT SERVANT UNDER THE GOVERNMENT SERVANTS (EFFICENCY AND DISCIPLINE) RULES, 1973.

A detailed check-list (printed at Serial No. 97 of Chapter V of Estacode, 1989) which is required to be followed strictly while taking action under the Government Servants (Efficiency and Discipline) Rules, 1973 is given in an Annexure to this Gazette. This check-list prepared by the Establishment Division provides detailed guidance to the concerned authorities regarding various stages/aspects of the E&D proceedings including preparation of charge sheet, statement of allegations, etc., to avoid what may otherwise lead to such proceedings being declared totally or partially irregular at a later stage by the competent authority/forum.

2. Instances have come to the notice of the competent authority where due to serious lapse on the part of the concerned authorities, the accused Civil servants have escaped punishment under Government Servants (E&D) Rules, 1973 or where such proceedings had to be re-initiated. All this is avoidable if the detailed instructions on the subject are strictly followed.

3. One of the major failures which has been noted is in respect of suspension of the defaulting Civil servants. Not infrequently references seeking approval of the competent authority for placing a Civil servant under suspension or for extension in the period of his suspension are forwarded under the signatures of someone other than the "Authorised Officer", declared as such in pursuance of clause (3) of rule 2 of the Government Servants (E&D) Rules, 1973. Since the E&D proceedings have a legal connotation and all orders, including suspension are liable to judicial scrutiny upto the level of Supreme Court, it is vital that all such orders are signed by the competent authority himself as those powers cannot be delegated to anyone else.

4. Similarly the charge sheet is required to be issued over the signature of the Authorised Officer and in no case by any other person.

5. Further under rule 5 (1) (ii) of the Government Servants (Efficiency and Discipline) Rules, 1973, the Authorised Officers has the powers to order holding of inquiry against an accused Government servant through an

inquiry officer or Inquiry Committee. It may however be noted that appointment of an Inquiry Officer who is junior to the accused Government servant is not appropriate under the Rules as that could lead to administrative and legal complications at a later stage.

6. It is therefore desired that the detailed instructions on the subject as well as those given in the annexed Check-List should be adhered to strictly which would not only safeguard the interests of the State but would also save the concerned authorities from avoidable loss of time and energy.

[S. 21-16/73.]

[Authority.— Pakistan Postal Services Corporation Gazette No. 05, dated 15th April, 1995.]

Annexure

CHECK-LIST OF REQUIREMENTS TO BE NOTED WHILE TAKING ACTION UNDER GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973.

Authority :— To ensure that :—

The President has been pleased to designate the officer or authority to exercise his powers as Authority under rule 2(2).

Authorised Officer—To ensure that :—

1. The officer exercising the powers of Authorised Officer has been authorised by the Authority to act as such in terms of rule 2(3).

2. The Authorised Officer while exercising his discretionary powers of suspension under Rule 5(1)(i) has obtained prior approval of the Authority in writing before issuing orders suspending the accused officer. The summaries for Authority seeking its approval for suspension or extension of suspension period are signed by the Authorized Officer and not by any other officer. Further, an officer can be suspended only if he is accused of subversion, corruption or misconduct. [Rule 5(1)(i)].

3. Formal approval of the Authority is available for continuation of the suspension period after every three months [Rule 5 (1) (i)].

4. Formal approval of the Authority is available for extending the period of forced leave after every three months [Rule 5(1)(i)].

5. No officer other than the Authorised Officer has decided that in the light of the facts of the case or in the interest of justice an inquiry

should be conducted through an Inquiry Officer or Inquiry Committee, [Rule (1)(ii)].

6. Considering the nature of charges and other facts, the decision not to hold an inquiry has been taken judiciously and not arbitrarily. Before taking such a decision, the Authorized Officer has taken into consideration the nature of charges and other facts and has satisfied himself that the allegations against the accused could be decided without holding an enquiry. [Rule 5 (1) (iii)]. (Though it is not a requirement of the rule that the reasons for not holding an inquiry be recorded yet the checkpoint is necessary to ensure that the decision is in the interest of justice as required by rule and that there is no violation of the law of natural justice).

7. The procedure prescribed in rule 6 is followed in case the Authorised Officer in exercise of his discretionary power under Rule 5 (1) (ii) has decided to hold an inquiry through an Inquiry Officer or Inquiry Committee.

8. Formal order regarding appointment of Inquiry Officer or Inquiry Committee, as the case may be, has been issued by the Authorised Officer and not by any other officer, [Rule 6 read with rule 5 (1) (ii)].

9. A formal charge-sheet together with a statement of allegations has been framed and communicated to the accused officer by the Authorised Officer under his signature. (The statement of allegations should also be authenticated by the authorised officer) [Rule 6 (1)].

10. The charge sheet requires the accused:

(i) to put in written defence within a reasonable time which is not less than 7 days or more than 14 days from the day the charge has been communicated, [Rule 6 (2)].

(ii) to state whether he desires to be heard in person, [Rule 6 (2)].

11. The procedure laid down in Rule 5 (1) (iii) is followed in case the Authorised Officer in exercise of his discretion has decided to dispense with holding an inquiry through an Inquiry Officer or Inquiry Committee.

12. In the show cause notice issued under Rule 5 (1) (iii) the proposed action and the grounds of the action including particular or particulars of charges and substance of evidence in support of the

charges has been specified; the grounds for penalty in terms of rule 3 have been specifically mentioned; the penalty or penalties which would be called for if the charges are established have been specified and no general mention has been made by reference to all minor or major penalties. The description of penalties should conform to the description given in the rules. The show cause notice must be signed by the Authorised Officer.

13. On receipt of the report of the Inquiry Officer or Inquiry Committee or on receipt of explanation of the accused officer under Rule 5 (1) (iii) the Authorised Officer has determined whether the charge or charges against the accused officer has been proved or not [Rule 5 (1) (iv)].

14. After the Authorised Officer has considered the inquiry report and arrived at a provisional conclusion as to the penalty to be imposed, the accused shall be supplied with a copy of the inquiry report and asked to show cause within a specified time, which should not be less than 7 days and more than 14 days from the date of receipt of inquiry report, against the particular penalty to be imposed and any representation submitted by the accused in this behalf shall be taken into consideration before final orders are passed.

15. In case the Authorised Officer has proposed imposition of a major penalty on the accused officer he has referred the case to the Authority with his recommendation and with all the documents mentioned in the rule [Rule 5 (1) (iv)].

16. When the accused has desired to be heard in person, the Authorised Officer has duly heard him in person before deciding to impose a minor penalty or make recommendations to the Authority for a major penalty [Rule 6 (2)].

17. In case the Authorised Officer in respect of civil servants holding posts in basic pay scales 17 and above decides to forward a disciplinary case to the President where he is the Authority, he should invariably submit his proposal to the Establishment Division in the form of a "summary for the President" marked to the "COS to the President through Establishment Secretary" alongwith complete CR dossier. The summary should also contain the following information:–

(i) date of the birth of the accused.

(ii) date of his entry into service.

(iii) the length of qualifying service for pension as on the date on which summary is forwarded.

Inquiry Officer / Committee.— To ensure that:–

1. The procedure laid down in Rule 6 (3) to (6) is strictly adhered to during the inquiry proceedings.

2. The inquiry proceedings being of judicial nature in terms of rule 7, the Inquiry Officer has recorded the statement of witnesses on oath. [Rule 7 (a)].

3. The accused officer is allowed to cross-examine the witnesses produced against him during the proceedings. [Rule 6 (3)].

4. The accused officer is afforded reasonable opportunity to produce his defence. [Rule 6 (3)].

5. The case is heard from day to day and no adjournment is given except for reasons to be recorded in writing which should be reported to the Authorised Officer. No. adjournment should exceed a week. [Rule 6 (4)].

6. The findings are recorded after due analysis and appreciation of evidence on record.

[**Authority.—** Establishment Secretary's D.O. letter No. 3/1/85-D.2, dated the 26th March, 1985, Government of Pakistan (Establishment Division)'s O.M. No. 2/52/94-D-I, dated 28th December, 1994 and O.M. No. 16/61/94-R.2, dated 24th January, 1995].

II. ELIMINATION OF DELAY IN FINALIZATION OF DISCIPLINARY CASES, UNDER GOVERNMENT SERVANTS (EFFICIENCY AND DISCIPLINE) RULES, 1973

It has been observed that disciplinary proceedings against the accused Government servants initiated under Government Servants (Efficiency and Discipline) Rules, 1973 tend to be unduly protracted for various avoidable reasons, causing hardship to the affected official / officer on one hand and defeating the very purpose of such an action on the other besides putting the administration to un-necessary criticism.

2. The Director General has seriously viewed late finalisation of disciplinary cases and has ordered for their prompt disposal by observing the provisions of Government Servants (E&D) Rules, 1973. In order to ensure prompt disposal the following guide lines should be strictly adhered to:–

(i) The Authorised Officer should frame the charge sheet together with a statement of allegations elaborating the charges and communicate these to the accused Government servant over his own signatures within fourteen days of coming into light of valid accusations. The statement of allegations should also be authenticated by the Authorised Officer.

(ii) Formal orders regarding the appointment of Inquiry Officer should be issued simultaneously by the Authorised Officer over his signature and not by any other officer, if in the light of facts of the case or in the interest of justice he decides to have an inquiry conducted.

(iii) The accused Government servant shall be required to submit the written defence to the Inquiry Officer within the stipulated period of time which shall not be less than seven days or more than fourteen days from the day the charge has been communicated.

(iv) The Inquiry Officer 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.

(v) The Inquiry Officer should hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing. Every adjournment with reasons shall be reported forth-with to the Authorised Officer. No adjournment shall be for more than a week. The Inquiry Officer should conclude the inquiry proceedings within four weeks of the date of receipt of written defence from the accused.

(vi) The Inquiry Officer, should within ten days of the conclusion of the proceedings submit his findings and ground thereof to the Authorised Officer.

(vii) Where the Inquiry Officer is satisfied that the accused is hampering or attempting to hamper the progress of the enquiry he shall administer a warning and if thereafter he is satisfied that the accused is acting in disregard of the warning, he shall record a finding to that effect and proceed to complete the enquiry within period not exceeding four

weeks in such a manner as he thinks best suited to do substantial justice.

(viii) On receipt of the report of the Inquiry Officer, the Authorised Officer will consider the inquiry report and arrive at a provisional conclusion as to the penalty to be imposed. The accused shall be supplied with a copy of the inquiry report within ten days of its receipt asking him to show cause within a reasonable time ranging from seven days to fourteen days specifically mentioning the penalty or penalties which would be called for if the charges are established.

(ix) If the accused has desired to be heard in person the Authorised Officer should hear the accused in person within 15 days of date of receipt of defence / explanation of the accused.

(x) The Authorised Officer will examine the whole case thoroughly and consider the relevant record objectively including the defence / explanation of the accused to the show cause notice and the facts brought to his notice in personal hearing etc. The Authorised Officer should determine whether the charge has been proved and finally make up his mind as the penalty to be imposed. If it is decided to impose a minor penalty the Authorised Officer shall pass orders accordingly within seven days of the date of hearing.

(xi) If it is proposed to impose a major penalty the Authorised Officer shall forward the case to the Authority within fourteen days of the date of hearing alongwith the charge and statement of allegations served on the accused, the explanation of the accused, the findings of the Inquiry Officer if appointed, and his own recommendations regarding the penalty to be imposed.

(xii) The Authority shall pass such orders as it may deem proper within ten days of the receipt of the case.

(xiii) Under the provision of rule 6–A of the Government Servants (E&D) Rules, 1973, the Authority is vested with the powers to call for the record of any case pending before or disposed of by the Authorised Officer and pass such order in relation thereto as it may deem fit However where the Authority in exercise of its revisionary powers decides to enhance a penalty already imposed in a case already disposed of or which, in a pending case, is greater than the penalty shown

in the show cause notice it is incumbent that a show cause notice is invariably issued and the accused is given an opportunity of being heard in person.

[**Authority.—** Director General, Pakistan Post Office letter No. S(II) 21-16/73-XI, dated 24th February, 1998 addressed to all Heads of Circles.]

III. COMPETENT AUTHORITY FOR PLACING GOVERNMENT SERVANT UNDER SUSPENSION CLARIFICATION OF

It is clarified for general information of all concerned that suspension of a Government servants takes place when he commits a serious offence in his official duties which may entail his "compulsory retirement" or "removal" or "dismissal" from service on the charge of "Misconduct" or "Corruption" or "Subversive activities" enumerated under clause (*b*), (*c*) and (*d*) of Rule 3 of the Government Servants (Efficiency and Discipline) Rules, 1973. In view of this position, the "authority" referred to in Rules 5 (1) (i) ibid is the authority who is competent to impose penalties (ii), (iii), (iv) of Rule 4 (1) (b) ibid on the Government servant. In other words, it is only the appointing authority who is empowered to place a Government servant under suspension.

2. This should be brought to the notice of all concerned.

IV. QUESTION WHETHER OR NOT PUNISHMENT CAN BE AWARDED UNDER THE (E&D) RULES AFTER A GOVERNMENT SERVANT HAS EFFECTIVELY RETIRED FROM GOVERNMENT SERVICE

A question has arisen as to whether or not punishment can be awarded to a Government servant under the Government Servants (E&D) Rules after he has effectively retired from service. It has been decided by the Government that when a Government servant retires form Government service he ceases to be a Government servant and as such provisions of rules affecting the conduct of a Government servant do not apply to him. Therefore all disciplinary proceedings initiated against a Government servant are to be finalised before he effectively retires from service because otherwise the punishment awarded, if any, would be void, illegal and without jurisdiction.

2. These instructions should be brought home to all concerned to ensure that all disciplinary proceedings against Government servants should in all cases be finalised before they effectively retire from service.

APPENDIX NO. 7

CIVIL SERVANTS (APPEAL) RULES, 1977

In exercise of the powers conferred by section 25 of the Civil Servants Act, 1973 (LXXI of 1973), the President is pleased to make the following rules, namely:—

1. (1) These rules may be called the Civil Servants (Appeal) Rules, 1977.

(2) They shall come into force at once.

2. In these rules unless there is anything repugnant in the subject or context.-

[*][(a) Appellate authority means.-

(1) In cases relating to discipline.—

(i) where the order is made by the authorised officer, the officer designated as authority under the Government Servants (Efficiency and Discipline) Rules, 1973;

[**][(ii) where the order is made by the officer, designated as authority, under the rules specified in paragraph (i), the officer or authority next above the authority; and]

(iii) where the order is made by the Prime Minister, the President; and

(2) In other cases, the officer or authority next above the authority against whose order the appeal is preferred and where the order is made by the Prime Minister, the President; and]

(b) [***][ ]

(c) "penalty" means a penalty provided for in the Government Servants (Efficiency and Discipline Rules, 1973].

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* Subs. *vide* Estt. Division Notification No. S.R.O. 178(I)/99, dated 24-3-1999.

