

THE BALOCHISTAN GOVERNMENT SERVANTS (CONDUCT)
RULES, 1979

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'THE BALOCHISTAN? GOVERNMENT SERVANTS (CONDUCT)
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NOTIFICATION

[29% July, 1979]

No. 17-235/79-SO (ARC)/S&GAD. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 19743, the Government of Balochistan is pleased to make the following rules:—

1. Short title and commencement. (1) These rules may be called the Balochistan Government Servants (Conduct) Rules, 1979.

(2) They shall come into force at once.

2. Extent of application.— These rules shall apply to all persons, whether on

duty or on leave, within or without Balochistan, serving in connection with the affairs of the Province of Balochistan, including the employees of the Provincial Government deputed to serve with a Statutory Corporation or with a non-Government employer, but excluding—

(a) members of an All Pakistan Service serving in connection with the affairs of the Province;

(b) holders of such posts in connection with the affairs of the Province of Balochistan, as the Provincial Government may, by a notification in the official Gazette, specify in this behalf.

3. Definition— (1) In these rules, unless there is anything repugnant in the subject or context—

(a) "Government" means the Government of Balochistan;

(b) "Government Servants" means a person to whom these rules apply;

(c) "Member of a Government Servants family" includes—

(i) his wife, children and step children, parents, sisters and minor brothers residing with and wholly dependent upon the Government servants; and

(11) any other relative of the Government servant or his wife when residing with and wholly dependent upon him; 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

" These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. 17-235/79-SO (ARC)/S&GAD, dated 29" July, 1979; and published in the Balochistan Gazette (Extraordinary) No. 84, dated 29" July, 1979.

Spelling of the word "Baluchistan", wherever it appears in these rules, is corrected by insertion of letter "o" instead of "uw", as

per Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

Baln. Act [X of 1974 was passed by the Balochistan Assembly on 19" June, 1974; assented to by the Governor of Balochistan and published in Balochistan Gazette (Extraordinary) No. 41, dated 20" July, 1974.

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of whose custody the Government servant has been deprived by law, and

(d) "Province" means the Province of Balochistan.

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

4. Gifts — (1) Save as otherwise provided in this rule, no Government servant shall, except with the previous sanction of Government, accept or permit any member of his family to accept, from any person any gift the receipt of which will place him under any form of official obligation to the donor. If the offer of a gift cannot be refused without giving undue offence it may be accepted and delivered to Government for decision as to its disposal.

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

(3) If any gift is offered by the head of 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 Government for orders as to its disposal.

(4) A Government servant may accept gifts offered abroad or within Pakistan by institutions or official dignitaries of Foreign Government of comparable or higher level; provided that the value of such gift in each case does not exceed rupees one thousand.

(5) A Government Servant desirous of retaining gift value of which exceed rupees one thousand may retain it on payment of difference, after evaluation of the gift by a Committee headed by the Chief Secretary;

Provided that the gift shall first be offered for sale to the person who received it from a foreign dignitary.

5. Acceptance of foreign awards.— No Government servant shall, except with the approval of the Government of Balochistan, accept a foreign award, title or decoration.

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

6. Public demonstration in honour of Government servants.— No Government servant shall encourage meetings to be held in his honour or presentation of addresses of which the main purpose is to praise him.

7. Gift to medical officers.— Subject to the departmental rules in this behalf, 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.

8. Subscriptions.— No Government servant, shall, except with the previous sanction of Government, ask for or accept or in any way participate in the raising of any

subscription or other pecuniary assistance in pursuance of an object whatsoever.

9. 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 a Government servant may—

(i) deal in the ordinary course of business with a Joint Stock Company, bank or a firm of standing or the House Building Finance Corporation

(11) accept a purely temporary loan of small amount, free of interest,

from a personal friend or the operation of a credit account with a bonafide tradesman.

(2) When a Government servant is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess immovable property, or carry on business within the local limits of such authority, the Government servant shall forthwith declare the circumstances, when he is a Gazetted Officer, to Government through the usual channel, and where he is a non-gazetted Government servant, to the head of his office.

(3) This rule, in so far as it may be construed to relate to loans given to or taken from Cooperative Societies registered under the Cooperative Societies Act, 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 Government.

10. Buying and selling of movable and immovable property— (1) A Government servant, who intends to purchase, sale or dispose by other means any movable or immovable property exceeding [Rs. 100,000/- (one hundred thousand rupees)] in value shall do so after obtaining permission of—

(a) Government, in case such Government Servant is the Secretary to Government or Head of Department; and

(b) The Head of Department or the Secretary to Government, as the case may be, in other cases.

