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The Balochistan Government
Rules of Business,
2012

(17 December, 2012}

(As modified upto 9" February, 2021)

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CONSTITUTION OF THE ISLAMIC

Relevant Extracts

from

the Constitution of the Islamic

Republic of Pakistan 1973.

Article-4.

Article-5

Article-12

Relevant Extracts from

the Constitution of the Islamic Republic of Pakistan, 1973«

Right of individuals to be dealt with in accordance with law, etc.

(1) To enjoy the protection of law and to be treated in accordance with law is the inalienable right of every citizen. Wherever he may be, and of every other person for the time being within Pakistan.

(2) In particular—

(a) no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law;

(b) no person shall be prevented from or be hindered in doing that which is not prohibited by law; and

(c) no person shall be compelled to do that which the law does not require him to do.

Loyalty to State and obedience to Constitution and law.

(1) Loyalty to the State is the basic duty of every citizen.

(2) Obedience to the Constitution and law is the [inviolable] obligation of every citizen wherever he may be and of every other person for the time being within Pakistan.

Protection against retrospective punishment

(1) No law shall authorize the punishment of a person—

(a) for an act or omission that was not punishable by law at the time of the

act or omission; or

(b) for an offence by a penalty greater than, or of a kind different from, the

1 Subs. by P. O. No. 14 of 1985, Art. 2 and Sch., for "basic".

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Article-13.

Article-25.

penalty prescribed by law for that offence at the time the offence was committed.

(2) Nothing in clause (1) or in Article 270 shall apply to any law making acts of abrogation or subversion of a Constitution in force in Pakistan at any time since the twenty-third day of March, one thousand nine hundred and fifty-six, an offence.

Protection against double punishment and self incrimination

No person—

(a) shall be prosecuted or punished for the same offence more than once; or

(b) shall, when accused of an offence, be compelled to be a witness against himself.

Equality of citizens

Article-27.

(1) All citizens are equal before law and are entitled to equal protection of law.

(2) There shall be no discrimination on the basis of sex*,

(3) Nothing in this Article shall prevent the State from making any special provision for the protection of

women and children.

Safeguard against discrimination in services

(1) No. citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth:

Provided that, for a period not exceeding [forty] years from the commencing day, posts may be reserved for persons belonging to any class or area to secure their adequate representation in the service of Pakistan:

'The word "alone" omitted by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 8.

Subs. and shall be deemed always to have been so subs. by the Constitution (Sixteenth Amendment) Act, 1999 (7 of 1999), s. 2, for "twenty", which was previously subs. by P.O. No. 14 of 1985, Art. 2 and Sch., for "ten".

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Article-29.

Provided further that, in the interest of the said service, specified posts or services may be reserved for members of either sex if such posts or services entail the performance of duties and functions which cannot be adequately performed by members of the other sex °[:]

'(Provided also that under-representation of any class or area in the service of Pakistan may be redressed in such manner as may be determined by an Act of Majlis-e-Shoora (Parliament)].

(2) Nothing in clause (1) shall prevent any Provincial Government, or any local or other authority in a Province, from prescribing, in relation to any post or class of service under that Government or authority, conditions as to residence in the Province, for a period not exceeding three years, prior to appointment under that Government or authority.

Principles of Policy

(1) The Principles set out in this Chapter shall be known as the Principles of Policy, and it is the responsibility of each organ and authority of the State, and of each person performing functions on behalf of an organ or authority of the State, to act in accordance with those Principles in so far as they relate to the functions of the organ or authority.

(2) In so far as the observance of any particular Principle of Policy may be dependent upon resources being available for the purpose, the Principle shall be regarded as being subject to the availability of resources.

(3) In respect of each year, the President in relation to the affairs of the Federation, and the Governor of each Province in relation to the affairs of his Province, shall cause to be prepared and laid before '[each House of Majlis-e-Shoora (Parliament)] or, as the case may be, the Provincial Assembly, a report on the observance and implementation of the Principles of Policy, and provision shall be made in the rules of procedure of the National Assembly *[and the Senate] or, as the case may be, the Provincial Assembly, for discussion on such report.

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 10 for the full-stop.

New proviso ins. *ibid.*

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 11, for “the National Assembly”.

Ins. *ibid.*

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Article-31.

Article-36.

Article-48.

Islamic way of life

(1) Steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Quran and Sunnah.

(2) The State shall endeavour, as respects the Muslims of Pakistan,—

(a) to make the teaching of the Holy Quran and Islamiyat compulsory, to encourage and facilitate the learning of Arabic language and to secure correct and exact printing and publishing of the Holy Quran;

(b) to promote unity and the observance of the Islamic moral standards; and

(c) to secure the proper organisation of zakat [ushr,] augaf and mosques.

Protection of minorities

The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.

President to act on advice, etc.

'((1) In the exercise of his functions, the President shall act *[on and] in accordance with the advice of the Cabinet *[or the Prime Minister]:

[Provided that *[within fifteen days] the President may require the Cabinet or, as the case may be, the Prime Minister to reconsider such advice, either generally or otherwise, and the President shall 7[, within ten days,] act in accordance with the advice tendered after such reconsideration.]

(2) Notwithstanding anything contained in clause (1), the President shall act in his discretion in respect of any matter in respect of which he is empowered

1 Ins. by P.O. No. 14 of 1985, Art. 2 and Sch.,
1 Subs. by P.O. No. 14 of 1985, Art. 2 and Sch., for "Article 48".

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Ins. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 15.

Subs. by the Constitution (Eighth Amdt.) Act, 1985 (18 of 1985), s. 2, for "the Prime Minister, or a appropriate Minister".

Subs. ibid., for "the original proviso".

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Article-53.

by the Constitution to do so '[and the validity of anything done by the President in his discretion shall not be called in question on any ground whatsoever].

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(4) The question whether any, and if so what, advice was tendered to the President by the Cabinet, the Prime Minister, a Minister or Minister of State shall not be inquired into in, or by, any court, tribunal or other authority.

71(5) Where the President dissolves the National Assembly, notwithstanding anything contained in clause (1), he shall,—

(a) appoint a date, not later than ninety days from the date of the dissolution, for the holding of a general election to the Assembly; and

(b) appoint a care-taker Cabinet 'in accordance with the provisions of Article 224 or, as the case may be, Article 224-A].

(6) If at any time the Prime Minister considers it necessary to hold a referendum on any matter of national importance, he may refer the matter to a joint sitting of the Majlis-e-Shoora (Parliament) and if it is approved in a joint sitting, the Prime Minister may cause such matter to be referred to a referendum in the form of a question that is capable of being answered by either "Yes" or "No".]

(7) An Act of Majlis-e-Shoora (Parliament) may lay down the procedure for the holding of a referendum and the compiling and consolidation of the result of a referendum.]

Speaker and Deputy Speaker of National Assembly

(5) The Speaker may, by writing under his hand addressed to the President, resign his office.

(6) The Deputy Speaker may, by writing under his hand addressed to the Speaker, resign his office.

Added ibid.,

6 Clause (3) omitted, *ibid.*,

7 Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 15, for “clauses (5) and (6)”.

Added by the Constitution (Twentieth Amendment) Act, 2012 (V of 2012), s.2.

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Article-66.

Article-67.

Article-101.

Privileges of members, etc.

(3) Provision may be made by law for the punishment, by a House, of persons who refuse to give evidence or produce documents before a committee of the House when duly required by the chairman of the committee so to do:

Provided that any such law—

(a) may empower a court to punish a person who refuses to give evidence or produce documents; and

(b) shall have effect subject to such Order for safeguarding confidential matters from disclosure as may be made by the President.

Rules of procedure, etc.

(1) Subject to the Constitution, a House may make 'rules for regulating its procedure and the conduct of its business, and shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in the House shall not be invalid on the ground that some persons who were not entitled to do so sat, voted or otherwise took part in the proceedings.

(2) Until rules are made under clause (1), the procedure and conduct of business in a House shall be regulated by the rules of procedure made by the President.

Appointment of Governor

(1) There shall be a Governor for each Province, who shall be appointed by the President on the advise of the Prime Minister].

(2) A person shall not be appointed a Governor unless he is qualified to be elected as a member of the National Assembly and is not less than thirty-five years of age ?[and is a registered voter and resident of the Province concerned.] °{:}

1 For the rules of Procedure and Conduct of business in the Senate. see Gaz. of Pak. 1973. Ext., Pt. II. pp. 1543-1620.
For the Rules of Procedure and Conduct of Business in the National Assembly. 1973. see Gaz. of Pak., 1973, Ext., Pt.

I, pp. 1897-1957.

1 Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 33, for "clause (1)".

2 Added ibid.

3 Subs. by the Constitution (Fifth Amdt.) Act. 1976 (62 of 1976), s. 2, for the full-stop (w.e,f the 13th September, 1976).

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Article-102.

Article-103.

Article-104.

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(3) The Governor shall hold office during the pleasure of the President [and shall be entitled to such salary, allowances and privileges as the President may determine].

(4) The Governor may, by writing under his hand addressed to the President, resign his office.

°[(5) The President may make such provision as he thinks fit for the discharge of the functions of a Governor “[in any contingency not provided for in this Part.]

Oath of Office

Before entering upon office, the Governor shall

make before the Chief Justice of the High Court oath in the form set out in the Third Schedule.

Conditions of Governor's office

(1) The Governor shall not hold any office of profit in the service of Pakistan or occupy any other position carrying the right to remuneration for the rendering of services.

(2) The Governor shall not be a candidate for election as a member of '[Majlis-e-Shoora (Parliament)] or a Provincial Assembly and, if a member of '[Majlis-e-Shoora (Parliament)] or a Provincial Assembly is appointed as Governor, his seat in '[Majlis-e-Shoora (Parliament)] or, as the case may be, the Provincial Assembly shall become vacant on the day he enters upon his office.

Speaker Provincial Assembly to act as, or perform functions of Governor in his absence

[When the Governor, by reason of absence from Pakistan or for any other cause, is unable to perform his functions, the Speaker of the Provincial Assembly and in

his absence any other person as the President may nominate shall perform the functions of Governor until the Governor returns to Pakistan or, as the case may be, resumes his functions.]

4 Proviso and clause (2A) omitted by the Constitution (Eighth Amdt.) Act, 1985 (18 of 1985), s. 11 which was previously amended by Act 62 of 1976, s.2.

Added by the Constitution (First Amdt.) Act, 1974 (33 of 1974), s. 6, (w.e.f. the 4th May, 1974).

Added by P. O. No. 14 of 1985, Art. 2 and Sch.,

Added by Act 18 of 1985, s. 11.

See footnote 6 on page 3, supra.

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 34, for "Article 104".

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Article-105.

Article-109.

Governor to act on advice, etc.

(1) | Subject to Constitution, in the performance of his functions, the Governor shall act *[on and] in accordance with the advice of the Cabinet “[or the Chief Minister] :

°[Provided that “[within fifteen days] the Governor may require the Cabinet or, as the case may be, the Chief Minister to reconsider such advice, whether generally or otherwise, and the Governor shall “[, within ten days,] act in accordance with the advice tendered after such reconsideration.]

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(2) The question whether any, and if so what, advice was tendered to the Governor by the Chief Minister *[or the Cabinet] shall not be inquired into in, or by, any court, tribunal or other authority.

°\(3) Where the Governor dissolves the Provincial Assembly, notwithstanding anything contained in clause (1), he shall,—

(a) appoint a date, not later than ninety days from the date of dissolution, for the holding of a general election to the Assembly; and

(b) appoint a care-taker Cabinet.]

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(5) The provisions of clause *(2) of Article

48 shall have effect in relation to a Governor as if reference therein to "President" were reference to "Governor".]

Summoning and prorogation of Provincial Assembly

The Governor may from time to time—

(a) summon the Provincial Assembly to meet at such time and place as he thinks fit; and

(b) prorogue the Provincial Assembly.

Subs. by P. O. No. 14 of 1985, Art. 2 and Sch., for "Article 105".

Ins. by Act No. 10 of 2010, s. 35.

Subs. by the Constitution (Eighth Amdt.) Act. 1985 (18 of 1985), s. 12, for "proviso,"

Proviso omitted *ibid.*

Subs. *ibid.*, for "the Cabinet or a Minister".

Subs. by Act No. 10 of 2010, s. 35, for "clause (3)".

Clause (4) omitted, *ibid.*

Subs. by the Constitution (Eighth Amdt.) Act. 1985 (18 of 1985) s. 12 for "(3)".

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Article-110.

Right of Governor to address Provincial Assembly

Article-112.

Article-115.

The Governor may address the Provincial Assembly and may for that purpose require the attendance of the members.

Dissolution of Provincial Assembly

(1) The Governor shall dissolve the Provincial Assembly if so advised by the Chief Minister; and the Provincial Assembly shall, unless sooner dissolved, stand dissolved at the expiration of forty-eight hours after the Chief Minister has so advised.

Explanation.— Reference in this Article to 'Chief Minister' shall not be construed to include reference to a Chief Minister against whom a notice of a resolution for a vote of no-confidence has been given in the Provincial Assembly but has not been voted upon or against whom a resolution for a vote of no-confidence has been passed.

(2) The Governor may also dissolve the Provincial Assembly in his discretion, but subject to the previous approval of the President, where a vote of no-confidence having been passed against the Chief Minister, no other member of the Provincial Assembly commands the confidence of the majority of the members of the Provincial Assembly in accordance with the provisions of the Constitution, as ascertained in a session of the Provincial Assembly summoned for the purpose.]

Provincial Government's consent required for financial measures

(1) A Money Bill, or a Bill or amendment which if enacted and brought into operation would involve expenditure from the Provincial Consolidated Fund or withdrawal from the Public Account of the Province shall not be introduced or moved in the Provincial Assembly except by or with the consent of the Provincial Government.

(2) For the purposes of this Article, a Bill or amendment shall be deemed to be a Money Bill if it

contains provisions dealing with all or any of the following matters, namely:

(a) the imposition, abolition, remission, alteration or regulation of any tax;

1 Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 37, for "Article 112".

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Article-116

(b) the borrowing of money, or the giving of any guarantee, by the Provincial Government or the amendment of the law relating to the financial obligations of that Government;

(c) the custody of the Provincial Consolidated Fund, the payment of moneys into, or issue of moneys from, that fund;

(d) the imposition of a charge upon the Provincial Consolidated Fund, or the abolition or alteration of any such charge;

(e) the receipt of moneys on account of the Public Account of the Province, the custody or issue of such moneys ; and

(f) any matter incidental to any of the matters specified in the preceding paragraphs.

(3) A Bill shall not be deemed to be a Money Bill by reason only that it provides—

(a) for the imposition or alteration of any fine or other pecuniary penalty or for the demand or payment of a licence fee or a fee or charge for any service rendered; or

(b) for the imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes.

(4) If any question arises whether a Bill is a Money Bill or not, the decision of the Speaker of the Provincial Assembly thereon shall be final.

(5) Every Money Bill presented to the Governor for assent shall bear a certificate under the hand of the Speaker of the Provincial Assembly that it is a Money Bill and such certificate shall be conclusive for all purposes and shall not be called in question.

Governor's assent to Bills

(1) When a Bill has been passed by the Provincial Assembly, it shall be presented to the Governor for assent.

1 Subs. by P. O. No. 14 of 1985, Art. 2 and Sch., for "Art. 116"

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(2) When a Bill is presented to the Governor for assent, the Governor shall, within [ten] days,—

(a) assent to the Bill; or

(b) in the case of a Bill other than a Money Bill, return the Bill to the Provincial Assembly with a message requesting that the Bill, or any specified provision thereof, be reconsidered and that any amendment specified in the message be considered.

3[(3) When the Governor has returned a Bill to the Provincial Assembly, it shall be reconsidered by the Provincial Assembly and, if it is again passed, with or without amendment, by the Provincial Assembly, by the votes of the majority of the members of the Provincial Assembly present and voting, it shall be again presented to the Governor and the Governor shall “[give his assent within ten days, failing which such assent shall be deemed to have been given].

(4) When the Governor has assented °[or is deemed to have assented] to a Bill, it shall become law and be called an Act of Provincial Assembly.

(5) No Act of a Provincial Assembly, and no provision in any such Act, shall be invalid by reason only that some recommendation, previous sanction or consent required by the Constitution was not given if that Act was assented to in accordance with the Constitution.]

Article-119. Custody, etc., of Provincial Consolidated Fund and Public Account

The custody of the Provincial Consolidated Fund, the payment of moneys into that Fund, the withdrawal of moneys therefrom, the custody of other moneys received by or on behalf of the Provincial Government, their payment into, and withdrawal from, the Public Account of the Province, and all matters connected with or ancillary to the matters aforesaid, shall be regulated by Act of the Provincial Assembly or, until provision in that behalf is so made, by rules made by the Governor.

Article-120. Annual Budget Statement

(1) The Provincial Government shall, in respect of every financial year, cause to be laid before the

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 38, for “thirty”.

Subs. by the Constitution (Eighth Amdt.) Act, 1985 (18 of 1985), s. 15, for “clause (3)”.

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 38, for "not withhold his assent therefrom".
Ins. *ibid.*

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Article-122.

Article-123.

Provincial Assembly statement of the estimated receipts and expenditure of the Provincial Government for that year, in this Chapter referred to as the Annual Budget Statement.