** Subs *vide* Estt. Division Notification No. S.R.O. 335(I)/2000 dated 14-3-2000.

*** Omitted *vide* Estt. Division Notification No. S.R.O. 178(I)/99, dated 24-3-1999.

3. Every civil servant shall be entitled to appeal, to the appellate authority from an order passed by an authority *[or an authorized officer] imposing upon him any penalty:

Provided that, where the penalty is imposed by an order of the President, the Civil servant shall have no right to appeal but he may apply for review of the order.

4. (1) A civil servant shall be entitled to appeal to the appellate authority from an order passed by an authority which-

(a) alters to his disadvantage, his conditions of service, pay, allowances or pension; or

(b) interprets to his disadvantage the provisions of any rules whereby his conditions of service, pay, allowances or pension are regulated; or

(c) reduces or withholds the maximum pension, including an additional pension, admissible to him under the rules governing pensions; or

(d) terminates his employment or gives notice of such termination otherwise than-

(i) on his reaching the age of superannuation, or

(ii) in accordance with the provision of the Civil Servants Act, 1973 (LXXI of 1973):

Provided that a person appointed by the President shall have no right to appeal from an order passed by the President, but he may apply for review of the order:

Provided further that no appeal or review shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

(2) A member of an All-Pakistan Unified Grades serving under a Provincial Government may appeal, from the order of the Provincial Government, to the President.

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* Amended vide Estt. Division Notification No. 3/7/79. DI dated 28-1-1981.

(3) A civil servant appointed by the President may appeal to the President from an order passed by an authority subordinate to the President.

5. (1) Every person preferring an appeal should do so separately and in his own name.

(2) Every appeal preferred under these rules shall contain all material statements and arguments relied upon by the appellant, shall contain no disrespectful or improper language, and shall be complete in itself.

(3) Every appeal shall be submitted through the Head of the office to which the appellant belongs or belonged, and through the authority from whose order the appeal is preferred.

(4) Every appeal shall be submitted within a period of thirty days of the communication of the order appealed against.

6. (1) In the case of an appeal under rule 3, the appellate authority shall consider-

(a) Whether the facts on which the order appealed against was based have been established;

(b) Whether the facts established afford sufficient ground for taking action; and

(c) Whether the penalty is excessive, adequate, or inadequate, and, after such consideration shall confirm, set aside or modify the previous order. *[and the appellant shall be informed of the reasons for passing such order].

(2) In the case of an appeal under rule 4, the appellate authority shall pass such order as, having regard to all circumstances of the case, appears to it just and equitable. *[and the appellant shall be informed of the reasons for passing such order].

(3) The authority from whose order an appeal is preferred under these rules shall give effect to any order made by the appellate authority.

7.(1) An appeal may be withheld by an authority not lower than the authority from whose order it is preferred if:–

(a) it is an appeal in a case in which no appeal lies under these rules; or

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* Added *vide* Estt. Division Notification No. S.R.O. No. 582(I)/93., dated 26-6-1993.

(b) it does not comply with the provisions of sub-rule (1), (2) or (3) of the rule 5; or

(c) it is not preferred within the time specified in sub-rule (4) of rule 5 and no reasonable cause is shown for the delay; or

(d) it is addressed to an authority to which no appeal lies under these rules; or

*[(e) It is a repetition of a previous appeal and is made to the same appellate authority by which such appeal has been decided, and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case].

Provided that in every case in which an appeal is withheld, the appellant shall be informed of the fact and the reasons for it:

Provided further that an appeal withheld on account only of failure to comply with the provisions of sub rule (2) or (3) of rule 5 or clause (d) may be resubmitted within one month of the date on which the appellant is informed of the withholding of the appeal and, if resubmitted in a form which complies with those provisions or is addressed to the proper appellate authority, as the case may be, shall not be withheld.

(2) No appeal shall lie against the withholding of an appeal by an authority competent to do so.

8. (1) Every appeal which is not withheld under these rules shall be forwarded to the appellate authority with an expression of opinion by the authority from whose order the appeal is preferred.

(2) Every appeal by a civil servant serving under a Provincial Government or a local authority, which is not withheld under these rules shall be forwarded by the Provincial Government or the local authority to the Federal Government with an expression of its opinion.

(3) A list of appeals withheld under rule 7, with reasons for withholding them shall be forwarded quarterly by the with-holding authority to the appellate authority.

(4) An appellate authority may call for any appeal admissible under these rules which has been withheld by a subordinate authority and may pass such orders thereon as it considers fit.

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* Added *vide* Estt. Division Notification No. 5/1/81-R.I., dated 26-12-1981.

9. (1) Nothing in these rules shall operate to deprive any person of any right of appeal which he would have had if these rules had not been made, in respect of any order passed before they came into force.

(2) All appeals pending immediately before the coming into force of these rules shall be deemed to be appealed under these rules.

10. The Civil Services (Classification, Control and Appeal) Rules, 1930, are hereby repealed, but the repeal thereof shall not affect any action taken or anything done thereunder.

[**Authority:—** Establishment Division Notification No. S.R.O. 54(I)77, dated 17-1-1977].

APPENDIX NO. 8

PETITIONS TO THE PRESIDENT ON SERVICE MATTERS

The following instructions for the submission, receipts and transmission of petitions to the President are published for general information in supersession of all previous orders on the subject:-

PART I.– PRELIMINARY

1. Definitions.—In these instructions:-

(1) "Provincial Government" includes the authorities mentioned in the Schedule to these instructions; and

(2) "Petition" includes memorials, letters and applications of the nature of petitions.

2. Scope of instructions:-

(1) Save as hereinafter provided, these instructions shall apply so far as may be, to all petitions addressed to the President by persons who are, or have been, members of an All Pakistan Service or of a Civil Service of the Centre or who hold, or have held, a civil post in connection with the affairs of the Centre of a civil post where appointment is made by or with the approval of the President, in respect of matters arising out of such employment or in respect of termination of such employment.

(2) Notwithstanding anything contained in clause (1), the instructions shall not apply to persons who are, or have been, civilian employees in the Defence Services, nor shall they affect any rules or orders made by competent authority in respect of representations submitted by recognized associations of Government servants.

PART II.-FORM AND MANNER OF SUBMISSION OF PETITIONS

3. Form of Petition.-

(1) A petition may be either in typescript or in print.

(2) Every petition shall be authenticated by the signature of petitioner, and submitted by the Petitioner in his own behalf.

(3) Every petition, and the document accompanying it, shall be in English or accompanied by a translation into English.

4. Contents of Petition.—*Every petition shall* -

(1) contain all material statements and arguments relied upon by the petitioner;

(2) be complete in itself;

(3) if any recorded order of a public authority is complained against, be accompanied by a copy of the order and by a copy of any order in that case passed by a subordinate authority; and

(4) end with a specific prayer.

5. Method of submission.—(1) Every petition shall be submitted through –

(a) the Provincial Government mentioned in the Schedule in respect of the petitioner; or

(b) if no Provincial Government is mentioned in the Schedule in respect of the petitioner, the Provincial Government of the Province in which the petitioner is or has last been residing or employed, and shall be accompanied by a letter requesting the Provincial Government to transmit the petition to the President.

(2) If there is no Provincial Government within the meaning of clause (1), the petition shall be submitted to the President direct.

6. (1) Every petition shall be submitted through the superiors under whom the petitioner is serving, or if he has left the service, under whom he last served before leaving.

(2) The superiors, on receipt of any petition submitted through them in accordance with clause (1), shall forward the petition through the proper official channel to the authority provided in paragraph 5.

PART III.–WITHHOLDING OF PETITIONS BY THE PROVINCIAL GOVERNMENTS

7. Circumstances in which Petitions may be withheld.- The Provincial Government may, at discretion, withhold a petition when:–

(1) the petitioner has not complied in full with the provisions of Part II of these instructions;

(2) the petition is illegible or unintelligible or contained language which is, in the opinion of the Provincial Government, disloyal, disrespectful or improper;

(3) a previous petition from the petitioner on the same subject has been disposed of by the President and the petitioner, in the opinion of the Provincial Government, discloses no new facts or circumstances which afford grounds for a reconsideration of the subject;

(4) the petition is a representation against a decision which is declared to be final by any law or statutory rule;

(5) the petition is:-

(a) an application for employment in Government service not made in pursuance of any rule or announcement regarding applications for such employment: or

(b) a request for exemption from the provisions of any law or rule prescribing qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment;

(6) the petition relates to a subject on which the Provincial Government is competent to pass order, and no application for redress has been made to the Provincial Government by the petitioner;

(7) the petition is a representation against an order communicated to the petitioner more than six months before the submission of the petition, and no satisfactory explanation of the delay is given;

(8) the petition is representation against a failure to exercise a discretion vested in the Provincial Government:

Provided that no petition which is a representation against such failure and is submitted by an officer appointed by the President or by an Officer appointed substantively to a listed post, shall be withheld;

(9) the petition is a representation against the discharge of a person—

(a) appointed on probation, during such probation;

(b) appointed, otherwise than under contract, to hold a temporary appointment, or the expiration of the period of such appointment; or

(c) engaged under contract, in accordance with the terms of such contract;

(10) the petition is a representation against the reduction to a lower post of a person promoted to a post on probation, during such probation;

(11) the petition is a representation against an order –

(a) from which the petitioner has exercised, or possesses a right of appeal under –

(i) rules or orders regulating his conditions of service; or

(ii) the terms of his contract of service;

(b) passed by any authority in the exercise of appellate or revisional powers conferred by any rule or order regulating his conditions of service or by any term of his contract of service such as is referred to in sub-clause (a); or

(c) from which, not being an order of punishment passed by the President on an officer appointed by the President, an appeal is expressly barred by any rule, order or contract such as is referred to in sub-clause (a);

(12) the petition is a representation relating to:–

(a) the application of –

(i) rules or orders made by the President; or

(ii) the terms of the contract of service of the petitioner; or

(b) an order of the Provincial Government refusing to grant or to recommend –

(i) a special pension;

(ii) a compassionate pension; or

(iii) any pecuniary or other concession to which the petitioner is not entitled under any law or statutory rule:

Provided that no petition which is representation relating to the application of the rules, orders or terms of the contract of service referred to in sub-clause (a) or to an order referred to in sub-clause (b), and is submitted by an officer appointed by the President or by an officer appointed substantively to a listed post, shall be withheld;

(13) the petition is submitted, otherwise than in accordance with any rule, order or contract such as is referred to in sub-clause (a) of clause (11) with regard to the prospective claim of the petitioner to pension;

(14) the petition is a representation against the withholding of the petition by an authority competent to do so; *[ ]

(15) the petition is submitted by a member of an All-Pakistan Service serving in connection with the affairs of a Province, against the orders of the Provincial Governor in matters relating to transfer, promotion etc., on which he is competent to pass orders; *[;or]

*[(16) after examination, in consultation with the **[ ] Law Division and/or the Ministry of Finance, where necessary, it is unanimously agreed between the Ministry/Division etc., in Provincial Governments and the Establishment

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* Word "or" omitted in clause (14), semicolon and word "or" substituted for the full stop at the end in clause (15) and a new clause (16) added vide Estt. Division's No. S.R.O. 12 12(K)/70, dated 5-11-1970 (Endorsement No. 12/3/57-FI, dated 5-11-1970.

** "CPSC" Omitted *vide* Estt. Division Notification No. 12/3/57-FI, dated 11-2-1974.

Secretary that prayer is not covered by the existing rules/instructions];

[@][(17) the petition is a representation relating to the expunction of adverse remarks in the Confidential Report of the person concerned].

8. Petitioner to be informed when petition is withheld.— The Provincial Government shall, when it withholds a petition under paragraph 7, inform the petitioner of the withholding and the reason therefor.

[*]**9. List of petitions withheld.—**(1) The Provincial Government shall send a quarterly return to the President in the months of January, April, July and October each year, specifying all petitions from officers serving under, or under the rule making control of the authority or an authority subordinate thereto withheld under paragraph 7 and the reasons for withholding them.

(2) The President may call for any petition specified in the quarterly return mentioned in clause (1), together with full facts of and all the papers relevant to the case to which the petition relates.

PAR IV.–TRANSMISSION OF PETITIONS BY THE PROVINCIAL GOVERNMENT

10. Procedure for Transmission.—The Provincial Government shall transmit within two months of receipt, all petitions not withheld under paragraph 7, together with a concise statement of facts material thereto, to the Cabinet Secretariat (Establishment Division), Government of Pakistan. The Provincial Government shall also express its opinion on the petition while transmitting it, unless there are special reasons to the contrary. If, in any case the Provincial Government is unable to transmit the petition within the specified period, a report to that effect, with reasons for the delay and an estimate of any further time required, shall be forthwith submitted to the Cabinet Secretariat (Establishment Division), Government of Pakistan.

11. Submission to the President.—When a petition is transmitted in accordance with paragraph 10 the Cabinet Secretariat (Establishment Division), Government of Pakistan, shall submit the petition and other papers received therewith, together with an expression of its own opinion on the petition, to the President for orders.

[@] Clause (17) added *vide* Estt. Division's Notification No. 12/3/57-FI, dated 11-2-1974.

[*] The return will be transmitted to the President's Secretariat (Public). A copy to be endorsed to the Cabinet Secretariat (Establishment Division). Government of Pakistan, Islamabad

12. Notwithstanding anything contained in paragraph 11, if Provincial Government, while transmitting a petition in accordance with paragraph 10, recommends its acceptance and the Cabinet Secretariat (Establishment Division), Government of Pakistan, agrees that the petition should be accepted, that Secretariat shall return the petition to the Provincial Government for issue of an order in accordance with its own and the Provincial Government's agreed opinion.

SCHEDULE

LIST OF AUTHORITIES INCLUDED IN THE TERM "PROVINCIAL GOVERNMENT"

[See Paragraph 1 (1)]

1. The Provincial Government.

2. Secretaries of Ministries/Divisions under the Government of Pakistan or Joint Secretary where there is no Secretary.

3. Heads of departments of the status of Secretary to the Government of Pakistan, in respect of the non-gazetted staff working under their administrative control.

[**Authority.—** Establishment Division Notification No. S.R.O. 1313 (K)/67, dated 27-7-1967]. Establishment Division Endorsement No. 12/3/57-FI, dated 27-7-1967].

APPENDIX NO. 9

GENERAL INSTRUCTIONS REGARDING APPEALS REPRESENTATIONS AND PETITION ON SERVICE MATTERS

A. Determination of the 'Appellate Authority' in terms of Civil Servants (Appeal) Rules, 1977

It has been observed that Ministries/Divisions/Departments do not generally follow the prescribed procedure regarding submission of appeals/petitions to the Establishment Division, for obtaining orders of the Prime Minister or the President, as the case may be in terms of Civil Servants (Appeal) Rules, 1977 read with rule 15-A of Rules of Business, 1973. In a number of cases the appeals/petitions processed by the respective Ministries / Divisions, etc; have been found to have not been addressed to the proper appellate authority. In such a case, to avoid delay, the receiving authority, should withhold the appeal and simultaneously inform the appellant to re-submit the same duly addressed to the proper Appellate Authority to be indicated as required under rule 7 of the said rules. The case relating to an appeal should invariably be submitted to the Establishment Division in the form of a Summary titled as 'Summary for the Prime Minister" seeking orders of the President where the President is an Appellate Authority alongwith the appeal (in original) with parawise comments to be given in juxtaposition in the form of a statement as indicated therein (Annexure).