(2) An application for permission under sub-rule (1) shall state fully the circumstances, the price offered or demanded and, in the case of, disposal otherwise than by sale, the method of disposal.

(3) All transactions relating to purchase, sale or disposal of property referred to in sub-rule (1) with a person who is an official sub-ordinate of the Government Servant shall be reported to the next higher authority.

(4) A Government Servant who intends to acquire more than one plot from one or more Cooperative Housing Societies or Government Housing Schemes or intends to

1 Substituted by S&GAD's Notification No. SORI (5)11/99/S&GAD/1099-1209, dated 20" April, 1999, for "Rs. 25,000 (Twenty Five Thousands)" which were earlier substituted by S&GAD's Notification No. SORI (5)11/S&GAD-86, dated 6" May, 1986, for "Rs. 5,000/- (five thousand rupees)".

2 Added by S&GAD's Notification No. SORI (5)11/99/S&GAD/1099-1209, dated 20" April, 1999.

dispose of any of plot acquired by him as such shall obtain prior permission of the Government, as the case may be, in the manner specified in sub-rule (1)].

Explanation— In this rule, the term “property” includes Agricultural or urban land, bonds shares and securities but does not include a plot purchased [for the first time] for building a house from a cooperative housing society or a Government housing scheme.

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

12. Declaration of property °[(1)] Every Government servant shall, at the time of entering Government service, make a declaration to Government, through the usual channel, of all immovable and movable properties including shares, certificates, securities, insurance policies, cash jewellery having a total value of 3[Rs. 50,000/- (Fifty thousand rupees)] or more belonging to or hold by him or by a member of his family individually or collectively and such declaration shall—

(a) state the district within which the property is situated.

(b) show separately individual items of jewellery exceeding 3[Rs.50,000/- (Fifty thousand rupees)] in value, and

(c) give such further information as Government may, by general or special order, require.

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

13. Disclosure of assets, immovable, movable and liquid.— A Government servant shall, as and when he is so required by Government by a general or special order, furnish information as to his assets disclosing liquid assets and all other properties, immovable and

movable, including shares, certificates, insurance policies, cash, 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.

1 Inserted ibid.

2 Inserted by S&GAD's Notification No. SORI (5)11/S&GAD-86, dated 6" May, 1986.

3 Substituted by S&GAD's Notification No. SORI (5)11/99/S&GAD/1099-1209, dated 20" April, 1999, for "Rs. 50,000 (fifty thousand rupees)" which were earlier substituted by S&GAD's Notification No. SORI (5)11/S&GAD-86, dated 6" May, 1986, for "Rs. 10,000/- (ten thousand rupees)".

Inserted by S&GAD's Notification No. SORI (5)/S&GAD-92, dated 23 November, 1992.

(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-rule, the decision of Government thereon shall be final.

15. Promotion and managements of companies, etc.— No Government servant shall, except with the previous sanction of 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 Government, take part in the promotion, registration or management of a Cooperative Society registered under the Cooperative Societies Act, or under any similar law.

16. Private trade, employment or work.— (1) No Government servant shall

except with the previous sanction of 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 or artistic character, subject to the condition that his official duties do not thereby suffer and that the occupation or undertaking does not conflict or is not inconsistent with his position or obligation as a Government servant; but he shall not undertake or shall discontinue such work if so directed by Government. A Government servant who has any doubt about the propriety of undertaking any particular work should refer the matter for the orders of Government;

Provided further that a 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 Government.

(3) This rule does not apply to sports activities and memberships or recreation Clubs.

17. Subletting of residential accommodation allotted by Government.— No Government servant shall, except with the prior permission of the Head of the Department sublet residential accommodation or any portion thereof let him by Government.

18. 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.

19. Insolvency and habitual indebtedness.— (1) 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.

(2) 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 Administrative Department, as the case may be, in which is employed.

20. Unauthorised communication of official documents or _information.— No Government servant shall, except in accordance with any special or general order of Government, communicate directly or indirectly any official information or the contents of any official document to a Government servant not authorised to receive it, or to a non-official person, or to the Press.

21. 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.

22. Management etc. of Newspapers or periodicals |= No Government servant

shall, except with the previous sanction of Government, own wholly or in part or conduct or participate in the editing or management of any newspaper or other periodical publication.

23. Radio Broadcast, Television Programme _and Communications to the press.— No Government servant shall except with the previous sanction of 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 any other name, to any newspaper or periodical; 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 that such sanction shall generally be granted if such broadcast, television programme, 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, television programme, contribution or letter is of a purely literary, artistic or scientific character or, in respect of member of the teaching profession, relates to his specialised discipline.