(2) The Annual Budget Statement shall show separately—

(a) the sums required to meet expenditure described by the constitution as expenditure charged upon the Provincial Consolidated Fund; and

(b) the sums required to meet other expenditure proposed to be made from the Provincial Consolidated Fund;

and shall distinguish expenditure on revenue account from other expenditure.

Procedure relating to Annual Budget Statement

(1) So much of the Annual Budget Statement as relates to expenditure charged upon the Provincial Consolidated Fund may be discussed in, but shall not be submitted to the vote of the Provincial Assembly.

(2) So much of the Annual Budget Statement as relates to other expenditure shall be submitted to the Provincial Assembly in the form of demands for grants, and that Assembly shall have power to assent to, or to refuse to assent to, any demand, or to assent to any demand subject to a reduction of the amount specified therein:

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(3) No demand for a grant shall be made except on the recommendation of the Provincial Government.

Authentication of schedule of authorized expenditure

(1) The Chief Minister shall authenticate by his signature a schedule specifying—

(a) the grants made or deemed to have been made by the Provincial Assembly under Article 122, and

(b) the several sums required to meet the expenditure charged upon the Provincial Consolidated Fund but not exceeding, in the case of any sum, the sum shown in the statement previously laid before the Assembly.

1 Proviso omitted by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s.39.

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Article-124.

(2) The schedule so authenticated shall be laid before the Provincial Assembly, but shall not be open to discussion or vote thereon.

(3) Subject to the Constitution, no expenditure from the Provincial Consolidated Fund shall be deemed to be duly authorized unless it is specified in the schedule so authenticated and such schedule is laid before the Provincial Assembly as required by clause (2).

Supplementary and excess grant

Article-127.

If in respect of any financial year it is found—

(a) that the amount authorized to be expended for a particular service for the current financial year is insufficient, or that a need has arisen for expenditure upon some new service not included in the Annual Budget Statement for that year; or

(b) that any money has been spent on any service during a financial year in excess of the amount granted for that service for that year;

the Provincial Government shall have power to authorize expenditure from the Provincial Consolidated Fund, whether the expenditure is charged by the Constitution upon that Fund or not, and shall cause to be laid before the Provincial Assembly a Supplementary Budget Statement or, as the case may be, an Excess Budget Statement, setting out the amount of that expenditure, and the provisions of Articles 120 to 123 shall apply to those statements as they apply to the Annual Budget Statement.

Provisions relating to National Assembly, etc., to apply to Provincial Assembly, etc.

Subject to the Constitution, the provisions of clauses (2) to (8) of Article 53, clauses (2) and (3) of Article 54, Article 55, Articles 63 to 67, Article 69, Article 77, Article 87 and Article 88 shall apply to and in relation to a Provincial Assembly or a committee or members thereof or the Provincial Government but so that—

(a) any reference in those provisions to 'Majlis-e-Shoora (Parliament)], a House or the National Assembly shall be read as a reference to the Provincial Assembly;

See footnote 6 on page 3, supra.

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Article-128.

- (b) any reference in those provisions to the President shall be read as a reference to the Governor of the Province;
- (c) any reference in those provisions to the Federal Government shall be read as a reference to the Provincial Government ;
- (d) any reference in those provisions to the Prime Minister shall be read as a reference to the Chief Minister ;
- (e) any reference in those provisions to a Federal Minister shall be read as a reference to a Provincial Minister;?*

(f) any reference in those provisions to the National Assembly of Pakistan shall be read as a reference to the Provincial Assembly in existence immediately before the commencing day *[; and]

*[g) the said clause (2) of Article 54 shall have effect as if, in the proviso thereto, for the words "one hundred and thirty" the word "[one hundred]" were substituted.]

Power of Governor to promulgate Ordinances

(1) The Governor may, except when the Provincial Assembly is in session, if satisfied that circumstances exist which render it necessary to take immediate action, make and promulgate an Ordinance as the circumstances may require.

(2) An Ordinance promulgated under this Article shall have the same force and effect as an Act of the Provincial Assembly and shall be subject to like restrictions as the power of the Provincial Assembly to make laws, but every such Ordinance—

(a) shall be laid before the Provincial Assembly and shall stand repealed at the expiration of 'ninety days] from its promulgation or, if before the expiration of that period a resolution disapproving it is passed by the

Paragraph (g) added *ibid.*,

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 40, for “seventy”.

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 41, for “three months”.

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Assembly, upon the passing of that
resolution 7[:]

3[Provided that the Provincial
Assembly may by a resolution extend the
Ordinance for a further period of ninety days
and it shall stand repealed at the expiration
of the extended period, or if before the
expiration of that period a _ resolution
disapproving it is passed by the Assembly,
upon the passing of that resolution:

Provided further that extension for a
further period may be made only once.]

(b) may be withdrawn at any time by the
Governor.

(3) Without prejudice to the provisions of clause
(2), an Ordinance laid before the Provincial Assembly shall
be deemed to be a Bill introduced in the Provincial
Assembly.

CHAPTER 3. - THE PROVINCIAL GOVERNMENTS

Article-129.

Article-130.

Exercise of executive authority of the Province

(1) Subject to the Constitution, the executive
authority of the Province shall be exercised in the name of
the Governor by the Provincial Government, consisting of
the Chief Minister and Provincial Ministers, which shall
act through the Chief Minister.

(2) In the performance of his functions under
the Constitution, the Chief Minister may act either directly
or through the Provincial Ministers.]

The Cabinet

(1) There shall be a Cabinet of Ministers, with
the Chief Minister at its head, to aid and advise the
Governor in the exercise of his functions.

(2) The Provincial Assembly shall meet on the
twenty-first day following the day on which a general
election to the Assembly is held, unless sooner summoned
by the Governor.

(3) After the election of the Speaker and the Deputy Speaker, the Provincial Assembly shall, to the

Provisos Ins. *ibid.*

Subs. *ibid.*, for “; and

1 Subs. *ibid.*, s. 43, for “Article 130”.

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exclusion of any other business, proceed to elect without debate one of its members to be the Chief Minister.

(4) The Chief Minister shall be elected by the votes of the majority of the total membership of the Provincial Assembly:

Provided that, if no member secures such majority in the first poll, a second poll shall be held between the members who secures the two highest numbers of votes in the first poll and the member who secures a majority of votes of the members present and voting shall be declared to have been elected as Chief Minister:

Provided further that, if the number of votes secured by two or more members securing the highest number of votes is equal, further polls shall be held between them until one of them secures a majority of votes of the members present and voting.

(5) The member elected under clause (4) shall be called upon by the Governor to assume the office of Chief Minister and he shall, before entering upon the office, make before the Governor oath in the form set out in the Third Schedule:

Provided that there shall be no restriction on the number of terms for the office of the Chief Minister.

(6) The Cabinet shall be collectively responsible to the Provincial Assembly and the total strength of the Cabinet shall not exceed fifteen members or eleven percent of the total membership of a Provincial Assembly, whichever is higher:

Provided that the aforesaid limit shall be effective from the next general elections after the commencement of the Constitution (Eighteenth Amendment) Act, 2010.

(7) The Chief Minister shall hold office during the pleasure of the Governor, but the Governor shall not exercise his powers under this clause unless he is satisfied that the Chief Minister does not command the confidence of the majority of the members of the Provincial Assembly, in which case he shall summon the Provincial Assembly and require the Chief Minister to obtain a vote of confidence from the Assembly.

(8) The Chief Minister may, by writing under his hand addressed to the Governor, resign his office.

(9) A Minister who for any period of six consecutive months is not a member of the Provincial Assembly shall, at the expiration of that period, cease to be a Minister and shall not before the dissolution of that

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Article-131.

Article-132.

Article-133.

Article-136.

Assembly be again appointed a Minister unless he is elected a member of that Assembly.

(10) Nothing contained in this Article shall be construed as disqualifying the Chief Minister or any other Minister for continuing in office during any period during which the Provincial Assembly stands dissolved, or as preventing the appointment of any person as Chief Minister or other Minister during any such period.

(11) The Chief Minister shall not appoint more than five Advisors.]

Governor to be kept informed

The Chief Minister shall keep the Governor informed on matters relating to Provincial administration and on all legislative proposals the Provincial Government intends to bring before the Provincial Assembly.]

Provincial Ministers

(1) Subject to clauses 7[(9) and (10)] of Article 130, the Governor shall appoint Provincial Ministers from amongst members of the Provincial Assembly on the advice of the Chief Minister.

(2) Before entering upon office, a Provincial Minister shall make before the Governor oath in the form set out in the Third Schedule.

(3) A Provincial Minister may, by writing under his hand addressed to the Governor, resign his office or may be removed from office by the Governor on the advice of the Chief Minister.

Chief Minister continuing in office

The Governor may ask the Chief Minister to continue to hold office until his successor enters upon the office of Chief Minister.]

Vote of no-confidence against Chief Minister

(1) A resolution for a vote of no-confidence moved by not less than twenty per centum of the total membership of the Provincial Assembly may be passed against the Chief Minister by the Provincial Assembly.

¹ Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 44, for "Article 131".

¹ Subs. by P. O. No. 14 of 1985, Art. 2 and Sch., for "Articles 132 and 133".

² Subs. by the Act, No. 10 of 2010, s. 45, for "(7) and (8)".

¹ Subs. by P. O. No. 14 of 1985, Art. 2 and Sch.. for "Art. 136".

Article-137.

(2) A resolution referred to in clause (1) shall not be voted upon before the expiration of three days, or later than seven days, from the day on which such resolution is moved in the Provincial Assembly.

(3) If the resolution referred to in clause (1) is passed by a majority of the total membership of the Provincial Assembly, the Chief Minister shall cease to hold office.]

Extent of executive authority of Province

Article-138.

Article-139.

Subject to the Constitution, the executive authority of the Province shall extend to the matters with respect to which the Provincial Assembly has power to make laws:

Provided that, in any matter with respect to which both *[Majlis-e-Shoora (Parliament)] and the Provincial Assembly of a Province have power to make laws, the executive authority of the Province shall be subject to, and limited by, the executive authority expressly conferred by the Constitution or by law made by ?[Majlis-e-Shoora (Parliament)] upon the Federal Government or authorities thereof.

Conferring of functions on subordinate authorities

On the recommendation of the Provincial Government, the Provincial Assembly may by law confer functions upon officers or authorities subordinate to the Provincial Government.

Conduct of business of Provincial Government

3[(1) All executive actions of the Provincial Government shall be expressed to be taken in the name of the Governor.

(2) The “[Provincial Government] shall by rules specify the manner in which orders and other instruments made and executed ‘[in the name of Governor] shall be authenticated, and the validity of any order or instrument so authenticated shall not be questioned in any court on the ground that it was not made or executed by the Governor.

°[(3) |The Provincial Government shall also make

rules for the allocation and transaction of its business.]]

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See footnote

6 on page 3, *supra*.

Subs. by P O. No. 14 of 1985, Art. 2 and Sch., for "Article 139".

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 46, for "Governor".

Subs. *ibid.*, for "in his name".

Subs. *ibid.*, for "clause (3)"

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Article-140.

°[Article-140A.

Article-141.

Article-142.

Advocate General for a Province

(1) The Governor of each Province shall appoint a person, being a person qualified to be appointed a Judge of the High Court, to be the Advocate General for the Province.

(2) It shall be the duty of the Advocate-General to give advice to the Provincial Government upon such legal matters, and to perform such other duties of a legal character, as may be referred or assigned to him by the Provincial Government.

(3) The Advocate-General shall hold office during the pleasure of the Governor “[and shall not engage in private practice so long as he holds the office of the Advocate-General].

(4) The Advocate-General may, by writing under his hand addressed to the Governor, resign his office.

8x * * * * *

Local Government

(1) Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments.

(2) Elections to the local governments shall be held by the Election Commission of Pakistan.]

Extent of Federal and Provincial laws

Subject to the Constitution, ‘[Majlis-e-Shoora (Parliament)] may make laws (including laws having extra-territorial operation) for the whole or any part of Pakistan, and a Provincial Assembly may make laws for the Province or any part thereof.

Subject-matter of Federal and Provincial laws

Subject to the Constitution—

(a) '[Majlis-e-Shoora (Parliament)] shall have exclusive power to make laws with respect to any matter in the Federal Legislative List;

7 Added *ibid.*, s. 47.

Existing Article 140A stands omitted as a consequence of the (Eighteenth Amdt.) Act, 2010 (10 of 2010), see section

2

° New Article 140A ins. *ibid.*, s. 48.

See footnote 6 on page 3, *supra*.

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Article-143.

Article-144.

(b) "I(b) Majlis-e-Shoora (Parliament) and a Provincial Assembly shall have power to make laws with respect to criminal law, criminal procedure and evidence;]

(c) 21(c) Subject to paragraph (b), a Provincial Assembly shall, and Majlis-e-Shoora (Parliament) shall not, have power to make laws with respect to any matter not enumerated in the Federal Legislative List;]

3i(d) Majlis-e-Shoora (Parliament) shall have exclusive power to make laws with respect to all matters pertaining to such areas in the Federation as are not included in any Province].

Inconsistency between Federal and Provincial law

M"lf any provision of an Act of a Provincial Assembly is repugnant to any provision of an Act of Majlis-e-Shoora (Parliament) which Majlis-e-Shoora (Parliament) is competent to enact, then the Act of Majlis-e-Shoora (Parliament), whether passed before or after the Act of the Provincial Assembly, shall prevail and the Act of the Provincial Assembly shall, to the extent of the repugnancy, be void.]

Power of Majlis-e-Shoora (Parliament) to legislate for 48/One] or more Provinces by consent

(1) If [one] or more Provincial Assemblies pass resolutions to the effect that "[Majlis-e-Shoora (Parliament)] may by law regulate any matter not enumerated in [the Federal Legislation List] in the Fourth Schedule, it shall be lawful for *[Majlis-e-Shoora (Parliament)] to pass an Act for regulating that matter accordingly, but any act so passed may, as respects any Province to which it applies, be amended or repealed by Act of the Assembly of that Province.

18% * * * * *

" Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 49, for "Paragraph (b)".
p Subs. ibid; for "Paragraph (c)".

B Subs. ibid; for "Paragraph (d)".

" Subs. ibid; s. 50 for "Article 143".

1s Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 51, for "Two".

See footnote 6 on page 3, supra.

a Subs. by Act No. 10 of 2010, s.51. for "either list".

8 Clause (2) omitted by the Constitution (Eighth Amdt.) Act, 1985 (18 of 1985), s.17.

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Article-145.

Article-146.

Article-147.

Power of President to direct Governor to discharge certain functions as his Agent

(1) The President may direct the Governor of any Province to discharge as his Agent, either generally or in any particular matter, such functions relating to such areas in the Federation which are not included in any Province as may be specified in the direction.

(2) The provisions of Article 105 shall not apply to the discharge by the Governor of his functions under clause (1).

Power of Federation to confer powers, etc., on Provinces, in certain cases

(1) Notwithstanding anything contained in the Constitution, the Federal Government may, with the consent of the Government of a Province, entrust either conditionally or unconditionally to that Government, or to its officers functions in relation to any matter to which the executive authority of the Federation extends.

(2) An Act of *[Majlis-e-Shoora (Parliament)] may, notwithstanding that it relates to a matter with respect to which a Provincial Assembly has no power to make laws, confer powers and impose duties upon a Province or officers and authorities thereof.

(3) Where by virtue of this Article powers and duties have been conferred or imposed upon a Province or officers or authorities thereof, there shall be paid by the Federation to the Province such sum as may be agreed or, in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice of Pakistan, in respect of any extra costs of administration incurred by the Province in connection with the exercise of those powers or the discharge of those duties.

Power of the Provinces to entrust functions to the Federation

Notwithstanding anything contained in the Constitution, the Government of a Province may, with the consent of the Federal Government, entrust, either

conditionally or unconditionally, to the Federal Government, or to its officers, functions in relation to any matter to which the executive authority of the Province extends 1°[:]

1° Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 52, for the full-stop.

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Article-148.

^o'Provided that the Provincial Government shall get the functions so entrusted ratified by the Provincial Assembly within sixty days.]

Obligation of Provinces and Federation

Article-149.

(1) The executive authority of every Province shall be so exercised as to secure compliance with Federal laws which apply in that Province.

(2) Without prejudice to any other provision of this Chapter, in the exercise of the executive authority of the Federation in any Province regard shall be had to the interests of that Province.

(3) It shall be the duty of the Federation to protect every Province against external aggression and internal disturbances and to ensure that the Government of every Province is carried on in accordance with the provisions of the Constitution.

Directions to Provinces in certain cases

Article-150.

(1) The executive authority of every Province shall be so exercised as not to impede or prejudice the exercise of the executive authority of the Federation, and the executive authority of the Federation shall extend to the giving of such directions to a Province as may appear to the Federal Government to be necessary for that purpose.

21x * * * * *

(3) The executive authority of the Federation shall also extend to the giving of directions to a Province as to the construction and maintenance of means of communication declared in the direction to be of national or strategic importance.

(4) The executive authority of the Federation shall also extend to the giving of directions to a Province as to the manner in which the executive authority thereof is to be exercised for the purpose of preventing any grave menace to the peace or tranquillity or economic life of Pakistan or any part thereof.

Full faith and credit for public acts, etc.

Full faith and credit shall be given throughout
Pakistan to public acts and records, and judicial
proceedings of every Province.

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Proviso added, *ibid.*

Clause (2) omitted *ibid.*, s. 53.

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Article-153.

Council of Common Interests

Article-154.

(1) There shall be a Council of Common Interests, in this Chapter referred to as the Council, to be appointed by the President.