2. In this connection, it may be pointed out that an appeal from a civil servant in BPS-17 and above against imposition of any minor penalty, as prescribed in rule 4(I) (b) of Government Servants (E&D) Rules, 1973, by an authorised officer or a major penalty by the authority i.e. the Prime Minister under rule 4(1)(a) shall lie to the President, in his capacity as the appellate authority, and shall be processed in accordance with rule 15-A of the Rules of Business, 1973.

3. All Ministries/Divisions/Provincial Governments are requested to bring the said position to the notice of all concerned for their information and guidance.

[**Authority:—** Establishment Division O.M. No. 5/4/97-Rev./D-.3, dated 17-3-1997.]

APPENDIX NO. 9

Annexure

PARAWISE COMMENTS ON THE APPEAL SUBMITTED BY ..... (NAME, DESIGNATION, OFFICE, BPS), AGAINST MINOR/MAJOR PENALTY OF .....

Sl. No.	Contention of the accused (Relevant paras in appeal to be reproduced	Comments of the Ministry / Division / Department	Comments to be offered by Establishment Division
1	2	3	4

B. Petitions not to be transmitted to the President

Instances have come to notice in which petitions which do not either conforming to the provisions of Part II of the Petition Instructions or which do not lie under rule 7, and should be withheld, are often transmitted to the Establishment Division for submission to the President. In such cases a Ministry/Division concerned is advised to withhold the petition and inform the petitioner accordingly. This creates an anomalous position in that the discretion to withhold a petition rests with the Provincial Government as defined in the Petition Instructions and once a petition has been transmitted to the Establishment Division that discretion has been exercised and it should be submitted for the orders of the President which may not be justified in the circumstances of the case.

2. All Ministries/Divisions are, therefore, requested to exercise greatest care to see whether in any case a petition to the President lies or not and only such petitions should be transmitted to the establishment Division as strictly conform to the provision of Petition Instructions and should not be withheld under rule 7, ibid.

[**Authority.—** Establishment Division O.M. No. 1/5/64-D.II dated 7-8-1974].

C. General Instruction regarding Appeals/Petitions/Representations on service matters submitted by the civil servants.-

It has been observed that the Civil Servants have been sending their appeals/petitions/representations without regard to the prescribed channel of communication to authorities other than the authorities designated in various rules for this purpose. Such appeals/representations on the one hand create avoidable work load for the authorities to whom these are addressed and on the other delay the redressal of the grievances of concerned officials. This course of action is also a violation of the Government Servants (Conduct) Rules, 1964. In order to ensure speedy redressal of their grievances and to maintain the sanctity of the rules, it is imperative that the civil servants

address their appeals/representations, etc; to the authorities designated in the rules with due regard to the prescribed channels of communication.

2. Instructions issued from time to time indicating authorities for submission of appeals / representations/petitions and their mode of submission, etc; are given below:–

(a) APPEAL (Civil Servants (Appeals) Rules, 1977).– A civil servant is entitled to appeal to the appropriate appellate authority in terms of Civil Servants (Appeal) Rules, 1977, through proper channel within a period of thirty days of the communication of the order passed by an authority or an authorised officer imposing upon him any of penalty under Government Servants (E&D) Rules, 1973 or otherwise as provided in Rule 4 of the Appeal Rules. In case the penalty is imposed by an order of the President, the civil servant has no right to appeal but he may apply, through proper channel, for review of the order;

(b) *REPRESENTATION* (Section 22 of the Civil Servants Act, 1973).- Where no provision for appeal or review exists under the rules, in respect of any order or class of orders a civil servant aggrieved by any such order, may within thirty days of communication to him of such order, make a representation against it, through proper channel, to the Authority next above the Authority which made the order provided that no such representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

(c) PETITION (Petition Instructions).- A civil servant may also submit a petition which includes memorials, letters, and application of the nature of the petitions to the President in accordance with the instructions contained in Notification No. SRO. 1313(k)/67, dated 22-7-1987.

(d) *GENERAL INSTRUCTIONS.*

In addition to the above laws and rules/instructions, the following general guidelines are issued for compliance by all civil servants:–

(i) All civil servants should refrain from sending advance copies of their appeals / petitions / representations, direct to higher authorities and that appeals / petitions /

representations should be addressed only to the prescribed authority and submitted through proper channel;

(ii) The appeal/petition/representation should be in their own behalf only and that joint representation by Government servants shall not be entertainable under the Rules;

(iii) The civil servants should discourage their wives/wards and relations to address the petitions/applications in respect of service matter on their behalf;

(iv) The civil servants should refrain from using intemperate and in-appropriate language in their petitions/ representations etc; as use of such language constitutes misconduct and order them liable to disciplinary action against them;

(v) The Civil Servants Act, 1973 as well as Civil Servants (Appeal) Rules, 1977 and the instructions issued on the subject from time to time envisage only one appeal/petition/representation etc; from a civil servant in respect of particular order by which he is aggrieved. Once an appeal or representation, etc; is rejected by the competent authority, the civil servant can go to Federal Service Tribunal but he has no right under these rules to submit further appeal/petition/representation/application or a service of it to the appellate authorities; and

(vi) Each representation, appeal, petition, etc; should be accompanied by a prescribed proforma (Annexure) duly completed by the civil servant, making the representation / appeal / petition. This will enable the competent authority to properly attend to and finalize the matter quickly. In cases where the competent authority has already rejected the first appeal/petition/representation on the subject case, the second or subsequent appeal/petition/representation need not necessarily be replied to;

3. All Ministries/Divisions/Departments, etc; are requested to circulate these instructions to all concerned for their guidance/strict compliance.

4. The Secretary/Head of the Departments are also requested to devise an appropriate mechanism to ensure and monitor expeditious disposal of representations/appeals/petitions of civil servants to eliminate the root-cause of each appeal. This will also enable the officials to devote their assignments

besides effecting economy in public expense on account of avoidable litigations.

[**Authority:—** Establishment Division letter No. 5/4/97-Rev. D.3. dated 21-6-1997.]

Annexure

PROFORMA

1.	Name of the Ministry/Department/Office.			
2.	Name of the applicant.			
3.	Designation and grade of the applicant.			
4.	Number and date of the order against which aggrieved.			
5.	Brief subject matter of the order giving to the applicant's grievances.			
6.	Date on which the first appeal / application for review or representation was filed.			
7.	Particulars of the authority to which the first appeal, application for review or representation mentioned in column 6 was addressed.			
8.	Whether any reply to the appeal, review application or representation mentioned in column 6 has been received. If so, on what date.			
9.	Number of appeals, review applications, or representations submitted subsequent to the one mentioned in column 6 and the date on which these were submitted.	(i) (ii) (iii)	Appeal Application for review Representation	)in)red)ink)
10.	Authority to which the appeals, review applications or representations mentioned in column 9 were submitted.			
11.	Whether any reply to appeal, application for review or representation mentioned in column 9 was received. If so, indicate the date or dates.			
12.	Date of present appeal/review application/representation.			

D. Bar against making joint representations.—

According to the existing instructions a petition, memorial or a representation should be submitted by a Government servant in his own behalf only. An implication of these instructions is that joint representation cannot be made to the Government. It has been observed that some Government servants have submitted representations in contravention of the spirit of these instructions in that they have individually signed copies of petitions containing the same text. Government is of the view that although these petitions are signed and sent separately, they are in effect tantamount

to joint representations. No action can, therefore, be taken on such representations.

2. The correct procedure is that if any category of Government servants have a grievance of a common nature, they should bring the matter to the notice of the Head of the Department concerned so that he may take such action as may be necessary in the circumstances of case.

3. Ministries/Divisions are requested to advise officers and members of the staff under their control to keep these instructions in mind while making representations in respect of a common grievance. As joint representations are not permitted, a breach of these instruction will amount to an act of indiscipline.

[**Authority.—** Establishment Division O.M. No. 3/1/67-D.II. dated 18-2-1967.]

E. OBSERVANCE OF PROPER PROCEDURE FOR SUMISSION OF APPEALS, REPRESENTATIONS AND PETITIONS BY THE GOVERNMENT SERVANTS.

Instructions regarding submission of appeals, representation and petitions by the Government servants to the appellate authorities and routing it through proper channel have been issued from time to time. But it has been observed that these instructions are not being followed by the Government servants particularly in BPS-1 to 15 under the Department who submit their appeals, petitions, representations etc., regarding their service matters to the higher authorities including the Federal Minister, Prime Minister and President of Pakistan without any lawful authority. Similarly submission of advance copies of appeals representations to the higher authorities to whom the original are not addressed is against Government instructions and objectionable from the point of view of discipline and wasteful of time.

2. The competent authority has taken a serious view of such a state of affairs and has ordered that the instructions issued from time to time should be strictly followed by all concerned. It may be noted that submission of appeals and petitions direct to higher authorities who are not concerned with them tantamount to breach of discipline in respect of which departmental disciplinary action under Government Servants (Efficiency and Discipline) Rules is liable to be initiated.

3. It is reiterated for information of all concerned that Section-22 of the Civil Servants Act, 1973 and rules 3 and 4 of the Civil Servants (Appeal) Rules, 1977, provide only one right of appeal or representation by a civil servant to the prescribed departmental appellate authority from an order passed by the authority. The appeal or representation should be submitted by

the civil servant to the prescribed appellate authority through the normal channels and within the prescribed time limit of 30 days of the communication of order appealed against.

4. Once the appeal or representation is disposed of by the appellate authority, no further appeal or representation lies at all to any higher departmental authority or Government functionary under the existing rules against the orders passed by the prescribed departmental appellate authority. As for example, a Postal Clerk, whose appeal against the major penalty imposed upon him by the Superintendent of Post Office has been finally disposed of by the prescribed appellate authority (Deputy Postmaster General) cannot submit a further appeal or representation to the Postmaster General or Director General or to any higher executive authority. If he submits an appeal the same is liable to be withheld under rule 7 of the Civil Servants (Appeal) Rules, 1977. It may be noted that no departmental or extra judicial authority is vested with the powers to modify or withdraw the final order passed by the appellate authority.

5. However a civil servant aggrieved by any final order whether original or appellate, made by the prescribed departmental authority may file an appeal before the Federal Service Tribunal within 30 days of the communication of such order under conditions specified in section 4 of the Service Tribunals Act, 1973. In other words the only legal remedy available to an appellant to seek redress of his grievances is to file an appeal before the Federal Service Tribunal if he is not satisfied with the final order of the appellate authority. Thereafter, he can exercise the option to file an appeal before the Supreme Court of Pakistan for redress if the appellant feels that judgement of Federal Service Tribunal suffers on facts or on legal grounds.

6. There is also hardly any scope for filing a petition to the President of Pakistan by a Government servant on any subject arising out of his employment under the Government. Para-7 of the instruction for the Submission, Receipt and Transmission of Petitions (on Service Matters) to the President will reveal that a petition is liable to be withheld if it is a representation against an order from which the petitioner has exercised or possesses a right of appeal under rules or order regulating his conditions of service. Therefore filing of petitions to the President of Pakistan on inadmissible grounds are not likely to help the cause of the petitions and will be mere waste of time.

7. It is further clarified that the Heads of Departments (BPS-20) declared as such under S.R. 2(10) of the Fundamental Rules and Supplementary Rules Volume-I, namely the Postmaster General, General Manager, Postal Life Insurance and Director, Postal staff College etc., are the final authority in all matters pertaining to employees in BPS-I to 15 under their administrative control, subject to the conditions that an appeal / representation against their

original order will lie to the next higher authority. In other words, the Head of the Circle is the final authority in all matters of seniority, pay, allowances, increments, promotions, transfers, etc; in respect of all employees in BPS-1 to 15.

8. In future no, appeal / representation from any employee in BPS-1 to 15 under the Department addressed to the Director General, will be entertained unless it is against the original order passed by the Head of the Circle. Such inadmissible appeals / representation on receipt in Pakistan Post Office Directorate General will be recorded straightway. All inadmissible appeals/representations addressed to the Director General or any higher authority should be withheld by the competent authority at his level under a note of warning to the appellant / representationist for deviation from the rules and instructions laid down by the Government in this behalf.

9. Submission of appeals / representation direct to the senior Government functionaries and higher authorities including Federal Minister, Prime Minister and President of Pakistan who are not concerned lawfully with such cases is clear and serious breach of discipline and a Government servant found violating these instructions is liable to be proceeded against for misconduct under the statutory provisions laid down in the Government Servants (Efficiency and Discipline) Rules, as the case may be.

[S.17-51/87].

[**Authority:—** Director General Circular No. 03 dated Islamabad, the 15th March, 1997.]

F. PROPER PROCEDURE FOR SUBMISSION OF REPRESENTATIONS, APPEALS AND PETITIONS ON SERVICE MATTERS BY THE CIVIL SERVANTS.

It has been observed that postal employees have not been following the well laid rules / instructions and proper procedure for submission of representations, appeals and petitions to the prescribed authorities and channel of communications. This has created avoidable work-load for the higher authorities besides delay for redressal of their grievances. It is, therefore, once again considered necessary to reproduce below the relevant rules/instructions on this subject for guidance and strict observance by all postal employees.

2. Statutory provisions regarding representations / appeals and petitions: RIGHT OF APPEAL OR REPRESENTATION: Section 22 of the Civil Servants Act, 1973 and Rule 3 and 4 of the Civil Servants (Appeal) Rules, 1977 provide right to only one appeal or representation to every Civil Servant in respect of particular order by which he is grieved. While exercising this

right, the Civil Servant is required to observe the following statutory provisions:

(a) Every person preferring an appeal should do so separetely and in his own name.

(b) Every appeal or representation shall contain all material statements and arguments relied upon, and free from disrespectful and improper language.

(c) Every appeal shall be addressed to the prescribed authority designated as such.

(d) Ever appeal shall be submitted through proper channel.

(e) Every appeal shall be submitted within a period of thirty days of the communication of the order appealed against

(f) Against an order passed under the Removal from Service (Special Powers) Ordinance, 2000, a representation shall be submitted within a period of fifteen days of the communication of the said order, which shall be decided by the competent authority within sixty days.

3. Appeal before the Federal Service Tribunal.—Any Civil servant aggrieved by the order of the departmental authority in respect of the terms and conditions of his service may within thirty days of the communication of such order to him, prefer an appeal to the Federal Service Tribunal. In case his appeal is pending before the departmental authority and a period of ninety days has elapsed, he can go in appeal before the Federal Service Tribunal within thirty days after expiry of ninety days of filing of departmental appeal.