24. Publication of information, public speeches and television programmes capable of embarrassing Government.— (1) No Government servant shall, in any

document published, or in any public utterance or radio broadcast delivered, or in any television programme attended by him, make any statement of fact or opinion or act in a manner which is capable of embarrassing the Central or any Provincial Government.

(2) Technical staff (both former Gazetted and Non-Gazetted) may publish research papers on technical subjects, if such papers do not express views on political issues

or on Government Policy and do not include any information of a classified nature.

1 Added by S&GAD's Notification published in the Balochistan Gazette (Extraordinary) No. 99, dated 4th May, 1980.

Members of the teaching profession (Former Gazetted and Non Gazetted) may publish such articles, papers, letters, books and research material on the subjects related to their specialized discipline as do not offend against the provisions of these rules.

25. Evidence before Committees.— (1) No Government — servant shall give evidence before a public committee except with the previous sanction of Government.

(2) No Government servant giving such evidence shall criticise the policy or decisions of the Central or any 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.

26. 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 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 the forming of a political association or being a member of any such association or to act in the manner in which the Government servant himself is prohibited to act under sub-rule (3).

(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 have taken part in an election to such body.

(6) The provisions of sub-rule (3) and (5) shall, so far as may, 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 Government, for the time being, in force, to be candidates at such elections.

(7) If any question arises whether any movement or activities falls within the scope of this rule, the decision of Government thereon shall be final.

27. Propagation of Sectarian creeds, etc.— No Government servant _ shall propagate such sectarian creeds or take part in such sectarian controversies or create feelings

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

'127-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.

27-B. Government servant not to take part in or assist, any public demonstration_
against Government decision 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.]

28. Nepotism, favouritism and victimization, etc.— No Government — servant
shall indulge in provincialism, parochialism, nepotism, favouritism, victimization, or wilful
abuse of office.

29. Vindication by Government servants of their public acts or character.—
(1) A Government servant may not, without the previous sanction of

Government, have recourse to any Court or to the press for the vindication of his public acts
or character from defamatory attacks. When Government grants sanction to a Government
servant to have recourse to a Court, Government will ordinarily bear the cost of the
proceedings but may leave the Government servant to institute them at his own expense. In
the later ease, if he obtains a decision in his favour, Government may reimburse him to the
extent of the whole or any part of the cost.

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

30. 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 of Government servant unless such association satisfied 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) above.

(c) The associations 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 Government, and

(11) except with the previous sanction of 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—

1 Inserted by S&GAD's Notification No. SORI (5)11/S&GAD-80, dated 19th August, 1985; and published in the Balochistan Gazette (Extraordinary) No. 206, dated 19th August, 1985.

(i) Pay, or contribute towards, any expenses incurred in connection with his candidature by a candidate for such election;

(11) 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 any member of a local authority or body, whether in Pakistan or elsewhere, or

(11) Pay, or contribute towards, the expenses of any trade union which has constituted a fund under section 16 of the Trade Unions Act, 1926! (XVI of 1926);

Provided that this sub-clause will not apply to Unions of the non-Gazetted staff on Pakistan Railways for which separate rules already exist on the subject.

31. 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 Government or any Government servant in support of any claim arising in connection with his employment as such.

32. 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 in Pakistan or abroad to secure for himself invitations to visit a foreign country or to elicit offers of training facilities abroad.

33. Delegation of Powers.— 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 Government and the officers receipt by whom of such reports shall be regarded as receipts of the reports by Government within the meaning of these rules.

2(33-A. Relaxation Any of these rules may, for reasons to be recorded in writing, be relaxed in individual cases if Government is satisfied that a strict application of the rules would cause undue hardship to the individual concerned. |

34. The West Pakistan Government Servants (Conduct) Rules, 1966, in their application to the province of Balochistan, are hereby repealed.

BY ORDER OF

Now the Balochistan Industrial Relation Act, 2010 (Act XIII of 2010), which came into force after repeal of earlier laws on the subject, one after the other in a series i.e. Trade Unions Act, 1926 (Act XVI of 1926), the West Pakistan Trade

Unions Ordinance, 1968 (Ord. V of 1968), the Industrial Relation Ordinance, 1969 (Ord. XXIII of 1969), the Industrial Relation Act, 2008 (Act IV of 2008) and the Balochistan Industrial Relation Ordinance, 2010 (Ord. II of 2010).

2 Added by S&GAD's Notification No. SORI (5)11/S&GAD-80, dated 3 March, 1985; and published in the Balochistan Gazette (Extraordinary) No. 73, dated 6th March, 1985.

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GOVERNOR BALOCHISTAN

CHIEF SECRETARY

BALOCHISTAN

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