(2) The Council shall consist of—

(a) the Prime Minister who shall be the Chairman of the Council;

(b) the Chief Ministers of the Provinces; and

(c) three members from the Federal Government to be nominated by the Prime Minister from time to time.]

2x * * * * *

(4) The Council shall be responsible to '[Majlis-e-Shoora (Parliament) *[and shall submit an Annual Report to both Houses of Majlis-e-Shoora (Parliament).]]

Functions and rules of procedure

4(1) The Council shall formulate and regulate policies in relation to matters in Part II of the Federal Legislative List and shall exercise supervision and control over related institutions.]

5(2) The Council shall be constituted within thirty days of the Prime Minister taking oath of office.

(3) The Council shall have a permanent Secretariat and shall meet at least once in ninety days:

Provided that the Prime Minister may convene a meeting on the request of a Province on an urgent matter.]

°(4)] The decisions of the Council shall be expressed in terms of the opinion of the majority.

5[(5)] Until *[Majlis-e-Shoora (Parliament)] makes provision by law in this behalf, the Council may make its rules of procedure.

31(6)]_ “[Majlis-e-Shoora (Parliament)] in joint sitting may from time to time by resolution issue directions through the Federal Government to the Council generally or in a particular matter to take action as “*[Majlis-e-

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 54, for “clause (2)”.
Clause (3) omitted ibid.

Added by Act, No. 10 of 2010, s. 54.

Subs. ibid. s. 55, for “clause (1)”.

New clauses (2) and (3) ins. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 55.
Clauses (2), (3), (4) and (5) renumbered ibid.

See footnote 6 on page 3, supra.

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Article-155.

Shoora (Parliament)] may deem just and proper and such directions shall be binding on the Council.

3[(7)] If the Federal Government or a Provincial Government is dissatisfied with a decision of the Council, it may refer the matter to “[Majlis-e-Shoora (Parliament)] in a joint sitting whose decision in this behalf shall be final.

Complaints as to interference with water supplies

(1) If the interests of a Province, the Federal Capital or the Federally Administered Tribal Areas, or any of the inhabitants thereof, in water from any natural source of supply *[or reservoir] have been or are likely to be affected prejudicially by —

(a) any executive act or legislation taken or passed or proposed to be taken or passed, or

(b) the failure of any authority to exercise any of its powers with respect to the use and distribution or control of water from that source,

the Federal Government or the Provincial Government concerned may make a complaint in writing to the Council.

(2) Upon receiving such complaint, the Council shall, after having considered the matter, either give its decision or request the President to appoint a commission consisting of such persons having special knowledge and experience in irrigation, engineering, administration, finance or law as he may think fit, hereinafter referred to as the Commission.

(3) Until °[Majlis-e-Shoora (Parliament)] makes provision by law in this behalf, the provisions of the Pakistan Commissions of Inquiry Act, 1956, as in force immediately before the commencing day shall apply to the Council or the Commission as if the Council or the Commission were a Commission appointed under that Act to which all the provisions of section 5 thereof applied and upon which the power contemplated by section 10A thereof had been conferred.

(4) After considering the report and supplementary report, if any, of the Commission, the Council shall record its decision on all matters referred to the Commission.

8 Ins. by Act. No. 10 of 2010, s. 56.

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See footnote 6 on page 3, supra.

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Article-156.

(5) Notwithstanding any law to the contrary, but subject to the provisions of clause (5) of Article 154, it shall be the duty of the Federal Government and the Provincial Government concerned in the matter in issue to give effect to the decision of the Council faithfully according to its terms and tenor.

(6) No proceeding shall lie before any court at the instance of any party to a matter which is or has been in issue before the Council, or of any person whatsoever, in respect of a matter which is actually or has been or might or ought to have been a proper subject of complaint to the Council under this Article.

National Economic Council

101(1) The President shall constitute a National Economic Council which shall consist of: —

(a) the Prime Minister, who shall be the Chairman of the Council;

(b) the Chief Ministers and one member from each Province to be nominated by the Chief Minister; and

(c) four other members as the Prime Minister may nominate from time to time.

(2) The National Economic Council shall review the overall economic condition of the country and shall, for advising the Federal Government and the Provincial Governments, formulate plans in respect of financial, commercial, social and economic policies; and in formulating such plans, it shall, amongst other factors, ensure balanced development and regional equity and shall also be guided by the Principles of Policy set-out in Chapter 2 of Part II.

(3) The meetings of the Council shall be summoned by the Chairman or on a requisition made by one-half of the members of the Council.

(4) The Council shall meet at least twice in a year and the quorum for a meeting of the Council shall be one-half of its total membership.

(5) The Council shall be responsible to the Majlis-e-Shoora (Parliament) and shall submit an Annual

Report to each House of Majlis-e-Shoora (Parliament)].

10 Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s.57, for “Article 156”.

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Article-171.

Reports of Auditor-General

Article-173.

Article-174.

The reports of the Auditor-General relating to the accounts of the Federation shall be submitted to the President, who shall cause them to be laid before the 'both Houses of Majlis-e-Shoora (Parliament)] and the reports of the Auditor-General relating to the accounts of a Province shall be submitted to the Governor of the Province, who shall cause them to be laid before the Provincial Assembly.

Power to acquire property and to make contracts, etc.

(1) The executive authority of the Federation and of a Province shall extend, subject to any Act of the appropriate Legislature, to the grant, sale, disposition or mortgage of any property vested in, and to the purchase or acquisition of property on behalf of, the Federal Government or, as the case may be, the Provincial Government, and to the making of contracts.

(2) All property acquired for the purposes of the Federation or of a Province shall vest in the Federal Government or, as the case may be, in the Provincial Government.

(3) All contracts made in the exercise of the executive authority of the Federation or of a Province shall be expressed to be made in the name of the President or, as the case may be, the Governor of the Province, and all such contracts and all assurances of property made in the exercise of that authority shall be executed on behalf of the President or Governor by such persons and in such manner as he may direct or authorize.

(4) Neither the President, nor the Governor of a Province, shall be personally liable in respect of any contract or assurance made or executed in the exercise of the executive authority of the Federation or, as the case may be, the Province, nor shall any person making or executing any such contract or assurance on behalf of any of them be personally liable in respect thereof.

(5) Transfer of land by the Federal Government or a Provincial Government shall be regulated by law.

Suits and proceedings

The Federation may sue or be sued by the name of
Pakistan and a Province may sue or be sued by the name
of the Province.

1 Subs. *ibid.*, s. 64, for “National Assembly”.

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Article-185.

Appellate jurisdiction of Supreme Court

(1)

Subject to this Article, the Supreme Court

shall have jurisdiction to hear and determine appeals from judgements, decrees, final orders or sentences of a High

Court.

(2) An appeal shall lie to the Supreme Court from any judgement, decree, final order or sentence of a High Court—

(a)

(b)

(3)

if the High Court has on appeal reversed an order of acquittal of an accused person and sentenced him to death or to transportation for life or imprisonment for life ; or, on revision, has enhanced a sentence to a sentence as aforesaid ; or

if the High Court has withdrawn for trial before itself any case from any court subordinate to it and has in such trial convicted the accused person and sentenced him as aforesaid ; or

if the High Court has imposed any punishment on any person for contempt of the High Court; or

if the amount or value of the subject-matter of the dispute in the court of first instance was, and also in dispute in appeal is, not less than fifty thousand rupees or such other sum as may be specified in that behalf by Act of '[Majlis-e-Shoora (Parliament)] and the judgment, decree or final order appealed from has varied or set aside the judgment, decree or final order of the court immediately below ; or

if the judgment, decree or final order involves directly or indirectly some claim or question respecting property of the like

amount or value and the judgment, decree or final order appealed from has varied or set aside the judgment, decree or final order of the court immediately below ; or

if the High Court certifies that the case involves a substantial question of law as to

the interpretation of the Constitution.

An appeal to the Supreme Court from a

judgment decree, order or sentence of a High Court in a

See footnote 6 on page 3, supra.

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Article-188.

Article-189.

Article-199.

case to which clause (2) does not apply shall lie only if the Supreme Court grants leave to appeal.

Review of judgments of orders by the Supreme Court

The Supreme Court shall have power, subject to the provisions of any Act of '[Majlis-e-Shoora (Parliament)] and of any rules made by the Supreme Court, to review any judgment pronounced or any order made by it.

Decisions of Supreme Court binding on other Courts

Any decision of the Supreme Court shall, to the extent that it decides a question of law or is based upon or enunciates a principle of law, be binding on all other courts in Pakistan.

Jurisdiction of High Court

(1) Subject to the Constitution, a High Court may, if it is satisfied that no other adequate remedy is provided by law,—

(a) on the application of any aggrieved party, make an order—

(i) directing a person performing, within the territorial jurisdiction of the Court, functions in connection with the affairs of the Federation, a Province or a local authority, to refrain from doing anything he is not permitted by law to do, or to do anything he is required by law to do; or

(ii) declaring that any act done or proceeding taken within the territorial jurisdiction of the Court by a person performing functions in connection with the affairs of the Federation, a Province or a local authority has been done or taken without lawful authority and is of no legal effect; or

(b) on the application of any person, make an order—

(i) directing that a person in custody within the territorial jurisdiction of the Court be brought before it so that the Court may satisfy itself that he is not being held in

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See footnote 6 on page 3, supra.

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custody without lawful authority or in an unlawful manner; or

(ii) requiring a person within the territorial jurisdiction of the Court holding or purporting to hold a public office to show under what authority of law he claims to hold that office ; or

(c) on the application of any aggrieved person, make an order giving such directions to any person or authority, including any Government exercising any power or performing any function in, or in relation to, any territory within the jurisdiction of that Court as may be appropriate for the enforcement of any of the Fundamental Rights conferred by Chapter 1 of Part II.

(2) Subject to the Constitution, the right to move a High Court for the enforcement of any of the Fundamental Rights conferred by Chapter 1 of Part II shall not be abridged.

11(3) An order shall not be made under clause (1) on application made by or in relation to a person who is a member of the Armed Forces of Pakistan, or who is for the time being subject to any law relating to any of those Forces, in respect of his terms and conditions of service, in respect of any matter arising out of his service, or in respect of any action taken in relation to him as a member of the Armed Forces of Pakistan or as a person subject to such law.]

2x * * * * *

(4) Where—

(a) an application is made to a High Court for

an order under paragraph (a) or paragraph (c) of clause (1), and

(b) the making of an interim order would have the effect of prejudicing or interfering with the carrying out of a public work or of otherwise being harmful to public interest [or State property] or of impeding the assessment or collection of public revenues,

enactments.

Ins. *ibid.*,

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the Court shall not make an interim order unless the prescribed law officer has been given notice of the application and he or any person authorised by him in that behalf has had an opportunity of being heard and the Court, for reasons to be recorded in writing, is satisfied that the interim order—

- (i) would not have such effect as aforesaid; or
- (ii) would have the effect of suspending an order or proceeding which on the face of the record is without jurisdiction.

41(4A) An interim order made by a High Court on an application made to it to question the validity or legal effect of any order made, proceeding taken or act done by any authority or person, which has been made, taken or done or purports to have been made taken or done under any law which is specified in Part I of the First Schedule or relates to, or is connected with, State property or assessment or collection of public revenues shall cease to have effect on the expiration of a period of six months following the day on which it is made:

Provided that the matter shall be finally decided by the High Court within six months from the date on which the interim order is made.]

Sx * * * * *

(5) In this Article, unless the context otherwise requires,—

"person" includes any body politic or corporate, any authority of or under the control of the Federal Government or of a Provincial Government, and any Court or tribunal, other than the Supreme Court, a High Court or a Court or tribunal established under a law relating to the Armed Forces of Pakistan ; and

"prescribed law officer" means—

(a) in relation to an application affecting the Federal Government or an authority of or under the control of the Federal Government, the Attorney-General, and

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 72, for "clause (4A)".

Clause (4B) omitted by the Chief Executive's Order, 2002 (24 of 2002), Art. 2 and Sch. which was previously amended

by P.O. No. 14 of 1985, Art. 2 and Sch.

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Article-204

Article-208

Article-212.

(b) in any other case, the Advocate-General for the Province in which the application is made.

Contempt of Court

(1) In this Article, "Court" means the Supreme Court or a High Court.

(2) A Court shall have power to punish any person who—

(a) abuses, interferes with or obstructs the process of the Court in any way or disobeys any order of the Court ;

(b) scandalizes the Court or otherwise does anything which tends to bring the Court or a Judge of the Court into hatred, ridicule or contempt;

(c) does anything which tends to prejudice the determination of a matter pending before the Court; or

(d) does any other thing which, by law, constitutes contempt of the Court.

(3) The exercise of the power conferred on a Court by this Article may be regulated by law and, subject to law, by rules made by the Court.]

Officers and servants of Courts

The Supreme Court '[and the Federal Shariat Court], with the approval of the President and a High Court, with the approval of the Governor concerned, may make rules providing for the appointment by the Court of officers and servants of the Court and for their terms and conditions of employment.

Administrative Courts and Tribunals

(1) Notwithstanding anything hereinbefore contained the appropriate Legislature may by Act '[provide

for the establishment of] one or more Administrative

1 Subs. by P.O. No. 14 of 1985, Art. 2 and Sch., for "Article 204".

1 Ins. by the Constitution (Second Amdt.) Order, 1982 (P.O. No. 5 of 1982) Art. 9.

1 Subs. and shall be deemed always to have been so subs. by the Constitution (First Amdt.) Act, 1974 (33 of 1974), s. 12,

for "establish".

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Courts or Tribunals to exercise exclusive jurisdiction in respect of—

(a) matters relating to the terms and conditions of persons ?[who are or have been] in the service of Pakistan, including disciplinary matters ;

(b) matters relating to claims arising from tortious acts of Government, or any person in the service of Pakistan, or of any local or other authority empowered by law to levy any tax or cess and any servant of such authority acting in the discharge of his duties as such servant; or

(c) matters relating to the acquisition, administration and disposal of any property which is deemed to be enemy property under any law.

(2) Notwithstanding anything hereinbefore contained where any Administrative Court or Tribunal is established under clause (1), no other court shall grant an injunction, make any order or entertain any proceedings in respect of any matter to which the jurisdiction of such Administrative Court or Tribunal extends “[and all proceedings in respect of any such matter which may be pending before such other court immediately before the establishment of the Administrative Court or Tribunal “[; other than an appeal pending before the Supreme Court,] shall abate on such establishment] :

Provided that the provisions of this clause shall not apply to an Administrative Court or Tribunal established under an Act of a Provincial Assembly unless, at the request of that Assembly made in the form of a resolution, [Majlis-e-Shoora (Parliament)] by law® extends the provisions to such a Court or Tribunal.

(3) An appeal to the Supreme Court from a judgment, decree, order or sentence of an Administrative Court or Tribunal shall lie only if the Supreme Court, being satisfied that the case involves a substantial question of law of public importance, grants leave to appeal.

Ins. and shall be deemed always to have been so ins. ibid.

3 Ins. and shall be deemed always to have been so ins. by the Constitution (First Amdt.) Act, 1974 (33 of 1974) s. 12.

4 Ins. and shall be deemed always to have been so ins. by the Constitution (Fifth Amdt.) Act, 1976 (62 of 1976) s. 15.

See footnote 6 on page 3, supra.

For such law see the Provincial Service Tribunals (Extension of Provisions of the Constitution) Act, 1974 (32 of 1974).

Article-229.

Article-240.

Reference by '[Majlis-e-Shoora (Parliament)], etc., to Islamic Council

The President or the Governor of a Province may, or if two-fifths of its total membership so requires, a House or a Provincial Assembly shall, refer to the Islamic Council for advice any question as to whether a proposed law is or is not repugnant to the Injunctions of Islam.

CHAPTER 1. - SERVICES

Appointments to service of Pakistan and conditions of

Article-241.

Article-242.

service

Subject to the Constitution, the appointments to and the conditions of service of persons in the service of Pakistan shall be determined—

(a) in the case of the services of the Federation, posts in connection with the affairs of the Federation and All-Pakistan Services, by or under Act of [Majlis-e-Shoora (Parliament)]; and

(b) in the case of the services of a Province and posts in connection with the affairs of a Province, by or under Act of the Provincial Assembly.

Explanation.—In this Article, "All-Pakistan Service" means a service common to the Federation and the Provinces, which was in existence immediately before the commencing day or which may be created by Act of [Majlis-e-Shoora (Parliament)].

Existing rules, etc., to continue

Until the appropriate Legislature makes a law under Article 240, all rules and orders in force immediately before the commencing day shall, so far as consistent with the provisions of the Constitution, continue in force and may be amended from time to time by the Federal Government or, as the case may be the Provincial Government.

Public Service Commission

(1) '[Majlis-e-Shoora (Parliament)] in relation to the affairs of the Federation, and the Provincial Assembly of a Province in relation to the affairs of the Province may, by law provide for the establishment and constitution of a Public Service Commission.

See footnote 6 on page 3, supra.

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Article-246

(1A) The Chairman of the Public Service Commission constituted in relation to the affairs of the Federation shall be appointed by the President *[on the advice of the Prime Minister.]

5B) The Chairman of the Public Service Commission constituted in relation to affairs of a Province shall be appointed by the Governor on advice of the Chief Minister.]

(2) A Public Service Commission shall perform such functions as may be prescribed by law.