4. Petition to the President Islamic Republic of Pakistan.—The other alternative available to the aggrieved Civil Servant is to seek redress by preferring a petition which includes memorials, letters and applications of the nature of petitions to the President of Pakistan under the Petition Instructions within six months of the communication of final order passed by the departmental authority.

5. Bar against submission of the following categories of representations/appeals by the civil servants:—

(1) *Advance copies of representations/appeals.*—The Civil Servants should refrain from sending advance copies of

their representation/appeals/petitions direct to the higher authorities.

(2) *Joint Representation*.—There is bar against making joint representation. This also includes submission of identical representations containing the same text irrespective of the fact that such a representation is signed and submitted separately.

(3) *Representation by wife/wards/relations*—So long as the Civil Servant is alive, it is not permissible for his wife, wards or relations to ventilate grievances in service matters on his behalf.

(4) *Representation containing threats*.— Some times, Civil Servant while making representation to his superior officer for the redress of his grievances holds out a threat of taking the matter to the court with a view to over-awe or to influence to making a decision in his favour. This tends to undermine discipline.

(5) *Use of intemperate and inappropriate language in representations etc*.— At times the representations are couched in indecorous and disrespectful language. Use of such language constitutes misconduct.

(6) *Levelling of wild allegations in representations*.— Often representations contain wild allegations against superior officers. While Civil servants are free to submit representations in accordance with the prescribed procedure where they feel aggrieved but they are not authorised to level wild allegations against their superiors. Such allegations on investigations are usually found to be without any basis and this amounts to gross misconduct.

(7) *Representation Against Non-Promotion*.— No appeal or review lies on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

The aforementioned categories of representations/appeals not conforming to the requirements of law or disobeying good and reasonable orders issued by the Government from time to time are required simply to be recorded by the recipients. Besides, use of threats, or intemperate and inappropriate language or levelling of false and baseless allegations in the representations/appeals being objectionable, subversive and breach of

discipline, the representationists / appellants are liable to be proceeded against on the charge of misconduct under the Government Servants (Efficiency and Discipline) Rules. It is, therefore, imperative that while making representations/appeals by aggrieved persons, norms of decency and decorum should scrupulously be observed.

6. Speedy Disposal of Representation.—In case a Civil Servant does not receive a final reply to his representation/appeal within a period of six months. He may send reminder through proper channel to the appellate authority and endorse a copy of the reminder to the respective Head of the Circle or the Director General, Pakistan Post Office, as the case may be enclosing also a copy of his original representation/appeal to facilitate expeditious disposal of the matter.

7. Recall of the Invalid, Incompetent and Non-Existent Order.—If the administrative or punitive or appellate order is invalid, incompetent and non-existent in the eyes of law, there can be no manner of objection in recalling the said order by the authority who passed that order or under order of any higher authority. After recalling the order, the administrative error or the disciplinary proceedings can be set in motion afresh or from the stage the case took wrong turn.

8. Grievance of Common Nature.—If any category of Civil servants have a grievance of common nature, they may bring the matter to the notice of their immediate superior officer so that he could take such action as may be necessary in the circumstances of the case.

9. Maintaining of Discipline at all costs and at all levels.—It is also observed that employees from Subordinate offices / Units / Divisions / Circles, ignoring altogether their immediate superiors (Heads of Units / Circles) pay visits to the Directorate General and present representations directly to the Director General. This practice has been spoiling discipline which is to be maintained at all cost and at all levels. Heads of Circles should administer a warning that hence forth no employee (PBS-I and above) should pay a visit to the Directorate General without written permission from his respective Head of Unit and Circle. The person who violates this order shall be dealt with deterrently on the charge of misconduct.

10. All Heads of Circles/Divisions/Units etc. should advise officers and members of the staff under their administrative control to keep the above orders in mind while making representations/appeals. Any violation of these will be viewed seriously and will make the defaulters liable to disciplinary action.

11. A receipt from each employee in token of having read the above order should also be obtained and kept in their personal files.

REFERENCE

Para No.	Authority
2	Section 22, Civil Servants Act, 1973, rule 3 and 4, Civil Servants (Appeal) Rules, 1977.
2(a)	Rule 5(1), Civil Servants (Appeal) Rules, 1977.
2(b)	Rule 5(2), Civil Servants (Appeal) Rules, 1977
2(c)	Estt. Division's letter No. 7/10/50-SE dated 27-11-1950, 5/4/94-Rev. D. 3 dated 21-6-1997.
2(d)	Rule 5(3), Civil Servants (Appeal) Rules, 1977.
2(e)	Rule 5(4), Civil Servants (Appeal) Rules, 1977.
2(f)	Section 9(1) and (2), Removal from Service (Special Powers) Ordinance, 2000.
3.	Estt. Division's letter No. 5/4/94-Rev. D. 3 dated 21-6-1997.
4.	Estt. Division's S.R.O. 1313(K)/67 dated 27-7-1967.
5(1)	Estt. Division's letter No. 5/4/94-Rev. D. 3 dated 21-6-1997.
5(2)	Estt. Division's O.M. No. 3/1/67-D. II, dated 18-02-1967.
5(3)	Estt. Division's O.M. No. 1/43/78 D. II dated 20-9-80.
	Estt. Division's letter No. 5/4/94-Rev. D-3 dated 21-6-1997.
5(4)	Estt. Division's O.M. No. 8/13/71-F-1 dated 22-06-1971.
5(5)	Estt. Division's O.M. No. 8/13/71-F-1dated 22-06-1971.
	Estt. Division's letter No. 5/4/94-Rev. D-3 dated 21-6-1997.
5(6)	Estt. Secy's D.O. letter No. 8/13/71-F-1 dated 28-05-1974.
5(7)	2nd Proviso below Rule 4(1), Civil Servants (Appeal) Rules, 1977.
6	Estt. Division's O.M. No. 1/10/78-D. II dated 20-04-1978.
7	Para 77. Guide-Lines for following the procedure under the E&D Rules issued by the DG, PPO in 1980s.
8.	Estt. Division's O.M. No. 3/1/67-D.II dated 18-02-1967.

[S (11). 21-2/2000.]

[**Authority.—** Director General's Special Circular No. 2 dated Islamabad, the 12th August, 2000.]

G. Defence of cases before service Tribunals and Law Courts by Ministries/Divisions.—

The following guidelines and instructions are to be observed by the Ministries/Divisions/Attached Departments in regard to Appeals/Writ Petitions/Suits preferred by the aggrieved Civil servants before Service Tribunals, High Courts and Civil Law Courts against final order effecting the terms and conditions of service, including cases where penalty has been awarded under the Government Servants (Efficiency and Discipline) Rules:–

i) After the promulgation of the Tribunals Act, 1973, the jurisdiction in all matters pertaining to the terms and conditions of the Civil servants, including orders passed under Government Servants (Efficiency and Discipline) Rules rest with the Tribunal and to that extent the jurisdiction of the High Court and the Civil Courts has been ousted. In cases where Writ Petitions/Civil Suits are filed they should be contested on the point of Jurisdiction.

ii) In appeals/Writ Petitions/civil Suits against orders passed by the Ministries/Divisions, the responsibility of defending such cases is of the Ministry/Division/Attached Department concerned, However, in view of the fact that Establishment Division is made proforma party in most of the cases, the cases are referred routinely to this Division which results in loss of time. It is clarified that where the final orders have been passed by the Ministry/Division other than the Establishment Division no reference should be made to the Establishment Division unless there is a specific point of reference, in which case the issue should be clearly specified and necessary papers supplied as annexure in a self contained reference. It would not be possible for the Establishment Division to respond to general queries or a general request for advice in such cases.

iii) In cases where the Ministries/Divisions are the principal respondent, arrangement for submission of parawise comments well in time and appointment of counsels to defend the case should be made in consultation with the Law Division. The Federal Service Tribunal is presently not happy about the delays in filing pawarwise comments and the proper defence of the cases before them by the Ministries/Divisions.

iv) In defending the appeals, before the Service Tribunals, the question of limitation should be carefully examined, and the appeal contested on this ground where appeals are time barred.

v) The Ministries/Divisions are also required to examine those cases which are decided against the Government by the Service Tribunal in their capacity as the main respondent, with a view to filing an appeal before the Supreme Court in consultation with the Law Division directly. Such cases need not be referred to this Division for examination.

[**Authority:—** Establishment Division O.M. No. 14/5/80-Lit. Misc., dated 7-3-1982.]

Note.— For detailed instructions regarding the conduct of cases of the Federal Government in Court (including service appeals before the Service Tribunals) please see Appendix 'F' of the Secretariat Instructions (1996 edition).

APPENDIX NO. 10

SERVICE TRIBUNALS ACT, 1973
(ACT NO. LXX OF 1973)

An Act to provide for the establishment of Service Tribunals to exercise jurisdiction in respect of matters relating to the terms and conditions of service of civil servants.

WHEREAS it is expedient to provide for the establishment of Administrative Tribunals, to be called Service Tribunals, to exercise exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, and for matters connected therewith or ancillary thereto.

It is hereby enacted as follows:–

1. Short title, commencement and application.—(1) This Act may be called the Service Tribunals Act, 1973.

(2) It shall come into force at once.

(3) It applies to all civil servants wherever they may be.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,–

*[(a) "Civil servant" means a person who is, or has been a civil servant within the meaning of the Civil Servants Act, 1973 (LXXI of 1973);]**[and shall include a person declared to be a civil servant under section 2(A); and]

(b) "Tribunal" means a Service Tribunal established under section 3.

[2–A. ***Service under certain corporations, etc. to be service of Pakistan.— Service under any authority, corporation, body or organization established by or under a Federal law or which is owned or controlled by the Federal Government or in which the Federal Government has a controlling share or interest is hereby declared to be service of Pakistan and every

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* Subs *vide* Service Tribunals (Amendment) Act XXXI of 1974, dated 6-5-1974.
** Added *vide* Service Tribunals (Amendment) Act XVII of 1997, dated 10-6-1997.
*** Added *vide* Service Tribunals (Amendment) Act XVII of 1997, dated 10-6-1997.

person holding a post under such authority, corporation, body or organization shall be deemed to be a civil servant for the purposes of this Act].

3. Tribunals.—(1) The President may by notification in the official Gazette, establish one or more Service Tribunals and where there are established more than one Tribunal, the President shall specify in the notification the class or classes of civil servants in respect of whom or the territorial limits within which, or the class or classes of cases in respect of which, each such Tribunal shall exercise jurisdiction under this Act.

(2) A Tribunal shall have exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, including disciplinary matters.

(3) A Tribunal shall consist of–

(a) a Chairman, being a person who [*][is, or] has been, qulafied to be judge of a High Court; and

[**][(b) such number of members [@][not less than three] each of whom is a person who possesses such qualifications as may be prescribed by rules, as the President may from time to time appoint].

(4) The Chairman and members of a Tribunal shall be appointed by the President on such terms and conditions as he may determine.

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the President.

(6) The Chairman or a member of a Tribunal shall not hold any other office of profit in the service of Pakistan if his remuneration is thereby increased.

(7) Notwithstanding anything contained in sub-section (3), sub-section (4), sub-section (5) or sub-section (6), a Tribunal established to exercise jurisdiction in respect of a specified class or classes of cases may consist of one or more persons in the service of Pakistan to be appointed by the President.

[***]**[3–A. Benches of the Tribunal.—**(1) The powers and functions of a Tribunal may be exercised or performed by Benches consisting of not less

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[*] Inserted *vide* Service Tribunals (Amendment) Act XIX of 1977, dated 13-5-1977.
[**] Added *vide* Ordinance No. IX of 1978, dated 18-3-1978.
[@] Subs *vide* Service Tribunals (Amendment) Act IV of 1987, dated 15-6-1987.
[***] Added *vide* Ordinance No. IX of 1978, dated 18-3-1978.

than two members of Tribunal, including the Chairman, constituted by the Chairman.

(2) If the members of a bench differ in opinion as to the decision to be given on any point.—

(a) the point shall be decided according to the opinion of the majority;

(b) if the members are equally divided and the Chairman of the Tribunal is not himself a member of the bench, the case shall be referred to the Chairman and the decision of the Tribunal shall be expressed in terms of the opinion of the Chairman; and

(c) if the members are equally divided and the Chairman of the Tribunal is himself a member of the bench, the opinion of the Chairman shall prevail and the decision of the Tribunal shall be expressed in terms of the opinion of the Chairman].

4. Appeals to Tribunals.—(1) Any civil servant aggrieved by any *[ ] order, whether original or appellate, made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him, **[or within six months of the establishment of the appropriate Tribunal, whichever is later, prefer an appeal to the Tribunal]:

Provided that–

(a) where an appeal review or representation to a departmental authority is provided under the Civil Servants Ordinance, 1973, or any rule against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was so preferred; @[ ]

(b) no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining the

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* Omitted *vide* Service Tribunals (Amendment) Act XVII of 1997, dated 19-6-1997.

-- Subs *vide* Service Tribunals (Amendment) Act No. XXXI of 1974, dated 6-5-1974.

@ The word "and" Omitted *vide* Service Tribunals (Amendment) Act XXXI of 1974.

fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher grade; [*][and]

[**][(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969].

(2) Where the appeal is against an order or decision of a departmental authority imposing a departmental punishment or penalty on a civil servant, the appeal shall be preferred–

(a) in the case of a penalty of dismissal from service, removal from service, compulsory retirement or reduction to a lower post or time-scale or to a lower stage in a time-scale, to a Tribunal referred to in sub-section (3) of section 3; and

(b) in any other case, to a Tribunal referred to in sub-section (7) of that section.

Explanation.— In this section, "departmental authority" means any authority other than a Tribunal, which is competent to make an order in respect of any of the terms and conditions of civil servants.

5. Powers of Tribunals.—(1) A Tribunal may, on appeal, confirm, set aside, vary or modify the order appealed against.

(2) A Tribunal shall, for the purpose of deciding any appeal, be deemed to be a civil court and shall have the same powers as are vested in such court under the Code of Civil Procedure, 1908 (Act V of 1908), including the powers of–

(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents; and

(c) issuing commission for the examination of witnesses and documents.

6. Abatement of suit and other proceedings.— All suits, appeals or applications regarding any matter within the jurisdiction of a Tribunal pending in any court immediately before the commencement of this Act shall abate forthwith:

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[*] Subs *vide* Service Tribunals (Amendment) Act No. XXXI of 1974, dated 6-5-1974.
[**] Added *vide* Service Tribunals (Amendment) Act XXXI of 1974.

Provided that any party to such a suit, appeal or application may, within ninety days of the *[establishment of the appropriate Tribunal, prefer an appeal to it] in respect of any such matter which is in issue in such suit, appeal or application.

7. Limitation.— The provisions of sections 5 and 12 of the Limitation Act, 1908 (IX of 1908), shall apply to appeals under this Act.

8. Rules.—(1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely:–

(a) requirements as to the number of members of the Tribunal necessary for hearings before, or order or decision by, a Tribunal **[or a Bench thereof]; and

(b) filling for a specified period any vacancy in the office of the Chairman or a member of the Tribunal caused by the absence of leave or other wise of the Chairman or as the case may be, a member.

9. Repeal.— The Service Tribunals Ordinance, 1973 (XV of 1973), is hereby repealed.

[**Authority.—** The Act received assent of the President on the 26-9-1973 and was published in the Gazette of Pakistan Extra-ordinary, Part I, dated 29-9-1973].

* Subs *vide* Service Tribunals (Amendment) Act XXXI of 1974.
** Added *vide* Ordinance No. IX of 1978, dated the 18th March, 1978.

APPENDIX NO. 11

SERVICE TRIBUNALS (PROCEDURE) RULES, 1974

In exercise of the powers conferred by section 8 of the Service Tribunals Act, 1973 (LXX of 1973), the Federal Government is pleased to make the following rules, namely:–

THE SERVICE TRUBUNALS (PROCEDURE) RULES, 1974

1. These rules may be called the Service Tribunals (Procedure) Rules, 1974.

2. (1) In these, rules, unless there is anything repugnant in the subject or context.—

(a) "Act" means the Service Tribunals Act, 1973 (LXX of 1973).

(b) "Chairman" means the Chairman of a Tribunal.

(c) "Member" means a member of a Tribunal and includes the Chairman; and

(d) "Registrar" means the Registrar of a Tribunal and includes any other person authorised by the Tribunal to perform the functions of the Registrar under these rules.

(2) Words and expressions used but not defined in these rules shall have the same meaning as are assigned to them in the Act.

3.(1) The permanent seat of a Tribunal shall be at a place which the Federal Government may, by notification in the official Gazette, appoint.

(2) A Tribunal shall ordinarily hold its sittings at its permanent seat but it may hold its sittings at any other place within its jurisdiction if in its opinion the holding of sittings at such other place will be convenient to the parties to the proceedings before it.

*[(3) Notwithstanding anything contained in sub-rule (1) and (2) the Federal Government may authorise a Bench of the Tribunal to hold its sittings permanently at any place specified by the Federal Government.]

* New sub-rule (3) added by S.R.O. 173 (I)/90, dated 14-2-1990.

4.(1) A Tribunal shall ordinarily observe the same hours as are observed by the offices of the Federal Government.

(2) A Tribunal shall observe the holidays notified by the Federal Government.

5. (1) An appeal to a Tribunal may be sent to the Registrar by registered post acknowledgement due or presented to him during office hours either by the appellant personally or through his advocate.

(2) Appeals presented to or received by any member shall be deemed to be properly presented or received under this rule.

6. *[(1)] Every memorandum of appeal shall–

(a) be legibly, correctly and concisely written, type-written or printed;

(b) be divided into paragraphs, numbered consecutively, each paragraph containing, as nearly as may be, a separate assertion or averment;

(c) contain the full name, official designation and place of posting of each party;

(d) clearly set out the relief claimed;

(e) be accompanied by–

(i) a copy of the final order, whether original or appellate, and any other order of the competent authority in respect of any of the terms and conditions of service of the appellant against which the appeal is preferred; and

(ii) copies of rules, orders and other documents on which the appellant proposes to rely in support of his claim;

(f) be signed or thumb impressed by the appellant; and

(g) be accompanied by three spare copies of the memorandum of appeal and as many other copies thereof, duly signed or thumb-impressed by the appellant and accompanied by the documents referred to in clause (e), as there are respondents:

* Renumbered *vide* Estt. Division Notification No. S.R.O. 1100 (I)/83 dated 23-11-1983.

Provided that where a Tribunal is satisfied that it is not possible for any appellant to produce any document referred to in clause (e) it may waive the provisions of the clause.

*[(2) If malice, fraudulent intention, knowledge or other condition of mind, including legal or factual *mala fide,* is alleged in an appeal, the memorandum of appeal shall state clearly the facts constituting such malice, fraudulent intention, knowledge or other condition of mind or, as the case may be legal or factual *mala fide,* and be accompanied, besides the documents specified in clause (e) of sub-rule (1), by a summary of the documentary or oral evidence which the appellant proposes to produce in proof of the allegation and an affidavit in support of the contents of the summary].

7. In every memorandum of appeal, the competent authority against whose orders the appeal is preferred and any other party to the dispute shall be shown as respondents.

8. Where an appeal is presented after the period of limitation prescribed in the Act, it shall be accompanied by a petition supported by an affidavit setting forth the cause of delay.

9. No court-fee shall be payable for preferring an appeal to, or filing, exhibition or recording any document with a Tribunal.

10. (1) The Registrar shall scrutinize every memorandum of appeal received by him, and shall–

(i) if it is drawn up in accordance with the provisions of rule 6, cause it to be registered in the register of appeals, to be maintained in form appended to these rules and shall, with the approval of the Chairman, fix a date for its preliminary hearing before the Tribunal; and

(ii) if it is not drawn up in accordance with the provisions of rule 6, return it to the appellant for amendment, within a time to be specified in an order to be recorded by him on the memorandum of appeal, which shall in no case be less than fourteen days, pointing out the deficiency.

(2) If the memorandum of appeal is not resubmitted within the period specified under clause (ii) of sub-rule (1), the appeal shall stand dismissed.

* Added *vide* Estt. Division Notification No. S.R.O. 1100 (I)/83 dated 23-11-1983.

11. (1) A Tribunal may, after hearing the appellant or his advocate dismiss the appeal *in limine*.

(2) If the appeal is not dismissed *in limine,* notice of admission of appeal and of the day fixed for its hearing shall, subject to the provisions of sub-rule (3), be served on the appellant, the respondents and on such other persons as the Tribunal may deem proper.

(3) The appellant shall, within one week of the receipt of the notice of admission of his appeal or within such extended period as may be allowed by the Registrar, deposit with the Registrar:–

(a) cash security for costs in the sum of Rs. 100; and

(b) cost of service of notice on the respondents.

(4) If the appellant does not comply with the provisions of sub-rule (3), his appeal may be dismissed by the Tribunal.

12. (1) A notice under sub-rule (2) of rule 11 shall be in such form as may be laid down by a Tribunal and may be served by registered post or in other manner, including publication in one or more daily newspapers, as the Tribunal may direct:

Provided that a notice shall not be issued for publication in a newspaper until the costs of such publication are deposited by the appellant.

(2) The notice to a respondent shall, except where it is published in a newspaper, be accompanied by a copy of the memorandum of appeal and of the documents appended thereto.

(3) Service of notice in accordance with the provisions of this rule shall be deemed to be due notice, and it shall not be necessary to prove that a party has actually received the notice.

13. (1) A respondent on whom a notice of appeal has been served under rule 12, may send his objections to the appeal by registered post acknowledgement due to the Registrar so as to reach him, or deliver the same to the Registrar either personally or through his advocate not later than seven days before the date specified in the notice for hearing of the appeal or within such extended period as may be allowed by the Registrar.

(2) The objection shall be legibly, correctly and concisely written, type-written or printed, shall be signed by the respondent or by a person authorised by him in that behalf and shall be accompanied by a copy of every document on which the respondent wishes to rely in support of his objections.

(3) The written objections shall be accompanied by four spare copies thereof, complete in all respects, for use of the members of the Tribunal and the appellant.

(4) In case objections are not received or delivered within the time allowed under sub-rule (1), the respondent may be proceeded against *ex-parte*.

14. Question arising for determination by a Tribunal shall be decided ordinarily upon affidavits and documents proved by affidavits, but the Tribunal may direct that such questions as it may consider necessary shall be decided on such other evidence and in such manner as it may deem fit.

15. (1) An application for summoning witnesses before a Tribunal shall be made as soon as possible after the issue of notice of admission of appeal under rule 11 and shall state:–

(a) the names, designations and addresses of the witnesses to be summoned; and

(b) a brief resume of the evidence which each witness is expected to give.

(2) If the Tribunal is of the opinion that the evidence of any witness specified in the list of witnesses given under sub-rule (1) may be of material assistance in the disposal of an appeal before it, it shall direct him to be summoned on a date to be fixed by the Tribunal, and direct that the daily allowance and travelling charges of such witness should be deposited by the person calling him within seven days of the date of the order.

(3) The Tribunal may, by general or special order, prescribe the rates of daily allowance and travelling charges to be paid to witnesses summoned by it.

(4) If a person applying for the summoning of a witness fails to deposit the requisite costs of the witness within the period specified in sub-rule (2), or within such extended period as may be allowed by the Tribunal, the application for summoning of witnesses, so far as it relates to such witness, shall be deemed to have been rejected.

(5) If the Tribunal is of the opinion that the evidence of any witness is necessary for the disposal of an appeal before it, it may direct him to be summoned.

(6) Where the Tribunal summons a witness under the provisions of sub-rule (5):–

(a) if such witness is a Government servant, his travelling and daily allowances, if any, shall be payable by the Government; and

(b) if such witness is a private person, his travelling and daily allowance shall be payable by such party and to such extent as may be determined by the Tribunal.

16. (1) A process for service on a witness of high rank shall be sent in the form of a letter.

(2) Except in urgent cases or as may otherwise be ordered by a Tribunal, a summon to a Government servant shall be served through the head of his office.

17. (1) A Daily Cause List shall be prepared under the orders of the Registrar which shall be affixed on the notice board of the Court room of the Tribunal.

(2) Except as otherwise directed by the Tribunal, cases shall be set down in the Cause List in the order of the date of admission.

18. (1) A Tribunal may, if it considers necessary, appoint an officer of the Tribunal to record evidence of a witness for and on behalf of the Tribunal.

(2) Evidence of a witness examined by or on behalf of a Tribunal shall be taken ordinarily in the form of a narrative, and shall be signed by the recording officer and countersigned by the members and shall form part of the record.

(3) The parties or their advocates may suggest any questions to be put to a witness and a member may, besides such questions, put any other questions to the witness.

(4) A Tribunal may, in the interest of justice, close the evidence of any party if in its opinion the production or continuation of such evidence would involve inordinate delay or unnecessary expenses.

19. (1) If, on the date fixed for the hearing of an appeal or on any other subsequent date to which the hearing may have been adjourned, the appellant or his advocate is not present before a Tribunal, the Tribunal may dismiss the appeal or, if it thinks fit, may proceed to hear the other party and decide the appeal.

(2) If, on the date fixed for the hearing of an appeal, or on any subsequent date to which the hearing may have been adjourned, the respondent or any

one or more of the respondents, in case there are more than one respondents, or his or their advocates are not present before the Tribunal, the Tribunal may hear the appeal *ex-parte* against all or any of the respondents who, and whose advocates are so absent.

(3) When an appeal has been dismissed under sub-rule (1) or *ex-parte* proceedings have been taken under sub-rule (2), the Tribunal may, on such order as to costs as it may deem fit, restore the appeal or, as the case may be, set aside the *ex-parte* order or allow the defaulting party to rejoin the proceedings.

20. (1) A Tribunal may make such order as to costs of proceedings before it as it may deem fit and such costs shall be paid out of the cash security deposited under clause (a) of sub-rule (3) or rule 11.

(2) If, after deduction of the costs of proceedings under sub-rule (1), any amount deposited under clause (a) of sub-rule (3) of rule 11 remains unutilized, it shall be returned to the appellant.

[*]21. (1) The Tribunal shall, after the order is signed cause certified copies thereof to be sent under registered cover to the parties concerned and shall deliver a copy to the Secretary, Establishment Division, [**][and the Solicitor, Law Division].

(2) Any party to the appeal may obtain additional copies of the order on payment of such legal fees, as the Tribunal may from time to time fix.

22. Clerical or arithmetical mistakes arising in an order of final adjudication from any accidental slip or omission may at any time, be corrected by a Tribunal either on its own motion or on an application made by any of the parties:

Provided that every such application shall be duly supported by an affidavit.

23. If a Tribunal is unable to arrive at a unanimous decision, its decision shall be expressed in terms of the view of the majority.

24. If any member of a Tribunal is, for any reason, unable to take part in the proceedings of the Tribunal, the other members may hear or continue to hear the appeal but the decision of the Tribunal shall be shown to the absentee member and, if such member has any view to express the same may be recorded and the decision of the Tribunal shall be expressed in terms of the view of the majority.

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[*] Subs *vide* Estt. Division Notification No. S.R.O. 1111 (I)/75, dated 6-11-1975.
[**] Subs *vide* Estt. Notification No. S.R.O. 427 (I)/79, dated 20-5-1979.

25. A casual vacancy in the office of the Chairman or a member of a Tribunal caused by the absence on leave or otherwise of the Chairman or, as the case may be, a member may be filled by the President for a specified period by appointment of a person who is qualified to be the Chairman or, as the case may be, a member of a Tribunal.

26. The language of a Tribunal shall be English, but use may be made of the National or any one of the regional languages subject to the prior permission of the Tribunal.

27. A Tribunal may issue instructions in regard to supply of copies to, and inspection of record by parties to proceedings before it.

[Authority.— Estt. Division Notification No. S.R.O. 1199 (I)/74, dated 14-9-1974 published in the Gazette of Pakistan Extraordinary, Part II, dated the 14th September, 1974.]

APPENDIX NO. 11

APPENDIX NO. 12

FEDERAL PUBLIC SERVICE COMMISSION (FUNCTIONS) RULES, 1978.

In exercise of the powers conferred by section 10 of the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), the Federal Government is pleased to make the following rules, namely:—

1. These Rules may be called the Federal Public Service Commission (Functions) Rules, 1978.

2. In these rules, unless there is anything repugnant in the subject or contest,—

(a) "*ad hoc* basis", when used with reference to an appointment, means appointment of a person on temporary basis pending appointment of a person nominated by the Commission;

(b) "civil servant" means a person who is, or has been, a civil servant within the meaning of the Civil Servants Act, 1973 (LXVI of 1973);

(c) [1][* * * * * * *]

(d) "regular basis" when used with reference to an appointment, means appointment other than on ad hoc basis, or on contract, or on a temporary basis for a specified period;

(e) "retired officer" includes a retired officer of the Armed Forces; and

(f) "test" includes written examination, interview and viva voce.

[2][3. (1) The Commission shall conduct tests and examinations for recruitment of persons to All-Pakistan Services, the Civil services of the Federation and civil posts in connection with the affairs of the Federation in basic pay scale 16 and above or equivalent, other than the posts—

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1 Clause (c) omitted by the S.R.O. 147(I)/84, dated 9-2-1984.