Tribal Areas

In the Constitution,—

(a) "Tribal Areas" means the areas in Pakistan which, immediately before the commencing day, were Tribal Areas, and includes—

(i) the Tribal Areas of '[Balochistan] and the *[Khyber Pakhtunkhwa] Province

3x

(ii) the former States of Amb, Chitral, Dir

and Swat;

4 * * * * *

* * * * * *]

(b) "Provincially Administered Tribal Areas" means—

(i) the districts of Chitral, Dir and Swat (which includes Kalam) [the Tribal Area in Kohistan district,] Malakand Protected Area, the Tribal Area adjoining °[Mansehra] district and the former State of Amb; and

(ii) Zhob~ district, Loralai district (excluding Duki Tehsil), Dalbandin Tehsil of Chagai district and Marri and Bugti Tribal territories of Sibi district; and

New clause (1B) ins. *ibid.*

Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 91, for "Baluchistan".

Subs *ibid.*, for "North-West-Frontier".

The word "and" omitted *ibid.*

Sub paragraphs (iii) and (iv) omitted by the Constitution (Nineteenth Amendment) Act, 2011 (1 of 2011) s.7.

Ins. and shall be deemed to have been so ins. by the Constitution (Sixth Amdt.) Act, 1976 (84 of 1976), s. 4, (w.e.f. the 1st October, 1976).

Subs. and shall be deemed to have been so subs. *ibid.*, for "Hazara".

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(c) "Federally Administered Tribal Areas"

includes —

(i) Tribal Areas, adjoining Peshawar district;

(ii) Tribal Areas adjoining Kohat district;

(iii) Tribal Areas adjoining Bannu district;

"I(iii) Tribal Areas adjoining Lakki Marwat district;]

(iv) Tribal Areas adjoining Dera Ismail Khan district;

S[(iva) Tribal Areas adjoining Tank district;]

S\ (v) Bajaur Agency;

(va) Orakzai Agency;]

(vi) Mohmand Agency;

(vii) Khyber Agency;

(viii) Kurram Agency;

(ix) North Waziristan Agency; and

(x) South Waziristan Agency «[; and]

7(d) On the commencement of _ the Constitution (Twenty-fifth Amendment)

Act, 2018, the areas mentioned in—

(i) | paragraph (b),—

(a) in sub-paragraph (i), shall stand merged in the Province of Khyber Pakhtunkhwa; and

(b) in sub-paragraph (ii), shall stand merged in the Province of Balochistan; and

7 Inserted by the Constitution (Nineteenth Amendment) Act, 2011 (1 of 2011) s. 7.

8 Subs. and shall be deemed to have been so subs. by the Constitution (Sixth Amdt.) Act, 1976 (84 of 1976), s. 4, for the original sub-paragraph (v), (w.e.f: the 1st December, 1973).

Article-248.

Article-250.

(ii) paragraph (c), shall stand merged
in the Province of Khyber
Pakhtunkhwa. |

Protection to President, Governor, Minister, etc.

(1) The President, a Governor, the Prime Minister, a Federal Minister, a Minister of State, the Chief Minister and a Provincial Minister shall not be answerable to any court for the exercise of powers and performance of functions of their respective offices or for any act done or purported to be done in the exercise of those powers and performance of those functions:

Provided that nothing in this clause shall be construed as restricting the right of any person to bring appropriate proceedings against the Federation or a Province.

(2) No criminal proceedings whatsoever shall be instituted or continued against the President or a Governor in any court during his term of office.

(3) No process for the arrest or imprisonment of the President or a Governor shall issue from any court during his term of office.

(4) No civil proceedings in which relief is claimed against the President or a Governor shall be instituted during his term of office in respect of any thing done or not done by him in his personal capacity whether before or after he enters upon his office unless, at least sixty days before the proceedings are instituted, notice in writing has been delivered to him, or sent to him in the manner prescribed by law, stating the nature of the proceedings, the cause of action, the name, description and place of residence of the party by whom the proceedings are to be instituted and the relief which the party claims.

Salaries, allowances, etc., of the President, etc.

(1) Within two years from the commencing day, provision shall be made by law for determining the salaries, allowances and privileges of the President, the Speaker and Deputy Speaker and a member of the National Assembly or a Provincial Assembly, the Chairman and Deputy Chairman and a member of the Senate, the Prime Minister, a Federal Minister, a Minister of State, *

1 The words and comma "a Governor," omitted by the Constitution (First Amdt.) Act, 1974 (33 of 1974), s. 13, (w.e.f. the 4th May, 1974).

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* a Chief Minister, a Provincial Minister and the Chief Election Commissioner.

(2) Until other provision is made by law,—

(a) the salaries, allowances and privileges of the President, the Speaker or Deputy Speaker or a member of the National Assembly or a Provincial Assembly, a Federal Minister, a Minister of State, 1 * a Chief Minister, a Provincial Minister and the Chief Election Commissioner shall be same as the salaries, allowances and privileges to which the President, the Speaker or Deputy Speaker or member of the National Assembly of Pakistan or a Provincial Assembly, a Federal Minister, a Minister of State, !* * a Chief Minister, a Provincial Minister or, as the case may be, the Chief Election Commissioner was entitled immediately before the commencing day; and

(b) the salaries, allowances and privileges of the Chairman, the Deputy Chairman, the Prime Minister and a member of the Senate shall be such as the President may by Order determine.

(3) The salary, allowances and privileges of a person holding office as—

(a) the President;
(b) the Chairman or Deputy Chairman;

(c) the Speaker or Deputy Speaker of the National Assembly or a Provincial Assembly;
(d) a Governor;
(e) the Chief Election Commissioner; or

(f) the Auditor-General;

Article-251.

Article-253.

shall not be varied to his disadvantage during his term of office.

(4) At any time when the Chairman or Speaker is acting as President, he shall be entitled to the same salary, allowances and privileges as a President but shall not exercise any of the functions of the office of Chairman or Speaker or a member of *[Majlis-e-Shoora (Parliament)] or be entitled to salary, allowances or privileges as Chairman, Speaker or such a member.

National language

(1) The National language of Pakistan is Urdu, and arrangements shall be made for its being used for official and other purposes within fifteen years from the commencing day.

(2) Subject to clause (1), the English language may be used for official purposes until arrangements are made for its replacement by Urdu.

(3) Without prejudice to the status of the National language, a Provincial Assembly may by law prescribe measures for the teaching, promotion and use of a provincial language in addition to the national language.

Maximum limits as to property, etc.

(1) *[Majlis-e-Shoora (Parliament)] may by law—

(a) prescribe the maximum limits as to property or any class thereof which may be owned, held, possessed or controlled by any person; and

(b) declare that any trade, business, industry or service specified in such law shall be carried on or owned, to the exclusion, complete or partial, of other persons, by the Federal Government or a Provincial Government, or by a corporation controlled by any such Government.

(2) Any law which permits a person to own beneficially or possess beneficially an area of land greater than that which, immediately before the commencing day, he could have lawfully owned beneficially or possessed beneficially shall be invalid.

See footnote 6 on page 3, supra.

See footnote 6 on page 3, supra.

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Article-259.

Article-267.

Article-268.

Awards

(1) No citizen shall accept any title, honour or decoration from any foreign State except with the approval of the Federal Government.

(2) No title, honour or decoration shall be conferred by the Federal Government or any Provincial Government on any citizen, but the President may award decorations in recognition of gallantry '[,meritorious service in the Armed Forces] *[,academic distinction or distinction in the field of sports or nursing], as provided by Federal law.

(3) All titles, honours and decorations awarded to citizens by any authority in Pakistan before the commencing day other-wise than in recognition of gallantry °[,meritorious service in the Armed Forces] or academic distinction shall stand annulled.

Power of President to remove difficulties

(1) At any time before the commencing day or before the expiration of three months from the commencing day, the President may, for the purpose of removing any difficulties, or for bringing the provisions of the Constitution into effective operation, by Order, direct that the provisions of the Constitution shall, during such period as may be specified in the Order, have effect, subject to such adaptations, whether by way of modification, addition or omission, as he may deem to be necessary or expedient.

(2) An Order made under clause (1) shall be laid before both Houses without undue delay, and shall remain in force until a resolution disapproving it is passed by each House or, in case of disagreement between the two Houses, until such resolution is passed at a joint sitting.

Continuance in force, and adaptation of certain laws

(1) Except as provided by this Article, all existing laws shall, subject to the Constitution, continue in force, so far as applicable and with the necessary adaptations, until altered, repealed or amended by the appropriate

Legislature.

Ix * * * * * K

Ins. by the Constitution (First Amdt.) Act, 1974 (33 of 1974), s. 14, (w.e.f. the 4th May, 1974).

Subs. by the Constitution (Third Amdt.) Order, 1981 (P. O. No. 12 of 1981), Art. 2, for "or academic distinction".
Ins. and shall be deemed always to have been so ins. by Act, 33 of 1974, s. 14, (w.e,f: the 4th May, 1974).

Clause (2) omitted ibid., s. 94.

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Article-270.

(3) For the purpose of bringing the provisions of any existing law into accord with the provisions of the Constitution (other than Part II of the Constitution), the President may by Order, within a period of two years from the commencing day, make such adaptations, whether by way of modification, addition or omission, as he may deem to be necessary or expedient, and any such Order may be made so as to have effect from such day, not being a day earlier than the commencing day, as may be specified in the Order.

(4) The President may "authorise the Governor of a Province to exercise, in relation to the Province, the powers conferred on the President by clause (3) in respect of laws relating to matters with respect to which the Provincial Assembly has power to make laws.

(5) The powers exercisable under clauses (3) and (4) shall be subject to the provisions of an Act of the appropriate Legislature.

(6) Any court, tribunal or authority required or empowered to enforce an existing law shall, notwithstanding that no adaptations have been made in such law by an Order made under clause (3) or clause (4), construe the law with all such adaptations as are necessary to bring it into accord with the provisions of the Constitution.

(7) In this Article, "existing laws" means all laws (including Ordinances, Orders-in-Council, Orders, rules, bye-laws, regulations and Letters Patent constituting a High Court, and any notifications and other legal instruments having the force of law) in force in Pakistan or any part thereof, or having extra-territorial validity, immediately before the commencing day.

Explanation.—In this Article, "in force", in relation to any law, means having effect as law whether or not the

law has been brought into operation.

Temporary validation of certain laws, etc.

(1) 'Majlis-e-Shoora (Parliament)] may by law made in the manner prescribed for legislation for a matter in Part I of the Federal Legislative List validate all Proclamations, President's Orders, Martial Law Regulations, Martial Law Orders and other laws made between the twenty-fifth day of March, one thousand nine hundred and sixty-nine, and the nineteenth day of

2 For such authorization, see Gaz. of Pak., 1973, Ext., Pt. II, p. 2001.

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See footnote 6 on page 3, supra.

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December, one thousand nine hundred and seventy-one
(both days inclusive).

(2) Notwithstanding a judgment of any court, a law made by '[Majlis-e-Shoora (Parliament)] under clause (1) shall not be questioned in any court on any ground, whatsoever.

(3) Notwithstanding the provisions of clause (1), and a judgment of any court to the contrary, for a period of two years from the commencing day, the validity of all such instruments as are referred to in clause (1) shall not be called in question before any court on any ground whatsoever.

(4) All orders, made, proceedings taken, and acts done by any authority, or any person, which were made, taken or done, or purported to have been made, taken or done, between the twenty-fifth day of March, one thousand nine hundred and sixty-nine and nineteenth day of December, one thousand nine hundred and seventy-one (both days inclusive), in exercise of powers derived from any President's Orders, Martial Law Regulations, Martial Law Orders, enactments, notifications, rules, orders or bye-laws, or in execution of any order made or sentence passed by any authority in the exercise or purported exercise of power as aforesaid shall, notwithstanding any judgment of any court, be deemed to be and always to have been validly made, taken or done, so however that any such order, proceeding or act may be declared invalid by *[Majlis-e-Shoora (Parliament)] at any time within a period of two years from the commencing day by resolution of both Houses, or in case of disagreement between the two Houses, by such resolution passed at a joint sitting and shall not be called in question before any court on any ground, whatsoever.

GOVERNOR OF PROVINCE

[Article 102]

(In the name of Allah, the most Beneficent, the most Merciful.)

I, , do solemnly swear that I will bear

true faith and allegiance to Pakistan:

That, as the Governor of the Province of. ;

I will discharge my duties, and perform my functions, honestly, to the best of my ability, faithfully, in accordance with the Constitution of the Islamic Republic of Pakistan, and the law and always in the interest of the sovereignty,

integrity, solidarity, well-being and prosperity of Pakistan:

That I will strive to preserve the Islamic Ideology which is the basis for

the creation of Pakistan:

That I will not allow my personal interest to influence my official conduct

or my official decisions:

That I will preserve, protect and defend the Constitution of the Islamic

Republic of Pakistan:

That, in all circumstances, I will do right to all manner of people,

according to law, without fear or favour, affection or ill-will:

And that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Governor of the Province Ofceeeeeeee except

as may be required for the due discharge of my duties as Governor.

[May Allah Almighty help and guide me (A'meen).]

\ Added by P. O. No. 14 of 1985, Art. 2 and Sch.,

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CHIEF MINISTER OR PROVINCIAL MINISTER
[Articles 1130 (5) and 132 (2)]

(In the name of Allah, the most Beneficent, the most Merciful.)

I, , do solemnly swear that I will bear true

faith and allegiance to Pakistan:

That, as a Chief Minister (or Minister) of the Government of the Province of. , I will discharge my duties, and perform my functions, honestly, to the best of my ability, faithfully, in accordance with the Constitution of the Islamic Republic of Pakistan, and the law and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of

Pakistan:

That I will strive to preserve the Islamic Ideology which is the basis for

the creation of Pakistan:

That I will not allow my personal interest to influence my official conduct

or my official decisions:

That I will preserve, protect and defend the Constitution of the Islamic

Republic of Pakistan:

That, in all circumstances, I will do right to all manner of people,

according to law, without fear or favour, affection or ill-will:

And that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Chief Minister (or Minister) except as may be required for the due discharge of my duties as Chief Minister (or Minister or as may be

specially permitted by the Chief Minister).

*[May Allah Almighty help and guide me (A'meen).]

1 Subs. by the Constitution (Eighteenth Amdt.) Act, 2010 (10 of 2010), s. 100 for "131(4)".
Added by P. O. No. 14 of 1985, Art. 2 and Sch.,

WORDS OF WISDOM
FOR THE CIVIL SERVANTS

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WOMEN'S RIGHTS

Ne. nation can rise to. the height of glory unless your women are side by side with you. We are victims of evil customs. It is a crime the houses as prisoners. It does not mean that we should imitate the evils of the Western life. But let us try to raise the status of our women according to our own Islamic ideas and standards. There is no sanction

Speech, Muslim University Union,
Aligarh,
10 March 1944

EQUAL TREATMENT AND RIGHTS OF MINORITIES

Press Conference, New Delhi,
14 July 1947

FAITH, UNITY AND DISCIPLINE

any nation of the world... You must make up your mind now. We must sink individualism and petty jealousies and make up our minds to serve the people with honesty and faithfulness. We are passing through a period of fear, danger and menace. We must have faith, unity and

Reply to North Western Railway Officers

Welcome address, Karachi,
28 December 1947

HIGH OR LOW - WE ARE ALL SERVANTS TO THE STATE

... If you want to make Pakistan a great country in the comity

of nations, you must forget, as far as possible, your pleasures and put greater in this world than your own conscience and, when you appear sense of integrity, honesty and with loyalty and faithfulness.

Address to Civil Officers of Balochistan,
Sibi,
14 February 1948.

DO YOUR DUTY AS SERVANTS ADVICE TO OFFICERS
REPRESENTATIVE GOVERNMENT —
FRIEND AND SERVANT OF THE PEOPLE,

DUTY TO MAINTAIN HONOUR, INTEGRITY, JUSTICE AND FAIRPLAY

" These days have gone when the country was led by

the bureaucracy. It is people's Government, responsible to the people more or less on democratic lines and parliamentary practices. Under these fundamental changes I would put before

(1)

(2)

You have to do your duty as servants; you are not concerned with this political or that political party; that is politicians..... But it is up to you now to act as the servants of the people even at the wish of any Minister or Ministry

see that of your conduct and dealings with the people in various Departments, in which you may be: wipe off that past reputation; you are not ruler. ...you belong to the servants. Make the people feel that you are their servants integrity, justice and fair-play. If you do that, people will

-b-

(3)

courtesy and kindness and ty te undewstand the peele.
provoking when a man goes on talking and repeating a thing
over and over again, but have patience and show patience

veveseeene getting representations and memorials containing
they are misled but in all such cases Whether I agree
with anyone or not, whether J think that he has any
undewtand but J always show patience. If you will alse.
hate, that you are offensive, that you have insulted o1 that
you are ude ta them. Not one per cent whe comes in contact
respect of the people.