2 Rule 3 substituted by the S.R.O. 415(I)/2000, the Gaz of Pak., Extr., Pt.II, P. No. 911, dated June 19, 2000.

(a) specified in the Schedule to these rules;

(b) filled by appointing a person on contract for a specified period not exceeding two years;

(c) filled on ad hoc basis for a period of six months or less provided that—

(i) no ad hoc appointment shall be made before placing a requisition with the Commission for regular appointment; and

(ii) before filling the post on ad hoc basis, prior approval shall be obtained from the Commission;]

(d) filled by re-employing a retired officer provided that re-employment is made for a period not exceeding two years in a post not higher than the post in which the person was employed on regular basis before retirement; and

(e) filled by the employment, other than posts in pay scale 17 filled by serving armed forces officers on the recommendations of FPSC, or re-employment of persons who are, or have been Officers of the Armed Forces of Pakistan and held; or have held such posts therein as are declared by the President of Pakistan to be equivalent to the posts to be so filled.[@]

(2) For removal of doubts it is clarified that the process already initiated for recruitment to posts in BPS 11 to 15 shall be completed in accordance with the provisions of these rules existing immediately before the provisions of sub-rule (1) if the advertisement for recruitment had already appeared in the newspapers].

4. The Commission shall test civil servants appointed at any time between the first day of January, 1972 and the fifth day of July, 1977, or promoted to a higher post during the said period whose cases may be referred to the Commission by the President, and make a report to the President whether they are fit to hold the post to which they were appointed or promoted, as the case may be, and, if not, whether they are fit to hold any other civil post [*][equivalent or lower, as the case may be] compatible with their qualifications and experience.

[@] Rule 3 substituted *vide* No. S.R.O. 415(I)/2000, dated 19-6-2000. Its sub-rule (i) has been worded on the authority of F.P.S.C. (Amendment) Ordinance No. LVI of 2000, dated 17-11-2000 and Ordinance No. III of 2003, dated 28-5-2003 for want of relevant S.R.O.

[*] Subs. Vide S.R.O. 147)1)/84, dt. 9-2-84 appeared at p. 388 Gaz. of Pak., dt. 11-2-84.

[*]5. The Commission shall, on a reference made by the appointing authority, test persons who may have been appointed to a civil post without observing the prescribed procedure or without fulfilling the prescribed qualifications, experience and age limits, and advise whether they are fit to hold the post to which they were appointed, and, if not, whether they are fit to hold any other civil post in the same or lower Basic Scale compatible with their qualifications and experience.

[1]SCHEDULE
[See rule 3 (a)]
POSTS EXCLUDED FROM THE PURVIEW OF THE COMMISSION

Ministry, Division or Organization	Name of posts
President's Secretariat (Personal or Public)	**All posts.**

[**Authority.—** Notification No. S.R.O. 136(I)/78, dated the 9th November 1978.]

GENERAL INSTRUCTIONS

I. VETTING OF METHODS OF RECRUITMENT

Sl. No. A

Reference.— Federal Public Service Commission Ordinance, 1977 (No. XLV of 1977) which was published in the Gazette of Pakistan, Extraordinary, dated 22nd December, 1977.

2. Attention is invited to section 7 which specifies the functions of the Commission as follows:—

[**]Functions of the Commission.— (1) The functions of the Commission shall be-

[***](a) to conduct tests and examinations for recruitment of persons to All-Pakistan Services, the civil services of the Federation

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[*] Inserted *vide* Establishment Division's Notification No. S.R.O. 848(I)/2002, dated 27-11-2002.
[1] Schedule substituted by the S.R.O. 415(I)/2000, the Gaz. of Pak., Extr., Pt. II, P. No. 911, dated June 19, 2000.
[**] Section 7 substituted *vide* Federal Public Service (Amendment) Ordinance, 2000 (Ordinance No. LVI of 2000) dated 17-11-2000.
[***] Clause (a) of sub-section (1) of section 7 substituted vide Federal Public Service Commission (Amendment) Ordinance, 2003 (Ordinance No. III of 2003) dated 28-5-2003.

and civil posts in connection with the affairs of the Federation in basis pay scales 16 and above or equivalent].

(b) to advise the President-

(i) on matters relating to qualification for and method of recruitment to services and posts referred to in clause (a);

(ii) on the principles to be followed in making initial appointments to the services and posts referred to in clause (a) and in making appointments by promotion to posts in BS 18 and above and transfer from one service or occupational group to another; and

(iii) on any other matter which the President may refer to the Commission".

Explanation.—In this section, "recruitment" means initial appointment other than by promotion or transfer"

(2) Recruitment to the following posts shall be outside the purview of the commission:–

(i) in the President's Secretariat;

(ii) filled by appointing a person on contract for a specified period not exceeding two years.

(iii) filled on ad hoc basis for a period of six months or less provided that:-

(1) no ad hoc appointment shall be made before placing a requisition with the Commission for regular appointment; and

(2) before filling the post on ad hoc basis, prior approval shall be obtained from the Commission.

(iv) filled by re-employing a retired officer, provided that the re-employment is made for a specified period not exceeding two years in a post not higher than the post in which the person was employed on regular basis before retirement; and

(v) filled by the employment or re-employment of persons on the recommendations of the High Powered Selection Board constituted by the President who are or have been Officers of the Armed Forces and hold, or have held, such posts therein as are declared by the President to be equivalent to the posts to be so filled.]

The Federal public Service Commission (Functions) Rules which would prescribe the posts in connection with the affairs of the Federation recruitment to which should be made through the Commission. These rules provide that all posts in Grades 16 and above which are filled by direct recruitment shall be filled through the Federal Public Service Commission. The rules also provide that appointment against these posts may be made on ad-hoc basis, independently of the Commission for a period of six months but an extension for a further period of six months may be given, with the approval of the Commission, if a requisition for filling the post was sent to the Commission within one month of the filling of the post on ad-hoc basis. The Ministries and Divisions are requested to ensure that all posts in Grade 16 and above falling in the direct recruitment quota should, as in the past, continue to be filled through Federal Public Service Commission. No Extension in ad-hoc appointments would be given unless a requisition has been placed with the Commission and Commission's approval to the extension of the ad-hoc appointment for a further period of six months has been obtained by the Ministry concerned.

3. It will also be observed from clause (b) of section 7 of the Federal Public Service Commission Ordinance, 1977, that the Commission will advise the President on matters relating to qualifications for, and methods of recruitment to, the services and posts recruitment to which is required to be made through the Commission. This being a statutory requirement should invariably be observed. It is open to the Ministry/Division concerned either to make a simultaneous reference on the subject to the Establishment Division and the Federal Public Service Commission, or to first consult the Establishment Division and thereafter make a reference to the Commission. If there have been any cases after the 22nd December, 1977 when the F.P.S.C. Ordinance came into force, where the concurrence of Establishment Division was obtained but not that of the Commission, an immediate reference may now please be made to the Commission so that the requirements of the statute are complied with. Attention in this connection is also invited to the Federal Public Service Commission's Circular latter No. F-12/1/78-S. dated 12th August 1978.

[**Authority—** O.M. No. 1/2/78-DV, dated the 27th August, 1978.]

Sl. No. B

It has been brought to the notice of the Establishment Division by the FPSC that the Commission are receiving references in respect of recruitment rules to the posts in Grade 15 and below from various Ministries/Divisions.

2. In this connection attention is invited to para 3 of this Division O.M. of even No. dated 27th August, 1978 wherein it has been mentioned that the Commission will advise the President on matters relating to qualifications for and methods o appointment to, the services and posts recruitment to which is required to be made through the Commission.

3. The Ministries/Divisions are therefore advised that the recruitment rules for posts in grade 15 and below (which do not fall within the purview of the FPSC) may not be referred to the Commission.

[**Authority—** O.M. No. 11/2/78-DV, dated the 19th February 1979]

II. PROCEDURE FOR REJECTION OF THE ADVICE OF THE F.P.S.C.

In supersession of the Cabinet Secretariat (Establishment Branch) Office Memorandum No. 10/3/50-SEII, dated the 13th June, 1950, on the subject of the Convention regarding acceptance of the advice of the Federal Public Service Commission, the Government have been pleased to decide that the advice of the Federal Public Service Commission in a case referred to it shall be accepted by the Ministry/Division/Department concerned, subject to the provisions of para 2, below.

2. Where a referring Ministry, Division or Department disagrees with the advice given, it shall communicate the reasons for disagreement to the Commission, and after the Commission has expressed its further views in the matter, the case will be submitted for decision to the President through the Establishment Division.

[**Authority.—** O.M. No. 3/3/59-E VII, dated the 4th June 1960.]

III. SUPPLY OF CHARACTER ROLLS TO THE COMMISSION

Sl. No. A

The Commission have noticed that many character Rolls they receive in connection with selections, appointments, etc., are incomplete. Sometimes reports for several years are missing, making it difficult for the Commission to determine the suitability of the officers concerned for the posts for which they are being considered. The Commission, therefore, request the Ministries/Divisions to satisfy themselves that Character rolls are complete and up to date before sending them to the Commission.

[**Authority—** Federal Public Service Commission's O.M. No. F 16/17/ 53-S, dated the 24th April, 1953.

Sl. No. B.

Reference— F.P.S.C.'s Office Memorandum No. F-16/17/53-S, dated the 24th April, 1953.

The Commission have further noticed that many Character Rolls are sent by the Ministries/Divisions, etc; after long delays and several reminders from the Commission's Office. The Commission cannot finalize a recruitment until they have seen the Character Rolls of the candidates who are in Government service. It is, therefore, requested that the Ministries/Divisions and the Heads of the Departments should forward the Character Rolls as quickly as possible on demand by the Commission.

[**Authority.—** Federal Public Service Commission's O.M. No. F.1/30/53-R, dated the 6th December, 1956].

Sl. No. C

It has been brought to the notice of the Establishment Division by the Federal Public Service Commission that they often experience great difficulties in the disposal of cases referred to them for want of Character Rolls of the candidates concerned. Even their requests for supply of Character Rolls are not promptly complied with. The Ministry of Finance etc., are, therefore, requested to forward immediately to the Commission the Character Rolls of the officers, if any, whose cases are now pending before the Commission. They are further requested to ensure that in future Character Rolls where required are invariably sent to the Commission alongwith the original reference.

[**Authority.—** O.M. No. 10/46/59-SE II dated the 24th June, 1959].

Sl. No. D

The Federal Public Service Commission have again brought to the notice of Establishment Division that Ministries/Division do not make available to them complete Character Rolls in respect of candidates who are serving Government servants with the result that the recruitment cases are not finalised in time. It is, therefore, requested that when forwarding applications of Government servants working under them for any post advertised by the Commission the Ministries/Divisions should invariably send complete Character Rolls of the Government servants concerned alongwith the applications. In future the Commission will not consider the applications received by them without the relevant Character Rolls.

[**Authority.—** O.M. No. 3/1/64-D. III, dated the 23rd January, 1964].

Sl. No. E

Reference— O.M. No. 10/46/59-SE-II, dated the 24th June, 1959 and O.M. No. 3/1/64-D-III, dated the 31st January, 1964.

The Federal Public Service Commission have again complained that there is a general tendency on the part of Ministries/Divisions to furnish incomplete character rolls of candidates, employed by the Government, which causes lot of delays in the finalisation of the relevant cases.

2. The Ministries/Divisions are requested to impress upon all concerned the necessity of invariably forwarding to the Commission, without any delay, complete character rolls of the officers concerned alongwith the original references:

[**Authority.—** O.M. No. 3/11/69-D. III dated the 20th March, 1969.]

Sl. No. F.

Reference— O.M. No. 10/46/59-SE-II, dated the 24tuh June, 1959. No. 3/1/64-D-III, dated the 23rd January, 1964 and No. 3/11/69-D. III, dated the 20th March 1969.

The Federal Public Service Commission have complained that the Ministries/Divisions fail to furnish complete Confidential Reports in most instances and it is substantially responsible factor for unusual delay in processing the promotion cases.

2. The Ministries/Divisions are requested to impress upon all concerned the necessity of invariably forwarding to the Commission complete Confidential Reports of the officers concerned alongwith the original references.

[**Authority—** O.M. No. 3/19/70-D III, dated the 15th July 1970]

Sl. No. G

Reference— O.M. No. 3/19/70-D. III, dated the 15th July, 1970.

The Federal Public Service Commission have once again emphasised that the non-supply to them of complete Confidential Report causes unnecessary delays in processing promotion cases.

2. Ministries/Divisions are accordingly, requested to be very particular in future in observing instruction contained in Establishment Division's O.M. referred to in para 1 above.

[**Authority—** O.M. No. 3/19/70-D. III, dated the 13th April, 1978.]

IV. NOMINATION OF DEPARTMENTAL REPRESENTATIVE TO ASSIST THE COMMISSION AT THE INTERVIEWS FOR VARIOUS POSTS

The Federal Public Service Commission has observed that the Government repeated Instructions, contained under S. Nos. 49 to 55 on pages 49 to 53 in the Estt. Manual Vol. III (1965 print) are not being followed strictly by the Ministries/Divisions/Departments while nominating Departmental Representatives to assist the Commission at the interviews for recruitment to various posts. The Commission has also noted with profound regret that its requests to Ministries/etc. concerned to nominate Departmental representatives of relevant trades (subject-wise) of sufficiently higher status i.e. not below the rank of Joint Secretary and or technical Head of the line are not being complied with.

2. Recently during interviews of candidates for certain technical/specialist posts the Departmental Representatives deputed to assist the Commission were officers on Administrative side who were not sufficiently senior in their own Department and/or qualified in Technical line. In order to assess the professional competence of the candidates properly and accurately it is necessary that Senior Officer of Technical Departments with requisite qualifications are deputed by the Ministries/etc; to assist the Commission at the interviews for appointment to the scientific, technical and specialist posts. One of the draw backs of Government representation at junior level is obvious from some instances in which the Ministries / Division / Departments find it necessary to repudiate the contribution made by their own representatives at the interviews, on the grounds that they were not sufficiently experienced and therefore could not represent the point of view of their Ministries/Divisions/Departments authoritatively.

3. The Commission fully realises that from the point of view of Departmental Representatives interviewing of candidates at the four normal centres viz; Peshawar, Islamabad, Lahore and Karachi is a time consuming job, in order to finish one complete cycle for any appointment. For grade 18 and above posts the Commission generally conducts interviews at one centre, but for other the Commission has to go to each place of interviews.

4. In repeating its invitation to the Ministries/etc. the Commission hopes earnestly that at the interviews fixed by the Commission for selection

of their candidates, their representation will invariably be not below the rank of Joint Secretary or head of Technical Department.

5. In case of technical posts the Commission would request that the Heads of Technical Departments concerned should invariably be nominated for this purpose who will take full responsibility for giving the views of his Department to the Commission. It is further requested that, as far as possible, the same Representative should be deputed at all interview centres for a particular post, in order to ensure uniformity of standards. If the Ministries/Divisions/Departments are not in a position to nominate a suitable Departmental Representative of the right status then the Commission will do without him and issue the recommendations for appointment without such help.

[**Authority.—** F.P.S.C.'s O.M. No. F. 1/20/80-RIV, dated the 19th April, 1981.]

V. VARIATION BETWEEN VIEWS OF DEPARTMENTAL REPRESENTATIVES AT THE INTERVIEW AND COMMISSION'S ADVERTISEMENTS FOR VARIOUS POSTS.