Address to the Gazetted Officers

Chittagong
25 March, 1948

-C-

ADMINISTRATION MUST BE IMPARTIAL- ADVICE TO GOVERNMENT SERVANTS

"nme you should not be influenced by any political pressure, by any political party or individual politician. If you want to raise the prestige and greatness of Pakistan, you must not fall a victim to any pressure, but do your duty as servants to the people and the State, fearlessly and honestly. Service is the backbone of the State. Governments are formed, Government is defeated, Prime Ministers come and go, Ministers come and go, but you stay on, and, therefore, there is a very great responsibility placed on your shoulders..... Whichever Government

serve that government loyally and faithfully, but, at the same time, fearlessly, maintaining your high reputation, your prestige, your honour and the integrity of your service..... While impressing this upon you on your side, I wish also to take the opportunity of impressing upon our leaders and politicians in the same way that if they ever try to interfere with you and bring political pressure to bear upon you, which leads to nothing but corruption, bribery and nepotism; --which is a horrible disease, and for which not only your province, but others too, are suffering--if they try and interfere with you in this way, I say, they are doing nothing but disservice to Pakistan. each one of you will understand his own sphere of duty and responsibility and act with others as he has to do his duty within the sphere to which he belongs. If you on your side start with that determination and enthusiasm--and I hope the other side will also realize what terrible evil they are raising up and how it

-d-

demoralizes the service to try and influence this department or that department; this officer or that officer--and if you will stick to your determination you will have done a great service to your nation. May be some of you may fall victims for not satisfying the whims of Ministers. I hope it does not happen, but you may even be put to trouble not because you are doing anything wrong but because you are doing right..... discharge your duties and responsibilities honestly, sincerely and loyally to the State..... You should try to create an atmosphere and work in such a spirit that everybody gets a fair clean and justice is done to everybody. And not merely should justice be done but people should feel that justice has been done to them.

Informal talk to Civil Officers
at Government House, Peshawar
14 April, 1948

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2012

Services & General Administration Department
(Regulations Wing)
Balochistan - Quetta

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Added by Extraordinary Gazette No. 88 of August, 2017, dated 18" April, 2017

Added by Extraordinary Gazette No. 26 of August, 2018 dated 20" February, 2018

'Added by S&GAD's Notification No. \$.0. (R-1)/3(2)S&GAD-2018/2113-2212 dated 17" September, 2020

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EXTRAORDINARY REGISTERED NO. S-2771

THE BALOCHISTAN GAZETTE

PUBLISHED BY AUTHORITY

No. 115 QUETTA FRIDAY DECEMBER 14, 2012

GOVERNMENT OF BALOCHISTAN
SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT
(REGULATION SECTION-I)

NOTIFICATION.

Dated Quetta, the 14** December, 2012

No. S.O (R-I)3(2)/2012-S&GAD/3096-3245 In exercise of the powers conferred by Article 139 read with Article 129 of the Constitution of the Islamic Republic of Pakistan, 1973 the Government of Balochistan is pleased to make the following rules namely:-

PART "A" - GENERAL

Short title and 1. (1) These rules may be called "the Balochistan commencement. Government Rules of Business, 2012".

(2) They shall come into force at once.

Definitions. 2. (1) In these rules, unless the context requires otherwise,

(a) "Assembly" means the Provincial

Assembly of Balochistan;

(b) "Attached Department" means a Department mentioned in column 3 of Schedule II;

(c) "Autonomous" Body/Special

Institution/Board" means a Body mentioned in Schedule-V;

(d) "Business" means all work done by the Government;

Page -1-

(k)

“Cabinet” means a Cabinet as defined in Article 130 of the Constitution;

“Case” means a particular matter under consideration and includes all papers relating to it and required to enable the matter to be disposed of, viz correspondence and notes and also, any previous papers on the subject or subjects covered by it or connected with it;

“Chief Minister” means the Chief Minister of Balochistan;

“Chief Secretary” means the officer notified as such in the Gazette, who shall in addition to other Departments and functions that may be allotted to him from time to time, be in charge of the Services and General Administration Department;

“Constitution” means the Constitution of the Islamic Republic of Pakistan, 1973;

“Department” means a self-contained administrative unit in the Secretariat shown in Column 2 of Schedule II, responsible for the conduct of business of Government in a distinct and specified sphere and declared as such by the Government;

“Federal Government” means the Government of Pakistan;

“Gazette” means the official Gazette of the Province of Balochistan;

“Provincial Government” means the Government of Balochistan;

“Governor” means the Governor of

Balochistan;

“Head of Attached Department”

means an officer shown in

column 4 of Schedule II;

“Member” means a Member of the

Provincial Assembly.

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Composition

of

Departments and

Allocation

Business.

of

(q) "Minister" means the Minister in charge of a department;

(r) "Public Service Commission or Commission" means_ the Balochistan Public Service Commission constituted under any law for the time being in force;

(s) "Rules" means the Balochistan Government Rules of Business, 2012;

(t) "Schedule" means a_ schedule

appended to these rules;

(u) "Secretariat" means' the Departments of the Government of Balochistan when referred to collectively;

(v) "Secretary" means the Secretary or Acting Secretary to the Government in charge of a Department and includes Chief Secretary, and Additional Chief Secretary;

(w) "Section" means a basic working unit in a Department as determined by Government; and

(x) "Speaker" means the Speaker of the Assembly.

(2) All words and expressions used in these rules, but not defined, shall have the same meaning as assigned to them in the Constitution of the Islamic Republic of Pakistan.

3. (1) The Secretariat shall comprise of the Departments specified in column 2 of Schedule-I, Section-A;

(2) The Chief Minister may, whenever he may deems fit, constitute new Departments or vary the composition or number of the Departments;

(3) The Chief Minister may, whenever he may deems fit, constitute new Attached Department(s) or vary the composition thereof subordinate to a Department;

Organization of
the Department.

(4) The business of Government shall be distributed amongst several Departments in the manner indicated in Schedule-I (Section B);

Provided that the Chief Minister may, whenever he may deem fit, transfer any particular subject or matter from the Department, to which it stands assigned in accordance with Schedule-I (Section-B), to any other Department.

(5) The Chief Minister may, assign:-

a) a Department; or

[oy

) part of a Department; or

part of different Departments; or

RBEDETE

d) more than one Department; or

e) one or more Departments together with part or parts of other Departments.-

to a Minister:

Provided that a Department not so assigned shall be in the charge of the Chief Minister.

4. (1) Each Department shall consist of a Minister, a Secretary to the Government and of such other officials subordinate to him as the Government may determine:

Provided that the same person may be Secretary of more than one Department;

(2) The Secretary shall, by means of standing orders, distribute the work of the department among the officers, branches and/or sections. Such orders may specify the cases or class of cases which may be disposed of by an officer subordinate to the Secretary;

Functions of the 5. (1) The Chief Minister shall:-

Chief Minister.

(a)

(b)

(c)

(a)

(e)

(h)

be the head of the Cabinet;

be responsible for co-ordination of all policy matters;

perform other functions assigned under the Constitution and these rules;

have the powers to call for any case or information from any office, Attached Department or Departments;

communicate to the Governor all decisions of the Cabinet related to the administration of the affairs of the Province and proposals or legislation;

furnish such information related to administration of affairs of the Province and _ proposals for legislation as the Governor may call for;

if the Governor so requires, submit for the consideration of the Cabinet any matter on which a decision has been taken by the Chief Minister or Minister but which has not been considered by the Cabinet; and

if the Governor so requires, submit for the reconsideration of the Cabinet, any matter on which

advice has been tendered by the Cabinet, and the Governor shall act in accordance with advice tendered by the Cabinet after such re-consideration.

(2) No order shall be issued without the approval of the Chief Minister in cases enumerated in Part A of Schedule-VIII.

(3) The cases enumerated in Part B of Schedule VIII shall be submitted to the Chief Minister for his information. The Chief Minister may require any other case to be submitted to him for information.

Page -5-

Functions of the 6.

Minister
Advisors.

and

(1)

(2)

*1(3)

Minister

A Minister shall:-

(a) be responsible of policy matters
and for the conduct of business of
his Department;

Provided that in important
political, economic or
administrative matters, the
Minister shall consult the Chief
Minister;

(b) submit cases to the Chief Minister
through Chief Secretary as required
by the provisions of these rules;

(c) keep the Chief Minister informed of
any important case disposed of by
him without reference to the Chief
Minister; and

(d) conduct the Business relating to
his Department in Assembly.

Advisors:

There shall be Advisors to the Chief
Minister to be appointed by the Governor
on the advice of the Chief Minister, for
the performance of such duties and
functions as may be specified from time to
time. They shall hold their respective
offices during the pleasure of the Chief
Minister who shall also determine the
terms and conditions of their
appointment..

Special Assistants:

There shall be Special Assistants/Special Assistants to Chief Minister, to be appointed by him, for the performance of such duties and functions as may be specified from time to time. They shall hold their respective offices during the pleasure of the Chief Minister who shall also determine the terms and conditions of their appointment.

Provided that the number of Special Assistants shall not exceed 8.]

Added by Extraordinary Gazette No. 228 of March, 2019 dated 9th December, 2018

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Functions

Chief Secretary.

*1(4)

Parliamentary Secretaries:

A Parliamentary Secretary for a Department shall subject to any general or special order issued by the Chief Minister in this behalf, deal with such parliamentary affairs concerning the department as may be entrusted to him by the Minister for the department concerned and perform such public relations and functions as may be entrusted to him by the Minister:

Provided that a Parliamentary Secretary shall not undertake any functions which may entail any interference in the internal working or administration of a Department, Attached Department or a Regional Office.]

In addition to the duties and functions assigned

(a)

(b)

the to him under other provisions of these rules, the Chief Secretary shall:-

be the Chief Advisor to the Chief Minister in Administrative matters;

be the official head of the Secretariat;

Added by Extraordinary Gazette No. 05 of March, 2019 dated 11" January, 2019

(d)
(e)
(f)
(g)
(h)
(i)
(j)

Duties and 8. 1.

functions of the
Secretary.

co-ordinate the activities of all
Departments in the administrative fields
and for this purpose, all cases submitted
to the Chief Minister shall be routed
through the Chief Secretary;

be the Chairman of the Selection Boards
constituted by Government for making
advice for appointments by promotions/
transfers to tenure posts and other senior
posts i.e. BPS-17 and above Officer under
Government;

shall be generally responsible for all
matters affecting public tranquillity.
Oversee General Administration, law and
Order and Development activities in the
Province;

have the powers to call for any case or
information from any office, Attached
Department or a Department;

be the Secretary of the Provincial Cabinet;

Examine and advise on all the cases
submitted to the Chief Minister/Cabinet;

exercise, the functions of the Secretary
Finance Department, in respect of the
emoluments, promotion or conditions of
service of any officer employed in the
Finance Department shall be passed and
no expenditure proposal relating to that
Department sanctioned without prior
concurrence of the Services and General
Administration Department; and

in addition to other Departments and
functions that may be allotted to him from

time to time, be incharge of the Services and Administration Department.

A Secretary shall:-

(a) assist the Minister in formulation of policy and bring to the notice of the Minister cases which are required

to be submitted to the Chief Minister under the rules;

(b) duly execute the sanctioned policy;

Page -8-

General Procedure

for disposal
business.

of

(a)

(h)

be the official head of the
Department and be responsible for
its efficient administration and
discipline, and for the proper
conduct of business assigned to the
Department under rule 3;

submit all proposals for legislation
to the Cabinet with the approval of
the Minister;

be responsible to the Minister for
the proper conduct of the business
of the Department and keep him
informed about the working of the
Department and of any important
cases disposed of without reference
to the Minister;

keep the Chief Secretary informed
of important cases disposed of in
the Department;

where the Minister's orders appear
to involve a departure from rules,
regulations or Government policy,
resubmit case to the Minister
inviting his attention to the
relevant rules, regulations or
Government policy and if the
Minister still disagrees with the
Secretary, the Minister shall refer
the case to the Chief Minister
through Chief Secretary for orders;

subject to any general or special
orders of Government, issue orders
specifying the cases or class of
cases which may be disposed of by
an officer subordinate to the

Secretary; and

be responsible for the careful
observance of these rules in his
Department;

2. While submitting a case for the orders of
the Minister, it shall be duty of the Secretary to suggest
a definite line of action.

9. (1) Detailed instructions as to the manner of
disposal of business in the Secretariat shall be issued
by the Chief Secretary through Services and General
Administration Department in the form of Secretariat

Instructions;

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Authentication of
Orders,
Instruments,
Agreements and
Contracts etc.

(2) If an order passed happens to contravene a Law, rules or policy, it shall be the duty of the next below officer to point out this to the authority passing the order;

(3) The channel for obtaining or transmitting the orders of the Minister is the Secretary or an officer specifically authorised in this behalf by the Secretary;

(4) All orders should be passed in writing. Where a verbal order is given, it should be reduced to writing at the earliest opportunity by the officer receiving it;

(5) If any doubt or dispute arises as to the Department to which a case properly pertains, the matter shall be referred to the Chief Secretary, who shall obtain the orders of the Chief Minister, if necessary, and the orders thus passed shall be final.

10. (1) All executive actions of the Government shall be expressed to be taken in the name of the Governor in terms of Article 139 and Article 173 (3) of the Constitution of the Islamic Republic of Pakistan;

(2) Save in cases where an officer has been specifically empowered to sign an order or instrument of Government, every such order or instrument shall either be signed by the Secretary, the Additional Secretary, if any, the Deputy Secretary, the Under Secretary or Section Officer to the Government in the Department concerned, and such signature shall be deemed to be the proper authentication of such order or instrument and shall not be questioned in any Court on the ground that it was not made or executed by the Governor;

(3) Notwithstanding anything contained in sub-rule (2) any order in service matters shall be notified by the Department concerned or the Services and General Administration Department; as the case may be and until such Notification is issued, no officer or authority shall communicate such order;

(4) Instructions for the making of contracts on

behalf of the Governor and the execution of such contracts and all assurances of property shall be issued by the Law and Parliamentary Affairs Department.

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PART "B"- DEPARTMENTAL PROCEDURE

Consultation 11. (1) When the subject of a case concerns more among' various_ than one Department:-
Departments.

(a) the Department incharge shall be

responsible for consulting the other
Departments concerned; and

(b) no orders shall issue, nor shall the case
ordinarily be submitted to the Chief
Minister, the Cabinet or the Governor,
until it has been considered by all the
Departments and they agree to it:

Provided that in case of urgency, and with the
approval of the Chief Minister, this requirement may be
dispensed with, but the case shall, at the earliest
opportunity thereafter, be brought to the notice of the
Department (s) concerned.

(2) If the various Departments concerned
cannot reach on agreement and the Minister-in-charge
after consultation with other Ministers concerned
desires to press the case, the case shall be submitted
through Chief Secretary to the Chief Minister or, with
the Chief Minister's approval, to the Cabinet:

Provided that where the Chief Minister is the
Minister-in-Charge of the department, the final views of
the other Departments concerned shall be obtained
before the case is submitted to the Chief Minister;

(3) When a case is referred by one department
to another for consultation, all relevant facts and the
points necessitating the reference shall be clearly
brought out;

(4) Even where consultation is not required,
a department may, for purposes of information,
transmit copies of a communication received by it, or
show a case, to such other departments as may be
considered to be interested in or to be profit by it:

Provided that copies of Cypher telegrams received
or despatched by the Cypher Bureau shall be
distributed in accordance with standing orders issued
by the Chief Secretary;

(5) A Minister may ask to see a case of
another Department if it is required for the disposal of

a case in his Department;

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The Services and
General
Administration
Department.

(6) Requests made under sub-rule (5) shall give the reasons for which the case is required and shall be dealt with under the general or special orders of the Minister-in-Charge. If, for any reason, the case, or relevant extract from it, cannot be made available, the Minister shall explain the position to the Minister making the request or bring the matter to the notice of the Chief Minister, if necessary;

(7) If a Minister desires any further action to be taken on the case of another Department, he shall take up the matter with the Minister-in-Charge of that Department;

(8) The Governor or the Chief Minister may call for a case from any Department.

12. (1) It shall be the responsibility of the Chief Secretary to coordinate the work of all Departments of Government;

(2) The Chief Secretary may call for any case or information from any Department or Attached Department;

(3) The Services and General Administration Department shall be responsible for:

(a) the determination of the principles of control of Government servants, including recruitment, conditions of service and discipline;

(b) the co-ordination of the policy of all Departments with respect to Services under their control so as to secure consistency of treatment;

(c) securing to all Government servants the rights and privileges conferred on them by or under the Constitution or any other enactment for the time being in force;

(d) determining the strength and the

terms and conditions of services of
the personal staff of Ministers;

(e) selection of officers for appointment
under the Federal Government on
deputation basis (other than to the
rank of Secretary and above);

(f) Contract appointments in the
Province of Balochistan; and

Page -12-

Chief Minister's
Inspection Team.

Hom

e

Department;

Manner
submission
certain cases.

of
of

(4) No department shall, without the concurrence of the Services and General Administration Department authorize any orders, other than an order in pursuance of any general or special delegation made by the Services and General Administration Department, which involve:

(a) reduction or extension in the scope of functions of a Department as given in Schedule I (Section-B) or the transfer of such functions from one Department to another;

(b) re-organization or change in the status of Offices in the Secretariat, Regional or Attached Departments;

(c) interpretation of rules and orders relating to service matters other than rules and orders issued by the Finance Department; and

(d) any change in the conditions of Service or the statutory rights, and privileges of Government servants.

(5) No order in respect of the emoluments, promotion or conditions of service of any officer employed in the Finance Department shall be passed and no expenditure proposal relating to that Department sanctioned without prior concurrence of the Services and General Administration Department. The Chief Secretary shall exercise, in respect of such matters, the functions of the Secretary Finance Department.

13. (1) The Chairman of the Chief Minister's Inspection Team shall be Head of the Department and shall be of the status of an Administrative Secretary;

(2) Notwithstanding anything to the contrary contained in any other rule, the Chairman of the Chief Minister's Inspection Team shall be responsible to the Chief Secretary and may deal with and work directly under the orders of the Chief Secretary.