There have been some cases where Departmental representatives have before an interview, suggested that we choose person with a particular qualification. This particular qualification has no particular emphasis in the advertisement and, therefore, it is grossly unfair on the candidates who come in response to that advertisement.

2. It is necessary, therefore, that we should appraise all concerned that we cannot take notice of any extraneous attitudes at the interview except those which emanate from the advertisement. If Departments wish to emphasise a particular aspect i.e. they are interested in those who are qualified in electrical engineering then some such wording as "electrical qualifications will be preferred." or "a proficiency in English is required etc." must be inserted in the advertisement.

3. As far as the Commission is concerned it only relies on the Recruitment rules. It would be in the interest of Departments to review their Recruitment Rules so that there is no conflict between the Recruitment Rules and the Departmental Representatives. The Commission will, while taking the advice of the Departmental Representative, reserve the right to recommend only those who are in line and in accord with the advertisement.

[**Authority.—**FPSC letter No. F. 1/35/78-RIV, dated 29th January, 1979.]

VI. CRITERIA FOR COUNTING OF PRESCRIBED LENGTH OF EXPERIENCE FOR RECRUITMENT TO VARIOUS POSTS.

APPENDIX NO. 12

Attention is invited to the Establishment Division's O.M. No. 39/3/75-DV (Pt), dated the 22nd October, 1976, (Annexure) and clause 'c' of para 19 of the 'INSTRUCTIONS TO CANDIDATES". A copy of these instructions is duly supplied to the candidates along with the prescribed application forms. In all the posts which are advertised by the Commission for selection on the basis of interview only, certain period of experience is generally prescribed for such posts, alongwith academic qualifications. In such cases the Commission considers that experience relevant which is obtained after acquiring the minimum prescribed educational qualifications for the post. Experience obtained before acquiring the minimum prescribed educational qualification even if it is of the same line, is not taken into consideration.

2. The above procedure has often resulted in rejection of candidates who happen to be the ad-hoc incumbents of the post or employed in some other capacity in the same department. Applications of all the candidates are duly considered by the Commission but candidates who fall short of the required experience after the prescribed minimum academic qualifications are not called for interview. This results in the representations from the candidates or even from the departments who are keenly interested in the regularisation of their ad-hoc incumbents. The Establishment Division memorandum referred to above and a copy of the "INSTRUCTIONS TO THE CANDIDATES" is, therefore, brought to the notice of the department to enable them to know the procedure being followed by the Commission for pre-selection of candidates for interview, etc. For obvious reasons the Commission can not deviate from the procedure once laid down and known to all.

3. However, there may be cases in which experience gained before acquiring the prescribed minimum educational qualifications may also be considered relevant by Ministries, etc. For example for a medical post where post-graduate Diploma is prescribed as a minimum qualification, the experience gained after the Medical Degree but before the Diploma is often considered as relevant if so prescribed in the Commission's advertisement.

4. The Ministries/Divisions are, therefore, requested that wherever they consider that the experience gained before acquiring he minimum prescribed educational qualification should also be accepted as relevant, this should be made clear while forwarding the Requisitions for the posts and full justification may be given for providing this relaxation in the interest of service. The Departments will also be required to certify that this relaxation of the general procedure had the approval of the Secretary of the Ministry/Division concerned. The Commission after due consideration of the proposal may agree to advertise this condition in its Advertisements, so that the candidates concerned should know it before applying for the posts. Unless such a clearance is given in the requisition for the posts concerned and advertised by the Commission accordingly, it will not be possible for the Commission to deviate from the general practice stated above.

[**Authority.—** F.P.S.C. letter No. F.8/13/81-S, dated the 8th July, 1981.]

ANNEXURE

Attention is invited to the Establishment Division's O.M. No. 39/3/75-DV (Pt.,) dated 22nd October, 1976.

Subject:—Recruitment to the post of Senior Economist (Grade-19) in the Pakistan Manpower Institute.

Reference Manpower Division O.M. No. 4-7 (I)/75-Estt., dated the 30th August 1975, on the above subject and to say that "experience" means the experience after acquiring the minimum educational qualifications prescribed for a post. This Division therefore, agrees with the Federal Public Service Commission.

VII. CHANNEL OF COMMUNICATION BETWEEN THE MINISTRIES, DEPARTMENT, ETC; AND THE COMMISSION.

Attention of the Ministries/Divisions, etc. is invited to para 2 of Appendix "B" to the Secretariat Instructions which runs as follows:—

"All references shall be made direct to the Commission by the Division/Department in the form of an official letter addressed to the Secretary and with which all relevant papers shall be forwarded, provided that no reference which is not obligatory under the rules and instructions regarding consultation with the Commission shall be made, save with the previous concurrence of the Establishment Division and in cases involving financial considerations of the appropriate authority as well. Before a case is referred to the Establishment Division, the Division/Department shall place in the file the draft of the letter proposed to be submitted to the Commission".

2. It is requested that all communications intended for the Federal Public Service Commission should be sent in the form of an official letter. The commission act as a corporate body and, therefore, letters should not be addressed to the Chairman or Members of the Commission individually, but should be addressed to the Secretary of the Commission.

[**Authority.—** Federal Public Service Commission O.M. No. F. 16/47/55-S, dated the 24th September, 1955 with necessary verbal changes.]

VIII. SUBMISSION OF LIST OF AD HOC APPOINTMENTS MADE AFTER 30TH SEPTEMBER, 1980 TO THE F.P.S.C.

In respect of the ad-hoc appointments made after the 30th September, 1980, a Monthly Return may kindly be sent by 7th day of every month in the prescribed form as laid down at Sl. No. 38 of Chapter XXI of the Establishment Manual, Volume III (1965 print).

[**Authority.—** F.P.S.C. O.M. No. F.4-12/79-S, dated 9th October, 1980.]

IX. WITHDRAWAL OR CHANGE OF REQUISITION BY THE ADMINISTRATIVE MINISTRIES/DIVISIONS/DEPARTMENTS FOR POSTS ALREADY ADVERTISED BY THE COMMISSION.

It has been decided that:—

(i) the requests received from Ministries/Divisions, Departments for withdrawal of cases wherein interviews have been started or nominations finalised would not be accepted. The sponsoring Ministry/Division/Department should appoint the Commission's nominees even if the abolished post(s) had to be revived.

(ii) Other requests for withdrawal of requisitions would be entertained on the basis of merit of each case if the prescribed procedure has been followed.

[**Authority.—** Para 4(i) & (ii) of Estt. Divn., O.M. No. 10/6/91/CP-I, dt. 28-7-1991.]

APPENDIX NO. 13

MISCELLANEOUS INSTRUCTIONS

I. REDUCTION OF PENSION UNDER ARTICLE 470(B), CIVIL SERVICE REGULATIONS.

Under Article 470 C.S.R., the Government servants are not entitled to full pension unless the services rendered by them are really approved. Further, Article 470(*b*) C.S.R. empowers the pension sanctioning authority to make reduction in the amount of pension of a Government servant if his services are not found to be thoroughly satisfactory.

2. A question was raised whether show cause notice is necessary before making reduction in the amount of pension of an employee whose services are not adjudged to be thoroughly satisfactory. After careful examination of the point at issue, it has been held by the Cabinet Secretariat, Establishment Division, that the powers given under Article 470(*b*) C.S.R. should not be exercised until an opportunity has been given to the retiring Government Servant by means of notice to show cause against reduction in pension.

3. The above ruling may kindly be brought to the notice of all concerned.

(D. G. PPO, Karachi's O.M. No. Admn. 11-19/69 dated 23-10-1971.)

II. DISMISSAL WITH RETROSPECTIVE EFFECT

It is not in order to dismiss an employee with retrospective effect. Dismissal may not be from a date earlier than the date of the order."

(Legal decisions published by Establishment Division)

III. EFFECT OF REDUCTION TO A LOWER GRADE AS A PUNITIVE MEASURE FROM A PROMOTION POST

A case has come to light that an official was reduced in grade from a higher post as a punitive measure without specifying the period for which the reduction in grade was to remain operative. Although it may not be the intention of the authority concerned to reduce the official to a lower rank permanently, such an order is against the principles of natural justice and the spirit of instructions on the subject.

2. To avoid recurrence of such omission in future it is considered desirable to invite attention once again, of all concerned to the following rules/instruction:–

(1) D.G.P & T India's letter No. B.II/Ruling dated 9-1-1929 provides that the punishment which destroy all incentive to good work are unusually undesirable and can only be justified in very exceptional cases. Therefore, the order of punishment which affect an individual's status or promotion should ordinarily be so worded as to leave the door open for his subsequent advancement should his work justify this.

(2) As laid down in F.R. 29, if a Government servant is, on account of misconduct or in-efficiency, reduced to a lower grades or post or to a lower stage in his time scale, the authority ordering such reduction should state the period for which it shall be effective and whether, on restoration, it shall operate to postpone future increments and if so, to what extent".

(3) Establishment Division's O.M. No. 2/3/65-DI dated 7-8-65 circulated vide this office memo No. E. 111-4/60 dated 28-4-1965 prescribes that care should be taken to see that such an imposition is for a specified period.

(4) Government decision No. 3 (ii) below Rule 49 of the Civil Services (Classification, Control and Appeal) Rules lays down that a Government Servant, who has been reduced in rank as a disciplinary measure should not be restored to his original position in seniority unless this is specifically laid down at the time the order of punishment is passed or revised on appeal.

3. It should also be borne in mind that the punishing authority cannot revise its own punishing order whether merely on reconsideration or on discovery of some flaw. If no appeal has been preferred , the appellate authority too cannot order retrial or modify the punishment order. In such cases, the authority competent to order retrial or to make any modification in the punishment order is the President.

4. The aforementioned instructions should be brought home to all Circle and field officers with directions to follow them strictly and rigidly.

(D.G. PPO KR O.M. No. E 1-I/71 dated 27-7-1971).

IV. PAYMENT OF DUES OF SALARIES DURING FORCED LEAVE

Under Rule 5 (1) (i) of Government Servants (Efficiency and Discipline) Rules, 1973 in case a Government servant is accused of subversion, corruption or misconduct, the authorised officer may require him to proceed on forced leave or with the approval of the authority suspend him.

2. Further, under Rule 8–A of the Government Servants (Efficiency and Discipline) Rules, 1973 if a Government servant sent on forced leave, is not dismissed, removed from service, reduced in rank or compulsory retired, he shall be required to rejoin duty and the period of such forced leave shall be treated as spent on duty on full pay.

3. A question had arisen, whether a Government servant sent on forced leave will be entitled to the payment of pay during the period of such leave when no leave stands at his credit.

4. It is clarified after consultation with the Establishment and Finance Divisions, that a Government servant sent on forced leave is entitled to full amount of his salary and other benefits and facilities for the period of forced leave in terms of FR-53 (b), irrespective of the fact that leave at his credit stands or not.

5. The period of forced leave my not be charged to leave account of the official as he was not on leave at his own, under rule 24 of the Revised Leave Rules, 1980.

[Authority.— Establishment Division O.M. No. 16/22/99-R-2, dated 26-07-1999. Finance Division O.M. No. 382-R-4/99, dated 29-12-1999. Also reproduced in Director General Circular No. 02 dated 15th February, 2000].

[No. S. 21-16/73-XIII, dated 3-2-2000.]

V.

HEAD QUARTERS
PAKISTAN POSTAL SRVICES CORPORATION
(PAKISTAN POST)

No. S.21-10/79. Islamabad-44000, 14-06-1994

SUBJECT:– COMBINATION OF APPOINTMENT AGAINST VACANT POST IN BPS-16 AND BELOW:

A number of posts under Pakistan Postal Services Corporation remain vacant for fairly long periods for various reasons. Ordinarily the work of the vacant post should be distributed among more than one of the available employees of the same status, category and designation. For such temporary addition to the normal work of the employees no additional remuneration is admissible to them under the existing rules/general orders.

2. In some cases the work of the vacant post has to be entrusted in its entirety, to only one available employee. In such cases the addition to that employee's work and responsibility is considerable which should justify the grant of some additional remuneration.

3. The competent authority has ordered that the combination of appointments to identical posts of the same status, category and designation in BPS-1 to 16 shall henceforth be made by the officers designated as appointing authority for the posts concerned under the Pakistan Postal Services Corporation vide Ministry of Communications (Pakistan Post Office) Notification No. S.R.O. 789 (I)/85 dated 17th August, 1985 as amended from time to time.

4. Similarly combination of appointments to non-identical posts of the same status in BPS-1 to 16 shall be made by the designated appointing authority who is competent to make appointment to both the posts, i.e., the original post of the employee and the other post against which the dual/additional charge appointment is proposed to be made.

5. In order to run the official business smoothly, the work of the vacant post, as far as possible, be distributed among more that one employee of the same status category and designation available in the Office / Unit / Division / Circle / Organization.

6. Where the distribution of the work of vacant post among more than one employee of the same status category and designation is not feasible, the charge of the vacant post may be entrusted in its entirety, to another employee. This arrangement should not be made for a period less than one month and should not exceed three months. However, it may be extended by another three months with the approval of the next higher authority.

7. Immediately on the expiry of six months of the full additional charge of the particular vacant post, the post shall be treated as having been abolished and its duties automatically becoming part of normal duties of the other existing posts of the same category in the Office / Circle / Unit / Division/Organization concerned. The post so treated as abolished shall not be revived, without the concurrence of the Financial Adviser.

8. The additional remuneration for holding dual charge of the vacant identical post of the same status, category and designation, in its entirety, shall be admissible at a uniform rate of 20% of basic pay not exceeding Rs. *1100/- per month under the instructions contained in Finance Division's O.M. No. F. 2(9) – R.3/85 dated 18th March, 1987 as amended.

9. The additional remuneration for holding dual charge of the vacant non-identical post of the same Basic Pay Scale should not exceed an amount equal to 10% of the pay of the employee in the original post under the instructions contained in Finance Division (Regulation Wing)'s O.M. No.

* Enhanced to Rs. 1500 per month w.e.f. 1-1-2000 *vide* Finance Division O.M. No. FII (7). R.3/2000 dated 6-5-2000.

F.8(1) – R.2/89 dated 19th May, 1991. However, if the charge of a lower post is assigned to an employee holding higher status under F.R. 49, no additional remuneration would be admissible to him.

10. The charge of a vacant post in a higher Basic Pay Scale will not be entrusted to any employee except (a) by promotion on regular basis in the prescribed manner against a clear vacancy, or (b) by appointment on acting charge basis against a post which is likely to remain vacant for a period of six months or more on the recommendation of the appropriate Departmental Promotion Committee in accordance with the provisions of the prescribed Recruitment Rules or (c) by appointment on current charge basis of a senior most official otherwise fit for promotion belonging to the eligible feeding cadre and available at the same station in addition to his own duties against a vacant post for a period of one to three months and extendable by another three months with the approval of the next higher authority in accordance with the orders issued from time to time.