14. The Home Secretary shall keep the Chief Secretary generally informed of all matters affecting public tranquillity. The Minister-in-Charge shall submit to the Chief Minister, through the Chief Secretary, all cases likely to have major political repercussions.

Consultation with
Finance
Department.

15. (1) No department shall without previous consultation with Finance Department, authorize any orders, other than orders in pursuance of any general or special delegation made by the Finance Department, which directly or indirectly affect the finances of the Province, or which in particular involve-

(a) relinquishment, remission or assignment of revenue, actual or potential, or grant of guarantee against it or grant or lease of land or mineral, forest or water-power

rights;

(b) expenditure for which no provision exists;

(c) a change in the number or grading of posts in any _ service, or

emoluments or in terms and conditions of service of Government servants or their statutory rights and privileges which have financial

implications;

(d) levy of taxes, duties, fees or cesses;

(e) floatation of loan;

(f) re-appropriations within budget grants;

(g) alteration in financial procedure or

in the method of compilation of accounts or of the budget estimates; and

(h) interpretation of rules made by the Finance Department.

(2) No amendment or interpretation of such rules of the Civil Services Rules as have no financial implication shall be made or issued by the Finance Department without the prior concurrence of the Services and General Administration Department;

(3) On Finance Department's refusal to accord

concurrence to any case, the Department may submit such case to the Chief Minister, through the Chief Secretary for his decision;

Consultation with
Planning and
Development
Department.

Consultation with
the Law and
Parliamentary
Affairs
Department.

(4) No proposal, which requires prior consultation with the Finance Department under sub-rule (1) but in which the Finance Department has not concurred, shall be proceeded with unless a decision to that effect has been taken by the Cabinet. Formal orders shall, nevertheless, issue only after the Finance Department has exercised scrutiny over the details of the proposal;

(5) Except to the extent that powers may have been delegated to departments under rules framed by the Finance Department, every order of an Administrative Department conveying a sanction to be enforced in audit shall be communicated to the audit authorities through the Finance Department.

16. The Planning and Development Department shall coordinate the activities of the various Departments in the economic field, and all cases relating to matters of economic policy, planning, coordination and development in particular, the following cases shall be referred to and processed by the Planning and Development Department:-

(a) matters affecting or involving economic policy or any change or modification therein;

(b) development schemes and major capital outlays;

(c) all schemes and projects included in the five-year Plans;

(d) any matter affecting more than one sector of economy of the Province; and

(e) all new expenditure of development nature.

17. (1) The Law and Parliamentary Affairs
Department shall be consulted by the Departments.-

(a) on all legal questions arising out
of any case;

(b) on the interpretation of any law,
Acts passed by the Provincial
Legislature or the Federal
Legislature, or the statutes of any
other country, or the international
law;

(c) before instituting civil proceedings in a court of law in which Government is involved; and

(d) whenever civil proceedings are instituted against Government.

(2) The Law and Parliamentary Affairs Department shall also be consulted by the Administrative Departments before the issue of the following:-

(a) any order, rules, regulations, notification or by-laws in the exercise of statutory power;

(b) any sanction authorizing a subordinate authority to issue any order, rules, regulations notification or by-law under a statutory power.

(3) The Law and Parliamentary Affairs Department shall advise whether the proposed draft is strictly within the powers conferred by the legislature and is in the correct form.

(4) For any proposed legislation, the Law and Parliamentary Affairs Department shall be consulted in accordance with the provisions contained in Part E of these rules.

(5) Except as provided for in sub rule (7), the Law and Parliamentary Affairs Department is not, in respect of legislation, an originating office, and its proper function is to put into correct form all proposed legislation. It is for the Administrative Department concerned to consider the desirability of legislation and all points connected therewith. After it has reached its conclusions, it shall refer the case to the Law Department with a memorandum indicating precisely the lines on which it is proposed to legislate which should include:-

(a) a statement in the form of series of propositions detailing the provisions required to be made, or preferably, a draft bill; and

(b) a statement giving the objects and reasons for such provisions.

(6) The Law and Parliamentary Affairs

Department, apart from giving shape to the draft legislation, shall advise the Administrative Department whether any sanction is required under existing statutory provisions and whether any further legal requirements are to be complied with. The Law Department shall also advise whether the proposed law disregards or violates, or is not in accordance with the principles of Law making, whether a reference should be made to the Council of Islamic Ideology for advice, if not already done, and if so, what shall be the terms of that reference. The Administrative Departments shall, after obtaining the approval of the Cabinet in terms of rule 24, forward the proposed draft legislation to the Provincial Assembly in terms of rule 38.

Note- Legislation means a Bill or an Ordinance or an amendment thereto.

(7) Codification of substantive law and

legislation for the consolidation of existing enactments, or legislation of a purely formal character, such as repealing and amending bills and short title bills, may be initiated in the Law and Parliamentary Affairs Department. The Law and Parliamentary Affairs Department, however, consult the Administrative Departments concerned which shall consider the draft legislation in its bearing on administration, make such enquiries and consultations as may be necessary, and tender advice to the Law and Parliamentary Affairs Department accordingly.

(8) The advice of the Advocate General shall
be obtained by the Law Department on its own motion, or in case of difference between the Law Department and the Department concerned, at the instance of the latter. The brief for the Advocate-General which shall be prepared by the Law Department and approved by the Department concerned, shall set out the case, and the points of difference explicitly and briefly seeking the advice of the Advocate-General in the form of well defined questions. The reply of the Advocate-General shall be framed similarly and, on receipt, conveyed verbatim to the Department concerned.

(9) In case of dis-agreement between the
Advocate General and Law Department, the views of both the Advocate General and the Law Department shall be conveyed verbatim to the Department concerned, which, if it does not accept the view of the Law Department, shall submit the case to the Chief

Minister for decision.

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1° TConsultation
with Science and
nformation
Technology
Department.

Consultation
between the
Heads of Attached
Departments,
Heads of Regional
Offices and
Secretariat.

(10) Bills requiring consideration of the
President shall be referred to the Federal Government
by the Law and Parliamentary Affairs Department.

17-A. (1) The Science and Information Technology
Department shall be consulted by the Administrative /
Attached Departments, District Administration and
Autonomous Bodies,-

(a) whenever any IT intervention is
required by the Government;

(b) before submission of their such
scheme/project/work for the
consideration of PDWP/DSC.

(2) The Science and IT Department shall
examine the IT related proposal on the following
grounds:-

(a) whether the scheme/project/work
is duplication/replication of an
existing project/work;

(b) whether the cost-cutting can be
made by making use of an already
available resource in the provincial
or federal governments; and

(c) whether there can be = any
integration/synchronization
problems posed by proposal at a
later stage.

(3) In case of any difference in the opinion and
point of view of Science and Information Technology
Department and the proposing department, the decision
of Additional Chief Secretary (Dev.) shall be final.]

18. Cases requiring the approval of Government shall be referred in a complete form as possible to the Department concerned by the Heads of the Attached Departments or Heads of Regional Offices as the case may be. Cases referred to the Administrative Department by the Attached Department or Regional Offices, shall ordinarily be settled through personal discussion between the Head of Attached Department or Regional Offices and Secretariat Officers dealing with the case.

Inserted by S&GAD's Notification No. S.O (R-1)3(2)S&GAD-2020/2840-2939 dated 14" October, 2020

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Secretaries'
Committee.

19. (1) There shall be constituted a Secretaries' Committee, with the Chief Secretary as its Chairman, to facilitate co-ordination amongst the Departments, to provide a venue for the consideration of matters of common interest and to tender advice on any case that may be referred to it by the Chief Minister, the Cabinet or a Minister.

(2) A Secretary, who wishes a particular matter to be discussed in the Secretaries' Committee Meeting shall inform the Services and General Administration Department of his intention of doing so and forward 40 copies of a brief note on the subject which would form the basis of discussion.

(3) The Services and General Administration Department shall issue notice of a meeting, together with the agenda, well in advance of the meeting; provided that urgent items may be considered at short notice;

(4) Secretaries' Committee meeting shall be attended only by Secretaries and Additional Secretaries of Departments, or such other officers as may be required by the Chief Secretary;

(5) Minutes of the meeting shall be recorded (except in those cases where a record may not be considered necessary) by the Deputy Secretary (Cabinet)/S.O. (Cabinet) or an officer of the Services and General Administration Department who shall attend the meeting for the purpose, and shall be circulated, after approval by the Chief Secretary, as soon as possible;

(6) Conclusions reached at the meeting of the Secretaries' Committee shall not be taken as decision of Government. Any further action required shall be taken by the Department concerned in accordance with the rules.

PART "C"- SERVICES

Appointments, Postings, Promotions and Transfers.

Public Service 20. The advice of the Public Service Commission
Commission.

Selection Board.

Postings.

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shall ordinarily be accepted by the Departments in all
matters where it is obligatory to consult the
Commission under any rules or regulations for the time
being in force. If it is proposed not to accept the advice
of the Commission, it shall be submitted to the Chief
Minister, through the Services and General
Administration Department, who may give an
opportunity to the Public Service Commission of further
justifying its recommendation before a final decision is
taken.

21. = (1) Appointments by Promotion and Transfer
to the posts in BPS-17 and above of all the Civil
Servants and Police Personnel, Levies Force and
Balochistan Constabulary of the Government of
Balochistan unless filled through the Public Service
Commission, shall be made on the advice of a Selection
Board to be constituted by the Government.

(2) In addition to the Selection Board specified
in sub-rule (1) the Government may constitute one or
more Selection Boards, and specify the appointments
and promotions to posts, which are to be made on the
advice of the Public Service Commission or to be made
on the advice of such Selection Boards; and

(3) All appointments by initial recruitment,
promotion and Transfer under Statutory Bodies which
are required to be made or approved by Government to
make the appointments and promotions to posts, which
are to be made on the advice of the Public Service
Commission or to be made on the advice of such
Selection Boards to be specified by the Government
from time to time.

22. (1) Transfers of officers shown in column 2
of Schedule III shall be made by the authorities shown
in column 3 thereof or specified by the Government
from time to time;

(2) The Services and General Administration Department shall be consulted if it is proposed to:

(a) transfer the holder of a tenure post before the completion of his tenure or extend his period of tenure;

(b) require an officer of BPS-17 and above to hold charge of more than one post for a period exceeding three months.

Note- Tenure of posts shown in column I of Schedule IV shall be as shown in column 2 thereof.

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Collective
responsibility.

Cases to be
brought before the
Cabinet.

PART "D"- CABINET PROCEDURE

23. The Cabinet shall be collectively responsible to the Provincial Assembly for the advice tendered to, or the executive orders issued in the name of the Governor, whether such advice or order has been tendered or issued, as the case may be, by an individual Minister or as a result of a decision by the Cabinet;

24. = (1) The following cases shall be brought before the Cabinet:-

(a) proposals for legislation, official or non-official, including Money Bills;

(b) promulgation and revocation of ordinances;

(c) the budget position and proposals before the presentation of the annual budget and other financial

statements;

(d) proposals for the levy of new taxes;

(e) cases involving vital political and

administrative policies;

(f) cases which the Chief Minister acting on his own initiative or at the instance of another Minister may consider important enough for reference to the Cabinet;

(g) important reports and documents required to be laid before the Assembly;

(h) other cases required to be referred to the Cabinet under the provisions of these rules;

(i) any case desired by the Chief

Minister to be referred to the Cabinet;

(j) any case desired by the Government to be referred to the Cabinet; and

(k) any matter on which a decision has been taken by the Chief Minister or a Minister but which has not been considered by the Cabinet, if so desired by the Governor.

Approval of 25. The Chief Minister may approve the proposed legislation. legislation submitted to him and dispense its reference to the Cabinet.

Methods of 26. (1) Cases referred to the Cabinet shall be disposal _ by _ disposed of:

Cabinet .

(a) by discussion at a meeting of the Cabinet; or

(b) by discussion at a meeting ofa Committee of the Cabinet; provided that the decisions of the Committee shall be, ratified by the Cabinet unless the Cabinet has authorised otherwise; or

(c) by circulation amongst Ministers.

(2) Committees of the Cabinet may be constituted, and terms of reference of the Committees determined by the Cabinet. Such Committees may be Standing or Special Committees, accordingly as they are appointed to deal with a class of cases or a particular case.

Manner of 27. (1) In respect of all cases to be submitted to

submission of the Cabinet, the Secretary of the Department concerned

cases to the shall transmit to the Chief Secretary a concise and lucid

Cabinet. memorandum of the case (hereinafter referred to as the "summary"), giving the background and relevant facts, the points for decision and the recommendations of the Minister:

Provided that in the event of the views of the Department being different from the views of the Minister, both the views shall be included in the summary;

(2) The summary shall be self-contained as far as possible, and may include as appendices such relevant papers as are necessary for the proper appreciation of the case;

(3) In case of proposed legislation to which approval in principle is sought, the summary shall bring out clearly the main features of the legislation;

Procedure
regarding Cabinet

decisions
circulation.

by

(4) Where a case concerns more than one Department, the summary shall not be forwarded to the Cabinet unless the case has been considered by all the departments concerned. In the event of a difference of opinion, the points of difference between them shall be clearly stated in the summary, a copy of which shall be sent by the sponsoring department to the other departments concerned simultaneously with the transmission of the summary to the Cabinet;

(5) No summary containing a _ proposal involving financial implications shall be submitted to the Cabinet unless the Finance Department has been consulted and its views incorporated in the summary;

(6) All Drafts, Bills, Ordinances or Orders having the force of law shall be submitted to the Cabinet after the same have been vetted by the Law and Parliamentary Affairs Department and no change shall be made therein without bringing to the notice of that Department;

(7) No case for inclusion in the agenda shall be accepted unless it reaches the Chief Secretary at least four clear days in advance of the meeting:

Provided that if the case is urgent, the Secretary concerned may approach the Chief Secretary for its inclusion in the agenda, and if he agrees, a note shall be sent for circulation to the Cabinet showing how the case is urgent and why it could not be submitted in time;

(8) The Services and General Administration Department shall satisfy itself that the papers submitted by the Secretary are complete and in appropriate form. It shall ordinarily return a case which does not meet the requirements of these rules or of any other instructions on the subject.

28. = (1) When a case is circulated to the Cabinet for recording opinion, the Chief Secretary shall specify the time by which the opinion should be communicated to him. If a Minister does not communicate his opinion

by that time, it shall be assumed that he accepts the recommendations contained in the summary;

(2) After the opinions have been received, or the time specified has expired, the Chief Secretary shall:-

(a) in the event of full agreement to the recommendation in the summary, treat it as a Cabinet decision and proceed further in terms of rule 29(10); and

Procedure
regarding Cabinet
meetings.

(b) in the event of a difference of opinion, obtain the direction of the Chief Minister whether the case shall be discussed at a meeting of the Cabinet or the recommendation of the majority of the Ministers be accepted and Communicated as Cabinet decision.

If the Chief Minister directs that the recommendations of majority of Ministers be accepted as a Cabinet decision, the Chief Secretary shall act in terms of rule 29(10) and if the Chief Minister directs that the case shall be discussed at a meeting of the Cabinet, the Chief Secretary shall circulate the opinion recorded by the Ministers in the form of a supplementary summary submitting a copy simultaneously to the Governor;

(3) Reports made to the Cabinet and other cases submitted only for information, shall normally be disposed of by circulation.

29. (1) Meetings of the Cabinet to discuss ordinary business shall normally be held once a fortnight, on any day to be fixed by the Chief Minister:

Provided that the Chief Minister may call a special meeting of the Cabinet on any day to discuss urgent business or vary the time or date on which a meeting is to be held.

(2) A Minister shall so arrange his tour that he is able to attend the Cabinet meetings, unless he has obtained the Chief Minister's permission to absent himself in which case the Secretary of his Department should be invariably be in attendance at the Cabinet meeting, if any item relating to his Department is on the agenda of the meeting;

(3) The Chief Minister shall preside at all meetings of the Cabinet:

Provided that in the absence of the Chief Minister, the senior most Minister shall preside;

(4) The Chief Secretary shall ordinarily issue

to the Ministers, three days in advance of the meeting, the agenda of the meeting, together with the summaries relating to the items on the agenda. In the case of special meetings, the circular may be issued less than three days in advance;

(5) No case shall be discussed in the Cabinet unless a summary relating to it has first been circulated:

Provided that the Chief Minister may dispense with the requirements of this sub-rule whereon the representation of the Minister-in-Charge, he is satisfied that the circumstances were such that the papers could not be supplied;

(6) The Secretary shall be informed of the items on the agenda of the Cabinet meeting pertaining to his Department and shall, unless otherwise directed, attend the meeting of the Cabinet, in which the case is under consideration;

(7) If, in the absence of the Minister-in-Charge from headquarters, the Secretary of the Department concerned considers that the discussion on a case should await the Minister's return he may request the Chief Secretary for its postponement. The Chief Secretary shall thereupon obtain the orders of the Chief Minister in regard to postponement;

(8) A Minister may, if he deems it fit, request for the withdrawal for the case pertaining to his Department from the agenda of the Cabinet;

(9) The Chief Secretary shall attend all the meetings of the Cabinet and prepare:-

(a) a brief record of the discussion when in the absence of a special direction by the Cabinet shall be of an impersonal nature; and

(b) a record of the decisions without any statement or the reasons therefore, and shall submit a copy of these records within twenty four hours of the close of the meeting to the Chief Minister for his approval.

(10) The Chief Secretary shall circulate to the Ministers and to the Governor a copy of the record prepared under sub-rule (9) as approved by the Chief Minister;

(11) If a Minister considers that there has been a mistake or omission in recording of the minutes he shall point it out to the Chief Secretary within twenty-four hours of the issue of the minutes. The Chief Secretary shall obtain the orders of the Chief Minister and thereafter modify the minutes, if necessary;

Procedure
regarding
Committees of
Cabinet.

Action on Cabinet
decisions.

(12) Where a Secretary has attended a Cabinet meeting in the absence of his Minister, the record of the items concerning the Secretary shall be sent to him to be dealt with in the manner provided in sub-rules (10) and (11);

(13) A copy of the decision of the Cabinet, and wherever considered necessary of the points made during the discussions shall be supplied by the Chief Secretary to the Secretary of the Department concerned for action under rule 31;

(14) A copy of the agenda along-with the summaries and minutes of the Cabinet meetings shall be forwarded to Governor for information by the Chief Secretary;

Explanation:-

Reference to the "Chief Minister" in this rule includes the most senior Minister when he presides at the Cabinet meeting in the absence of the Chief Minister.

30. (1) Meetings of the Committees of the Cabinet shall be convened by the Chief Secretary under the directions of the Chairman of the Committee, who shall preside at the meeting;

(2) Officers of the department concerned may be associated with the deliberations of the Committee as and when considered necessary;

(3) The provisions of the rules 27 and 29 shall apply mutatis mutandis to the manner of submission of cases to and the procedures for the meetings of the Committee.

31. (1) When the decision of the Cabinet on a case is received by the department concerned, it shall acknowledge the receipt of the decision and take prompt action to give effect to the decision;

(2) To ensure implementation of the Cabinet decisions, the Secretary of each Department shall keep a separate record of all the decisions conveyed to him and shall watch progress of action until it is completed. It shall be the responsibility of the Secretary of the Department sponsoring the case, to consult or inform any other Department concerned, in order to ensure full implementation of the Cabinet decisions:

Secrecy of Cabinet

Proceedings .

Custody

Cabinet papers.

of

Provided that the record of the decision before a decision is taken shall not be passed down by the Secretary to the other department nor to other officers of his department unless it contains points which require consideration or action in the other department or by the officers, as the case may be;

(3) The Chief Secretary shall watch the implementation of Cabinet decisions, and the Secretary in the department concerned shall supply to the Chief Secretary such documents as the latter may, by general or special request, require to enable him to complete his record of the case;

(4) The Chief Secretary shall maintain the record of each case submitted to the Cabinet which shall consist of:-

(a) a copy of all papers issued under rules 28(1), 29(4) and 30;

(b) a copy of the records prepared under rules 28, 29(9) and 30; and

(c) all documents received under rule 31(3);

(5) The Governor shall be kept informed of all decisions of the Cabinet.

32. = (1) All proceedings of the Cabinet and the record of the discussions in the Cabinet shall be secret;

(2) All papers submitted to the Cabinet are secret until the Cabinet's decision has taken place, where-after the Secretary concerned shall, subject to any general or special orders of the Chief Secretary in this behalf, determine whether the papers shall continue to be classified as secret.

33. The Minister shall return to the Chief Secretary:-

(a) papers issued to them for decision by circulation immediately after recording their opinion;

(b) agenda issued to them for a meeting of the Cabinet, immediately after the meeting has taken place;

(c) copies of the record of the discussion and of the decisions, immediately after they have perused them; and

(d) reports of action taken on Cabinet decision or other papers circulated for information immediately after perusal, except where indicated otherwise.

PART "E"- RELATIONS WITH PROVINCIAL LEGISLATURE

Rules of 34. The departments shall, in their relation with the Assembly.

Summoning of the Assembly.

Prorogation of the Assembly.

General provisions regarding bills, etc.

Assembly, comply with the rules of procedure and standing orders of the Assembly.

35. (1) Orders of the Governor for convening a session of the Assembly shall be obtained by the Law and Parliamentary Affairs Department under the directions of the Chief Minister and communicated to the Secretary of the Assembly;

(2) As soon as the date of session of the Assembly is fixed, it shall be notified in the Gazette by the Secretary of the Assembly and thereupon all departments shall undertake a review of the official business intended to be brought before the Assembly and shall promptly forward to the Law and Parliamentary Affairs Department detailed lists of such business not later than seven days before the commencement of the session;

(3) The Minister for Law and Parliamentary Affairs shall prepare a provisional forecast of the business to be brought before the Assembly and shall make proposals to the Speaker for the allotment of days for transaction of official as well as non-official business. The programme, as approved by Speaker, shall be communicated by the Assembly Secretariat to all the departments and Principal Secretary to the Governor.

36. = (1) When the Assembly has been summoned by the Governor, he will at the appropriate stage, fix a date for the prorogation of the Assembly;

(2) The Secretary of the Assembly shall, when the session called by the Governor is nearing completion

of its business under the directions of the Chief Minister, obtain the orders of the Governor through the Law and Parliamentary Affairs Department, as to the date for the prorogation of the Assembly;

(3) The Secretary of the Assembly shall notify in the Gazette the date fixed for the prorogation of Assembly.

37. (1) Copies of the Bills, resolutions, motions, questions and other business to be brought before the Assembly shall as soon as received, be forwarded by the Assembly Secretariat to the department concerned;

Official Bills and
Amendments.

(2) For the correct allocation of the business of the Assembly amongst the departments, the Assembly Secretariat shall consult the Chief Secretary, wherever it is in doubt;

(3) If a bill, resolution, motion or question has been wrongly addressed to a department by the Assembly Secretariat it should be promptly transferred to the department concerned, in consultation with the Chief Secretary, if necessary, and under advice to the Assembly Secretariat;

(4) The Assembly Secretariat shall advise the department as soon as it is known that a non-official bill, resolution, motion or question has been admitted in its final form, or not admitted so that the departments may regulate their action accordingly;

(5) As soon as any communication (whether a notice, intimation, bill or any other paper) is received from the Assembly Secretariat or any other authority regarding the business or affair of the Assembly, the receiving officer shall at once bring it to the notice of the Secretary and the Minister.

38. (1) After taking action in terms of rules 17 and 24 the Department concerned shall forward the Bill to the Provincial Assembly of Balochistan in its final form with a statement of objects and reasons along with a written notice duly signed by the Minister Incharge. This action shall be completed irrespective, and preferably well in advance of the date of commencement of a session of the Assembly.

(2) If the Bill is one that requires the consent, sanction or recommendation of the Provincial Government or the President, the notice shall be accompanied by such sanction or recommendation.

(3) The Secretary Provincial Assembly shall arrange, to include the Bill in the official business of the Assembly. The Bill shall be introduced in the Assembly by the Minister incharge or any other member on his behalf and thereafter published in the Gazette by the Secretary, Provincial Assembly.

(4) After the introduction of a Bill, the following motions be made in regard to it, namely:-

(a) that it be taken into consideration and passed; or

(b) that it be referred to a Select Committee; or

(c) that it be circulated for the purpose of eliciting opinion.

(5) The Department concerned shall formulate the line of action to be adopted, and prepare a brief for the use of the Minister.

(6) The procedure regarding amendments shall be the same as for official Bills.

(7) After a Bill has been passed, the Secretary Provincial Assembly shall forward it to the Governor, in the form in which it is passed, duly signed by the Speaker of the Assembly. If the Bill is one which requires the consent of the President, the Governor may ask for the advice of the Law Department as to the grant of assent or the preservation of the Bill for the consideration of the President. After the Governor has passed order, the Secretary Provincial Assembly shall inform the Department concerned and publish the Bill, if assented to, in the Gazette.

(8) When a Bill is presented to the Governor for assent, the Governor shall, within ten days,—

(a) assent to the Bill; or

(b) in the case of a Bill other than a Money Bill, return the Bill to the Provincial Assembly with a message requesting that the Bill, or any specified provision thereof, be reconsidered and that any amendment specified in the message be considered.

(9) When the Governor has returned a Bill to the Provincial Assembly, it shall be reconsidered by the Provincial Assembly and, if it is again passed, with or without amendment, by the Provincial Assembly, by the votes of the majority of the members of the Provincial Assembly present and voting, it shall be again presented to the Governor and the Governor shall give his assent within ten days, failing which such assent shall be deemed to have been given;

(10) When the Governor has assented or is deemed to have assented to a Bill, it shall become law and be called an Act of Provincial Assembly.

(11) No Act of a Provincial Assembly, and no provision in any such Act, shall be invalid by reason only that some recommendation, previous sanction or consent required by the Constitution was not given if

that Act was assented to in accordance with the Constitution.

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Non Official Bill 39. (1) As soon as notice regarding the and introduction of non-official Bill is received from the Amendments. Assembly Secretariat by a Department, it shall consult the Law Department as to:-

- (a) assess the administrative implications of the proposed legislation;
- (b) consult the other departments concerned including the Finance Department, where necessary; and
- (c) obtain the Law and Parliamentary Affairs Department's advice, whether:-
 - (i) the Bill can be introduced in the Assembly and _ is otherwise in order; and
 - (ii) previous sanction of the Government to _ its introduction is necessary.

(2) After the advice of the Law and Parliamentary Affairs Department has been obtained, and where necessary consultation with the other departments concerned has been made, the department concerned shall obtain:-

- (a) the instructions of the Cabinet regarding the provisions of the Bill; and
- (b) the decisions of the Cabinet as to which of the following motions in the Assembly is to be supported that:-
 - (i) it be taken into consideration by the Assembly either at once or at some future date to be specified; or
 - (ii) it be referred to a Select Committee or any other

Committee of the Assembly;
or

(iii) it be circulated for the
purpose of eliciting opinion
thereon; or

(iv) it be opposed.

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Resolutions
motions.

and

(3) If the consent of the Government to the introduction of the Bill in the Assembly is necessary, such consent shall be obtained by the department concerned, where it is decided to support the Bill;

(4) The department concerned shall prepare a brief for the use of the Minister or Parliamentary Secretary which shall include the direction of Government regarding the line of action to be adopted with regard to the Bill;

(5) The procedure regarding amendments shall be the same as for non-official Bills.

40. (1) When an official resolution or motion is to be moved in the Assembly, the Department concerned shall, after consulting the Law Department and obtaining the approval of the Cabinet, forward the same, together with a formal notice duly signed by the Minister to the Secretary of the Assembly who shall, if the resolution or motion is admitted by the Speaker, arrange for its inclusion in official business of the Assembly;

(2) Official resolution may be for the constitution of a statutory body, declaration of policy on a matter of general public interest, etc.

(3) On receipt of a non-official resolution or motion from the Assembly Secretariat, the Department concerned shall examine it and obtain the orders of the Cabinet, if the time permits. Orders of the Chief Minister, where necessary, shall be obtained;

(4) In examining the resolution or motion, the Department concerned shall consider whether the discussion of the resolution or motion, or any part of the same, would be detrimental to the public interest. If so, it should point this out, with reasons in its comments on the resolution or motion, as the case may be;

(5) The Department concerned shall prepare a brief regarding each resolution or motion, official or non-official, for the use of the Minister;

(6) After a resolution or motion has been

adopted, the Assembly Secretariat shall forward it to the Department concerned for appropriate action.

Questions.

Budget

Ordinance

41. (1) On receipt from the Assembly Secretariat of questions (starred or unstarred or short notice), proposed to be asked by member, the Department concerned shall draft replies with the approval of the Minister, and in the case of a Department which has not been assigned under these rules to any Minister, with the approval of the Secretary-in-Charge of that Department and forward the required number of copies to the Assembly Secretariat before the day on which the question is to be asked. In the case of starred questions, briefs shall be prepared by the Department concerned for the use of the Minister to assist him in answering any supplementary question that may be asked;

(2) A copy of the supplementary question asked in the Assembly in respect of a starred question and the replies given shall be forwarded by the Assembly Secretariat to the Department concerned as soon as possible after the proceedings have been transacted;

(3) The Department concerned shall be responsible for giving effect to any undertakings given by the Minister in reply to questions.

42. (1) The Finance Department shall forward proposals regarding the date for the presentation of the annual budget to Secretary to the Assembly. The latter shall obtain the orders of the Governor through the Chief Secretary. On receipt of orders a notification in the Gazette shall be issued by the Secretary to the Assembly;

(2) On receipt of a motion proposing a cut in a demand (or supplementary demand) for grant of funds, the Department concerned shall examine the points raised in the motion, or any further points likely to be raised, and prepare a brief for the use of the Minister-in-Charge.

43. (1) The provisions of rule 38 shall apply mutatis mutandis where the proposed legislation is an Ordinance;

(2) The Administrative Department shall

arrange to lay it before the Assembly as required by
sub-clause (a) of clause (2) of Article 128 of the
Constitution.

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PART "F" - SUBMISSION OF CASES TO THE GOVERNOR AND THE

Submission
cases' to
Governor.

CHIEF MINISTER.

of 44. (1) Notwithstanding the provisions made in
the these rules, where in terms of any provisions of the

Constitution, any function is to be performed or any
orders have to be issued by the Governor or his specific
approval is required, the Department concerned shall
incorporate a paragraph to this effect in the Summary
titled as "Summary for Chief Minister". The Chief
Minister shall tender his advice with specific
recommendations and submit the case to the Governor.
After the Governor has seen and approved the case, it
shall be returned to the Chief Minister. The cases to
which this sub-rule applies are enumerated in Schedule
VI and Part A of Schedule-VII;

(2) The cases enumerated in Part B of
Schedule VII shall be submitted to the Governor for his
information;

(3) Notwithstanding the provisions made in
these rules, where in terms of any provisions of the
Constitution, any function is to be performed or any
orders have to be issued by the Governor in his
discretion, the Department concerned shall submit the
case to the Governor through the Chief Minister in the
form of a self-contained, concise and objective summary
titled as "Summary for Governor" stating the relevant
facts and points for decision prepared on the same lines
as those prescribed in these rules for a Summary for the
Cabinet except that only one copy will be required
which may not be printed. This procedure will not,
however, be applicable where the case is initiated by the
Governor himself and decided in consultation with the
Chief Minister;

(4) The Chief Minister shall keep the Governor
informed of all important, Political and administrative
matters and major developments in the fields of
planning, economic development and industrialization,
etc.

(5) On a question whether any matter is or is
not a matter in respect of which the Governor is by the

Constitution of the Islamic Republic of Pakistan
empowered to act in his discretion, the decision of the
Governor in his discretion shall be final;

(6) The Governor may require to submit for
consideration of the Cabinet any matter on which a
decision has been taken by the Chief Minister or a
Minister but which has not been considered by the
Cabinet;

Reference to the
Chief Minister.

(7) The Governor may require the Cabinet or, as the case may be, the Chief Minister, to reconsider its or his advice tendered to the Governor in the performance of his functions, whether generally or otherwise, and the Governor shall act in accordance with the advice tendered after such reconsideration.

(8) All Summaries to the Governor shall be submitted by the Administrative Secretary routed through the Minister-in-charge and the Chief Secretary. All such Summaries on which the Governor has passed orders, shall on their way back to the respective departments, also be routed through Chief Secretary.

45. (1) No order shall be issued without the approval of the Chief Minister in:-

(a) cases involving important policy or departure from important policy;

Note: Departure from policy includes departure from a previous decision of the Cabinet or Chief Minister.

(b) cases enumerated in Part A of Schedule-VIII;

(2) Cases enumerated in Part B of Schedule-VIII shall be submitted to the Chief Minister for his information. Chief Minister may require any other case to be submitted to him for information;

(3) A case submitted to the Chief Minister for his order shall include a self contained summary to be initiated by the Administrative Secretary stating the relevant facts and the points for decision. The summary shall include the specific recommendations of the Minister-in-Charge through the Chief Secretary and shall be accompanied by a draft communication wherever appropriate.

(4) All Summaries on which the Chief Minister has passed orders, shall on their way back to the respective departments, be routed through Chief Secretary.

PART

“G”- MISCELLANEOUS PROVISIONS.

Protection and
Communication of
official
information.

Channels of
communication.

46. (1) No information acquired directly or
indirectly from official documents or relating to official
matters shall be communicated by a Government
servant to the Press, to non-officials or officials
belonging to other Government offices, unless he has
been generally or specially empowered to do so;

(2) Detailed instructions shall be issued by
the Chief Secretary for the treatment and custody of
official documents and information of a confidential
character;

(3) Ordinarily all official news and information
shall be conveyed to the press through the Services and
General Administration Department and the manner in
which this may be done shall be prescribed, generally or
specially in each case, by that Department;

(4) Only Ministers and Secretaries and such
officers as may be authorised by the Government, shall
act as official spokesmen of the Government.