11. The existing instructions on the subject are modified to the above extent.

Sd/—
(MUHAMMAD AKHTAR)
GENERAL MANAGER (PERSONNEL)

1. DG (Admn) / DG (O) / DG (AF & SS) / DG (F) / DG (Planning), H–Q, PPSC, Islamabad.
2. GM (P) / GM (P & D) / CAO, H–Q, PPSC, Islamabad.
3. The Postmaster General, Lahore / Karachi / Peshawar / Quetta / Rawalpindi / Hyderabad / Islamabad.
4. The General Manager, PLI, Lahore / Karachi.
5. The GM (Overseas) / GM (SS), P.P.S.C., Islamabad.
6. The Director, Postal Staff College, Islamabad.
7. The Director of Accounts, PPSC, Lahore.
8. The Chief Controller of Stamps, Karachi.
9. The DADPS, QMG Branch, Log Dte/Log, 4–C, GHQ., Rawalpindi.

10. AGM (Admn) / AGM (Staff) / ACAO (Bgt) / ACAO (Rev) / ACAO (IAC-I, II, III, IV, V), H–Q, PPSC, Islamabad.

11. Supdt. (Staff–I) / Supdt. (P) / Supdt. (Admn–I & Admn–II) / AAO (P & A) / AAO (Rev) / AAO (Bgt) / AAO (IAC), H–Q, PPSC, Islamabad.

12. The Controller (F & S), H–Q, PPSC, Islamabad for including the above material in the next P.P.S.C., Gazette.

VI.

GOVERNMENT OF PAKISTAN
MINISTRY OF COMMUNICATIONS

Islamabad, the 26th August, 1996.

NOTIFICATION

No. 3(16) / 92-P.O. (Pt). On the dissolution of the Pakistan Postal Services Corporation and creation of Pakistan Post Office as an attached department of the Ministry of Communications with effect from 7th July, 1996, the President has been pleased to order as follows:–

(1) The Pakistan Postal Services Corporation hereinafter referred to as the Corporation stands dissolved on 6th July, 1996;

(2) All properties of the Corporation, whether moveable or immoveable, including all monies, deposits, securities and construction or structures raised on any property of the Corporation or Pakistan Post Office Department shall vest in the Postal Department;

(3) All employees of the Corporation, including members of the Postal Group, but other than employees appointed on contract or daily wages, whether transferred to the Corporation from the Pakistan Post Office Department on establishment of the Corporation or recruited by the Corporation after such establishment shall stand reverted to the Pakistan Post Office Department in their original or equivalent posts or as the Federal Government may, by notification, appoint any such employees in any other department, office or post;

(4) The employees transferred to the Pakistan Post Office Department under sub-para (3) shall be civil servants and

be governed under the Civil Servants Act, 1973 (LXXI of 1973), and their services under the Corporation shall be deemed to be civil service;

(5) The employees engaged by the Corporation on contract or on daily wages or the employees belonging to other occupational groups and services or employees of other organizations serving in the Corporation on the commencement of this Notification shall stand transferred to the Pakistan Post Office Department on such terms and conditions under which they were serving in the Corporation.

(6) All contributions of the employees of the Corporation towards any provident fund or gratuity or other funds shall vest in the Pakistan Post Office Department;

(7) All assets and liabilities of the Corporation shall stand transferred to the Pakistan Post Office Department;

(8) All orders made, action taken by any employee or officer of the Corporation in pursuance of the provision of the said ordinance shall remain in force and be operative and effective unless specifically varied, annulled or with drawn;

(9) All contracts entered into by the Corporation shall continue and remain in force as such contracts were entered into by the Pakistan Post Office Department; and

(10) All organisations, offices or departments of the Corporation or relating thereto, including the Pakistan Postal Life Insurance, Post Office Savings Bank and Express Post Services shall vest in the Pakistan Post Office Department and operate as organization, offices and departments of the Pakistan Post Office Department.

2. The above arrangements shall come into force with effect from 7th July, 1996.

Sd/-
(MUHAMMAD AYAZ)
DEPUTY SECRETARY

The Manager,
Printing Corporation of Pakistan,
Islamabad.

Copy for information to:–

1. Principal Secretary to the Prime Minister, Prime Minister's Secretariat, Islamabad.

2. The Director-General, Cabinet Division, Islamabad.

3. The Director-General, Pakistan Post Office, Islamabad.

4. The Director of Accounts, Pakistan Post Office Department, Lahore.

Sd/-
(MUHAMMAD AYAZ
DEPUTY SECRETARY

VII. GOVERNMENT SERVANTS TO BE PLACED UNDER SUSPENSION WHEN REALLY NECESSARY

Cases have come to the notice of the Establishment Division in which Government servants have been kept under suspension unduly long, the period in some cases extending over six months thereby subjecting them to unnecessary mental and other hardships.

2. The matter was considered at the Secretaries' meeting, held on the 7th July, 1949. It has been decided, in the first place, that no Government servant should be placed under "suspension" except when this is really necessary, and that the following factors should guide an officer in deciding whether or not to issue orders of suspension:—

(a) There must be a strong *prima-facie* case against the delinquent;

(b) If the offence is of such a serious nature that dismissal will be the probable punishment, or such that it is in-advisable that the offender should be allowed to continue to perform the duties of his office pending decision on the case, suspension is justifiable;

(c) Unless there is some very strong reason why the offender should not be allowed to continue to work until the case has been decided, suspension should not be resorted to;

(d) No one should be suspended for petty breaches of discipline and for minor departmental offences;

(e) No one should be suspended unless:—

(i) he willfully and obstinately refuses to carry out an order;

(ii) during the course of an enquiry his retention in his appointment would hamper or frustrate such enquiry;

(iii) he is in Police custody;

(iv) he is charged with an offence of a nature which, if proved against him, would ordinarily result in his dismissal.

Note.— Where documentary and oral evidence has already been collected and the risk of an official tampering with evidence (documentary or oral) no longer exists, the order of suspension should be cancelled. Where, however, there is still such a risk he should be transferred. In cases where the police have intervened and the official is under arrest, the order of suspension must remain in force until the official is released on bail or until sentence has been pronounced.

[**Authority.—** O.M. No. F. 32/48-Estt. (SE), dated the 21st July, 1949.]

VIII. LEAVING STATION BY GOVERNMENT SERVANTS UNDER SUSPENSION

It has been observed that, on being placed under "suspension" an officer is generally prohibited from leaving the station. This is desirable where it is felt that, unless he is confined to a particular station, he might tamper with the evidence likely to be produced against him, but such prohibition should not be enforced if there is no cause for such apprehension. He should simply be required to inform the authority concerned of his movement.

[**Authority.—** Para 3 O.M. No. F.32/48-Estt. (SE), dated the 21st July, 1949.]

IX. BAR AGAINST USE OF GOVERNMENT STATIONERY AND SERVICE POSTAGE STAMPS BY ACCUSED GOVERNMENT SERVANTS IN DISCIPLINARY PROCEEDINGS.

The question whether an accused Government servant is entitled to use Government stationery and service postage stamps in replying to the charges framed against him and in making other correspondence in connection with his defence has recently been examined and it is decided that an accused Government servant is not entitled to use Government stationery and service postage stamps in replying to the charges or making other correspondence in connection with his defence. Cost of stationery and postage stamps required

by him in connection with his defence has in all cases to be borne by the accused Government servant himself.

[**Authority.—** O.M. No. 2/29, 67-D, I., dated the 8th January, 1968.]

X. TERMINATION OF SERVICES OF TEMPORARY GOVERNMENT SERVANTS UNDER SUSPENSION

Attention is invited to Establishment Division's O.M. Nos. 21/11/61-D.I, dated 22 December, 1962 and 18th April, 1963 on the subject of "Speedy Disposal of Disciplinary Cases—Policy Regarding Government Servants undergoing Criminal Prosecution Before Departmental Action", and it is stated that the advice of the Justice Division was sought whether it was possible to terminate the services of an employee, who was arrested on a criminal charge of murder and had been undergoing trial for a long time, without any notice and without assigning any reasons, in accordance with the terms and conditions of his service as contained in his letter of appointment. The position as per advice of the Justice Division, is as follows:

2. A Civil Servant is not necessarily in temporary employment merely because of a statement in the order of appointment that his appointment will be purely temporary and liable to termination at any time without any notice or reasons being assigned. No civil servant a temporary employee as long as the employment is for an indefinite period or against a post which continues to exist for an indefinite period. It is extremely difficult to attribute to the legislature an intention to clothe the authorities concerned with arbitrary power of terminating the services of a civil servant in their discretion without assigning any reason. The courts have always been reluctant to interpret these provisions in a manner as would justify the externment of an employee without any justification.

3. Further after the enactment of Civil Servants Act, 1973 the services of a civil servant can either be terminated under section 11 of the Act or under Government Servants (E&D) Rules, 1973. It is not possible to spell out any power to terminate the services of an employee without notice and without assigning any reason from the provisions of sub-section (3) of Section 11 of Civil Servants Act, 1973, especially in the presence of the provisions of sub-section (1) thereof regarding termination of service during the initial or extended period of probation. If an employee has passed through the period of probation to the satisfaction of the competent authority, he is no longer a temporary employee within the meanings of sub section (3) if his employment is for an indefinite period or against a post which continues to exist for an indefinite period.

4. In the light of the above advice of the Justice Division services of an employee can no more be terminated without notice and without assigning

reason [on the basis of the contents of Establishment Division's O.M. dated 22nd December, 1962 and 18th April, 1963 referred to above.]

[**Authority.—** Establishment Division's O.M. No. 31/64/86-R3 dated the 20th April, 1987.]

XI. OFFICERS' DUTY TO WATCH CONDUCT OF THEIR SUBORDINATES.

Sl. No. A

It has been decided that all officers should be informed that it is their duty to watch the conduct of their subordinates and to ensure that corruption does not spread among them. Failures to do so would be reflection on their own efficiency.

[**Authority.—** Office Memorandum No. 3/35/59-SE II, dated the 4th March, 1959.]

Sl. No. B

Measures undertaken to curb corruption in the Police have shown appreciable results, and its personnel deserve to be commended, and encouraged to continue with their efforts in that direction.

2. Meanwhile, public complaints of corruption in several Government departments persist, and effective steps are required to root it out. It is the bounden duty of every Head of Department to exercise utmost vigilance, analyse the cause, and trace the source where incidence of corruption occurs.

3. In future, a Head of Department will bear the responsibility, and be answerable for proven charges of corruption within the area of his administrative jurisdiction. It is self-evident that corruption prevails in a department if its Head is:

(a) himself corrupt, or

(b) willfully blind to corruption taking place, or

(c) so inefficient that he is unable to control it.

4. Whichever of these three reasons may be applicable, such a Head of Department cannot be retained in service to the detriment of Government's objective of serving the people and promoting their weal and welfare.

[**Authority.—** President of Pakistan's note No. 57/1/CMLA of 25 September, 1978.]

XII. COMMITTALS TO PRISON

[1][**C.S.R. 194.—** A Government servant who has been charged for a criminal offence or debt and is committed to prison shall be considered as under suspension from the date of his arrest. In case such a Govt. servant is not arrested or is released on bail, the competent authority may suspend him, by specific order, if the charge against him is connected with his position as Government servant or is likely to embarrass him in the discharge of his duties or involves moral turpitude. During suspension period the Government servant shall be entitled to the subsistence grant as admissible under F.R.-53.]

[2][**C.S.R. 194-A.** * * * * * * * *]

XIII. SUSPENSION OF A GOVERNMENT SERVANT ACCUSED OF CRIMINAL OFFENCES

In cases where Government servants are accused of criminal offences, frequent references are made to the Establishment Division on issues such as:

(i) whether, on their committal to prison, they are to be suspended by a specific order or their suspension is automatic;

(ii) whether or not on their release on bail after arrest, they can be reinstated in service;

(iii) whether their continued suspension requires approval of the authority after every three months.

2. The matter has been considered in the Establishment Division in consultation with the Law Division. It has been held that cases of the above nature are to be dealt with under Article 194 and 194-A of the Civil Service Regulations, which are existing rules and which cannot be over-ridden by administrative instructions contained in section IV of Appendix-3 of Fundamental Rules and Supplementary Rules Vol. II.

3. In the context of the points mentioned in paragraph I, the position that emerges from Article 194 and 194-A of CSR is explained below:—

(a) A Government servant committed to prison either for debt or on a criminal charge should be considered as under suspension from the date of his arrest and until the termination of the proceedings

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[1] Article 194 substituted by the S.R.O. 25 (KE)/97, the 4th February 1997, Gaz. Of Pak., Extr., Pt. II, P. No. 77 dt. March 17, 1997.

[2] Article 194-A omitted, ibid.

against him, *i.e.,* his suspension is automatic from the date of arrest till termination of proceedings against him;

(b) a Government servant against whom a criminal charge or proceeding for arrest for debt is pending should also be placed under suspension by the issue of specific orders to this effect during periods when he is not actually detained in custody or imprisoned (*e.g.* whilst released on bail) if the charge made or proceedings taken against him is connected with his position as a Government servant or is likely to embarrass him in discharge of his duties as such or involves moral turpitude; and

(c) the requirement of obtaining approval of authority for extension of suspension period after every 3 months laid down in Government Servants (Efficiency and Discipline) Rules, 1973 applies to suspensions ordered under these rules. Article 194 or 194-A do not mention any such requirement.

4. In view of the position stated above, the answers to the queries mentioned in para 1 are as follows *seriatim* :—

(i) suspension under Article 194 is automatic. Suspension under Article 194-A requires specific approval of the competent authority;

(ii) in the light of what is stated in the preceding paragraph, the competent authority can, in case the accused official is no longer detained in custody, reinstate him in service unless it like him to continue to be under suspension on the consideration that the charges against him are connected with his position as a Government servant or is likely to embarrass him in the discharge of his duties as such or involve moral turpitude. From the date of reinstatement onwards, the Government servant will no doubt be paid full pay. However adjustment of allowances for the period he remained under suspension will be made as Article 194 and 194-A envisage after the termination of the proceedings;

(iii) approval of competent authority for suspension under Article 194 or 194-A is not required every 3 months.

5. With reference to (i) and (ii) in the preceding paragraph, the following administrative instructions may also be followed :—

(a) a report may be immediately sent to the "competent authority" whenever a person is committed to prison and is considered to be under suspension under article 194 CSR in order to ensure that

the competent authority remains in touch with the position of the official and his case; the fact of suspension may also be notified under advice to all concerned including the audit authorities in terms of Article 194 CSR; and

(b) a report on the progress of the criminal case leading to the suspension of a Government servant under Article 194 or 194-A, CSR, as the case may be, be submitted to the authorised officer every three months for his information to ensure that he remains in touch with the position of the official and his case.

6. The O. M. issues with the concurrence of the Ministry of Finance.

[**Authority.—** O.M. No. 4/12/74-DI, dated the 10th March, 1980.]

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