47. (1) Correspondence with the Federal
Government or another Provincial Government shall be
conducted direct by the Department in respect of
subject allocated to them, subject to the provisions of
rule 12 and it shall ordinarily be addressed to the
Secretary of the Ministry or Department concerned;

(2) All correspondence with the Government
of a foreign country or a Pakistan Diplomatic Mission
abroad or a Foreign Mission in Pakistan or an
International Organization, shall normally be conducted
through the Ministry of Foreign Affairs of the Federal
Government:

Provided that by means of general or special
orders to be issued by the Ministry of Foreign Affairs,
direct correspondence may be allowed under such

conditions and circumstances as may be specified by that Ministry;

(3) All correspondence with the Headquarters of the Armed Forces, viz, Naval Headquarters, General Headquarters, or Air Headquarters or their subordinate formations, shall normally be conducted through the Ministry of Defence in the Federal Government:

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Transaction

Provided that by means of general or special orders to be issued by the Ministry of Defence in the Federal Government, direct correspondence may be allowed under such conditions and circumstances as may be specified:

Provided further that the provisions of this sub-rule shall not affect normal communications between a Service Commander and the civil authorities in his area, or interdepartmental discussions in which Services representatives are required to take part;

(4) (a) Save as provided in any law for the time being inforce, all correspondence between the Government and the Head of Attached Departments, Regional Offices, Autonomous Bodies shall be conducted through the Secretary of the Department concerned;

(b) Deputy Commissioners, except in cases of emergency, shall correspond with Government or with the Head of an Attached Department only through the Commissioner. They may, however, correspond direct with Divisional Regional or District Officers of other Departments.

(c) Commissioners may correspond direct with Secretary or with Heads of Attached Departments regarding cases relating to them, and may also address the Chief Secretary in respect of any case, should the circumstances of the case so require.

of 48. (1) The business of Government shall be

Business-Oral transacted in accordance with the channels of discussion.

higher authority by an official of the Department he shall communicate the points made during the discussion to his Secretary at the earliest;

Repeal.

(2) The Head of an Attached Department, or a Regional Office whose cases are held up in the Department concerned, or who disagrees with any decision taken by the Department, may seek an interview with the Minister or any other higher authority:

Provided that the Secretary concerned shall be informed of the proposed interview so that he can be present to enable the Minister or any other higher authority to have full picture of the case before passing orders.

49. The Balochistan Government Rules of Business, 1976 are hereby repealed.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
BALOCHISTAN

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SCHEDULE I
SECTION 'A'
{See Rule 3 (1) }

LIST OF ADMINISTRATIVE DEPARTMENTS.

S.No. Secretariat Departments.

1 2

1. Agriculture and Cooperatives Department.
2. Board of Revenue.
3. Chief Minister's Inspection Team.
4. Colleges, Higher and Technical Education Department
- Lp neoninnanianeineiantirianes]
6. "Communication, Works, Physical Planning and Housing Department.]
7. Culture, Tourism and Archives Department.
8. Energy Department.
9. Environment Department].
10. Finance Department.
11. Coastal Development and Fisheries Department.]
12. Food Department.
13. Forest and Wildlife Department.
14. Governor's Secretariat.
15. Health Department.
16. Home and Tribal Affairs Department.
17. Industries and Commerce Department.
18. Information Department.
19. Inter Provincial Coordination Department
20. Irrigation Department.
21. Labour and Manpower Department.
22. Law and Parliamentary Affairs Department.
23. Livestock and Dairy Development Department.

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Omitted by Extraordinary Gazette No. 121 of November, 2014 dated 30" October, 2013.
Substituted by ibid.

Substituted by Extraordinary Gazette No. 88 of August, 2017, dated 18" April, 2017
Substituted by Extraordinary Gazette No.12-A of August, 2017 dated 27 January, 2016

24. Local Government and Rural Development Department.
25. Mines and Minerals Development Department.
26. Planning and Development Department.
27. Population Welfare Department.
28. Prosecution Department
29. Public Health Engineering Department.
30. Religious Affairs [pttnehennsennnnnn]
31. Science and Information Technology Department
32. Secondary Education Department.
33. Services and General Administration Department
34. Social Welfare, Special Education, Literacy, Non-Formal Education and Human Rights Department

35. Transport Department
36. Urban Planning and Development Department
37. Women Development Department

17138. | Sports and Youth Affairs Department.]

18139. | Chief Minister's Secretariat.]

19140. | Excise, Taxation and Anti-Narcotics Department]

Omitted by S&GAD's Notification No. .O. (R-1)3(2)S&GAD-2018/778-877 dated 10" April, 2020

Inserted by S&GAD's Notification No. \$.0. (R-I)3(2)S&GAD-2018/778-877 dated 10" April, 2020

'Added by Extraordinary Gazette No. 88 of August, 2017, dated 18" April, 2017

Added by Extraordinary Gazette No. 26 of August, 2018 dated 20" February, 2018

Added by S&GAD's Notification No. \$.0. (R-1)3(2)/S&GAD-2018/2113-2212 dated 17® September, 2020

SCHEDULE I
Section "B"
{ See Rule 3 (4) and 12 (4) (a) }

**DISTRIBUTION OF BUSINESS
AMONG DEPARTMENTS**

1. AGRICULTURE AND COOPERATIVES DEPARTMENT

1. Agriculture Extension, Research, Engineering and Education;
2. Enhance productivity through better varieties and improved management practices
3. Promoting high value crops, fruits and vegetables
4. Transmission of modern crop technology and agricultural techniques to the growers
5. Promoting efficient use of water and other inputs
6. Improving soil health
7. Development of culturable waste lands
8. Layout orchards, model farms and budding of fruits;
9. Assisting crop reporting services in conducting surveys, collection of data, and helping farmers in taking remedial measures against pest attack.
10. Genetic improvement of crop varieties.
11. Development of production technology.
12. Control of diseases and insect/pests.
13. Promote improved OFWM practices for increasing water/agricultural productivity
14. Mobilize farming communities to share investment costs
15. Establishment of New Regulated Markets
16. Training of members, staff and functionaries of the regulated markets.
17. Dissemination of marketing information
18. Demonstrations on picking, packing and grading.
19. Establishment of Marketing Intelligence Services and dissemination

20. To impart technical assistance to the people engaged in
Floriculture and Landscaping of Gardens and Parks.

21. Adaptive Research

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22. Zoological Survey.
23. Botanical survey.
24. Crop Reporting Services.
25. Cooperative Societies and Cooperative Bank.
26. Preparation of Agriculture graduates and Masters
27. All Service matters of the employees of the Attached Departments,

which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

2.

BOARD OF REVENUE.

LAND UTILIZATION

1. Old Colonies

2. Waste lands, new Colonies and projects and Land Utilization Ordinances.

3. Land Utilization Board (Administration of all New Colonies).

4. Land Utilization Committee.

5. Colonization and disposal of State lands.

6. Scheme relating to grant of land to retired and retiring Government Servants.

7. Land surveys and Record of rights, including restriction over transfer of lands;

8. Demarcations and Rectangulation of land.

9. Leases of Ferries and Bridges

10. Treasure trove.

11. Settlement and Re-assessment.

12. Tenancy Laws.

13. Range Management Schemes.

14. Rehabilitation of War Disposal persons.

REVENUE

15. Land revenue Administration:-

(a) Assessment and collection of Land Revenue, Development cess and surcharges thereon and Agriculture Income Tax;

(b) Alienation of revenue;

(c) Laws regarding Land Tenure, relations between Land Lords and Tenants, special remission of Land Revenue and remission under sliding scale;

(d) Jagirs and muafies;

(e) Escheats; and

() Pre-emption Law.

16. Land Improvement and other Agricultural Lands.

17. Compulsory acquisition of land, Acquisition Act and Rules made

thereunder.

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18. Registration of Deeds and Documents including Registration Fees.

19. Copying Department.

20. Court of Wards, Encumbered and attached estates.

21. Stamp and Court Fees, Judicial and non-Judicial.

22. Famine Relief fund and relief for other calamities, e.g. earthquakes, cyclones, floods and conflagrations (PDMA)

23. Government Estates

24. Debt Conciliation Boards.

25. Land Laws.

26. Water logging and salinity other than schemes.

27. Unification of Lands Laws

28. Preparations of Gazetteers.

29. Agriculture Income Tax

30. Judicial cases (appeals and revision) under Land Revenue Act.

SETTLEMENT AND REHABILITATION

31. Preparations of Gazetteers

32. Evacuee Property.

ADMINISTRATION

33. Territorial Adjustments and changes

34. Boundary Disputes

35. Collection of Government dues in the province.

MISCELLANEOUS

36. Board of Economics enquiry.

37. Minimum Wages Board for Agricultural produce.

DIRECTOR LAND RECORDS

38. Supervision of Departmental Examination of Naib Tehsildars and Kanungo, also arrange of refresher course for Patwaris and take test at the end.

39. To prepare and inspect the price and weather reports. Return of

Wages of Agriculture Statistics and to conduct crops experiments of District Officers and cattle crops.

40. To control and supervise raingage.

41. To perform the duties with regards to settlement assigned to him.

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42. To provide 42 Kinds of Revenue forms and registers etc in the whole of Province.

43. To inspect registration records of Registrar and Sub-Registrar offices.

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45. RRR A IRR RIKER IRR IRAE TERI R IER TETAS TIS HIRT ERIE ISTHE TISAI A RASA ISA

46.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

3.

CHIEF MINISTER'S INSPECTION TEAM.

To undertake extensive tours of the province in order to assess, on the spot, the progress made by the various Government Agencies in implementation of the policies of the Provincial Government.

To evaluate on specific directions received from the Chief Executive of the Province as well as the Chief Secretary, the functioning of any departmental authority or office under the control of the Government of Balochistan, and suggest ways and means of making the same more efficient and responsive to public needs.

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May inspect any office or project or work, consult any record and examine any official in connection with the work any requisition made by the Inspection Team in this connection will be complied with promptly by the official concerned.

Any inquiry/other matter which the Chief Executive/authority of the Province or the Chief Secretary may assign specifically and in written.

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4. COLLEGES, HIGHER AND TECHNICAL EDUCATION DEPARTMENT.

1. Higher Education Commission;
2. Universities;
3. Board of Intermediate and Secondary Education;
4. Degree, Inter, Cadet and Balochistan Residential Colleges, including Technical Education Colleges;
5. Balochistan Academy for College Teachers (BACT);
6. Grant of Scholarships in consultation with Finance Department;
7. All Service matters of the employees of the Attached Departments,

which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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Omitted by Extraordinary Gazette No. 121 of November, 2014 dated 30" October, 2013.

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216.

COMMUNICATION, WORKS, PHYSICAL PLANNING AND HOUSING

DEPARTMENT.

Legislation, policy formation and sectoral planning.

Planning, designing, construction, maintenance and equipment of Provincial Government buildings, (Non-residential and Residential, including Rest Houses /Dak Bungalows, Circuit Houses) alongwith allied structures/works financed from Provincial/ Federal Funds or through other sources.

Building Construction (Non-residential and Residential, including Rest Houses/Dak Bungalows, Circuit Houses) on behalf of other Agencies/ Department/Federal Government or as deposit works.

Policy formulation for planning, designing, construction, maintenance, repair and equipment of Provincial Government Buildings (Non-residential and Residential, including Rest Houses/Dak Bungalows, Circuit Houses) with allied works alongwith its maintenance and repairs including equipments.

Preparation of architectural planning, designing and drawings of Provincial Government Buildings (Non-residential and Residential, including Rest Houses/Dak Bungalows, Circuit Houses).

Submission /coordination for transmission of P.C-I to Planning and Development Department for construction, maintenance, repair and improvement of Provincial Government Buildings and equipments financed from Provincial/Federal Funds or other sources.

10.

11.

12.

Buildings, Physical Planning and Housing Funds.

Standardization and lay down specification for Buildings, Physical Planning and Housing.

Research and material testing pertaining to Buildings including coordination with Federal Agencies.

Evaluation and fixation of rent of Government Buildings (Non-Residential and Residential).

Regulate private housing schemes falling in the jurisdiction of

Development Authorities.

Development of low cost housing schemes in Government Sector.

13.

Planning, designing, construction, maintenance, repair and equipment for Public Health works pertaining to Provincial Government Buildings (Non-residential and Residential, including Rest Houses/Dak Bungalows, Circuit Houses).

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Substituted by Extraordinary Gazette No. 121 of November, 2014 dated 30" October, 2013

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14.

Planning, designing, construction and maintenance of Provincial Highways, Secondary Roads, Rural Roads, access Roads, Link Roads, Shingle Roads, Tracks and Bridges alongwith Cross Drainage Structures, Protection Structures/works and allied Structures/works financed from Provincial/Federal Funds or through other sources.

15.

Road and _ Bridges construction on behalf of other Agencies /Departments/Federal Government or as deposit works.

16.

Planning, designing, construction, maintenance and repair of Tunnels with allied works along-with its maintenance and repairs.

17.

Administration of Provincial Highways, Secondary Roads, Links Roads, Shingle Roads, Road Tracks, Bridges, Tunnels, Toll Collection, rent for use of Right of Way (ROW) and lease of ROW land for approaches and access for private roads.

18.

Submission /coordination for transmission of P.C-I to Planning and Development Department for construction, maintenance, repair and improvement of Roads, Bridges, ancillary Bridges, Tunnels, Cross Drainage Structures, Protection Structures/works and Allied Structures/works financed from Provincial/Federal Funds or other sources.

19.

Road Funds

20.

Standardization and lay down specification for Roads, Bridges and Tunnels.

21.

Research and material testing pertaining to Roads, Bridges and Tunnels including coordination with Federal Agencies.

22.

Arrange trainings of Department's Engineers for Human Resource Development.

23

24

Procurement of works, goods and services.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

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(a)

1. | Archaeology and Museums:

Establish and regulate the “Balochistan Advisory Council on Archaeology and Museums” comprising members from Academia, Civil Society, Public and Private Sectors.

(b)

To Administer and control the exploration, protection, preservation, excavation, conservation and connected matters of tangible and intangible Heritage of Balochistan.

Legislation, sectorial planning and policy formulation regarding Archaeology and Museums of Balochistan.

Formulate strategy for implementation of Government Policies, Law, Rules, Covenant, Treaties, Conventions and Agreements.

Establishment of regional and site Museums.

Create and strengthen cooperation and coordination with relevant organizations and stake holders for exploration and preservation of cultural heritage of Balochistan.

Organize seminars, workshops, exhibitions, trainings courses to enhance capacity of institutions in Public and Private sector to conserve the Cultural Heritage of Balochistan.

Collect, maintain and display the history and culture of the province from the earliest human occupation down to recent times.

Provide authorized information, guidance and other facilities to the general public and scholars in matters relating to the tangible and intangible cultural heritage of Balochistan.

Create activities and opportunities for income generation of communities and institutions, working for conservation and promotion of culture heritage of Balochistan.

Take/circulate, loan collections of artifacts from other museums in Pakistan for enhancement of interest and attraction in the Museums of Balochistan.

Organize and update the website of Directorate of Archaeology & Museums with special features for Complaint Management System to provide effective services to consumers.

Substituted by Extraordinary Gazette No. 87 of August, 2017 dated 18" April, 2017

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2. Archives:

(a) Make policies for promotion & development of Archives and its sub-sectors like History culture, education, business and research.

(b) Establishment and operating of "Balochistan Archives Council comprising representation from public representatives, Civil Society, Academia and line departments.

(c) Development of Archives Development strategy and plans in line with archives policies in Balochistan.

(d) Implementation of Government of Pakistan bilateral and multilateral agreements, treaties and international obligations in archives sector.

(e) Establishment of institutions for capacity building of relevant people in Record Management and preservation.

(f) To Promote and publicize the history, culture, art, literature, archaeological monuments and other features of interest and profit to the province.

(g) Regulation of policies regarding preservation and destruction of records of all types.

(h) Promotion of prominent historical places and personalities of Balochistan and establishment of Record Centres in collaboration with Archaeology Department and other public and private institutions.

(i) Establishment of regional record centres at appropriate locations to facilitate researchers, historians and scholars to promote history, geography and cultural heritage.

(j) To develop information management system of archival attractions supported by GIS maps for effective facilitation of archival institution.

(k) Publication and dissemination of promotion resources, archival catalog for facilitation of all concerned.

(l) To hold seminars, workshops, symposia and awareness campaigns for promotion and development of archives at national and international level.

(m) To establish training institutions and offer certificate, diploma and degree courses in collaboration with universities and other public and private institution.

(n) To operate archival library service at important historical places

of the province.

(0) Arrangements for preservation of rare material and acquisition of manuscripts from public and private sector.

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To arrange trainings for archival concerned people and staff.

To initiate and propose legislation on archival issues.

Digitization of all archival record.

Making archives marketing plan.

Provision of records centres, where Departments may place their semi-current records until such time as they are ready to be transferred to the Archives Department or to be destroyed.

(v)

To assist Departments to develop better classification schemes, to improve their record-keeping practices, and to arrange for the regular retirement of obsolete records and their ultimate disposal.

Organize and update the website of Directorate of Archives with special features for Complaint Management System to provide effective services to consumers.

Culture:

(a)

Establishment and regulation of Balochistan Arts Council comprising representative from civil society private and public sector.

(b)

Implementation National policies and obligations in consultation with sister provinces and Federal Government.

(c)

Propose and process Financial Assistance to Artists & Cultural Organizations.

(a)

Regulate & Promote art and culture in public and private domains like Arts Cultural centre, councils, Galleries, Local Academies, Cinema, Stage, Documentation, Drama Musical Shows etc.

Promote talent of Balochistan in all cultural forms at local, national and international level by organizing cultural shows and ensuring participation of artists and artisan of Balochistan.

Propose cultural policies, development plans, strategy, legislative

reforms for cultural promotion and development.

Plan, establish and manage art academies, folk museums, exhibition halls, art galleries auditoria and similar other institutions.

Facilitate studies and research on the history, archaeology, anthropology, culture, economy, languages, literature, policies and social structure of the province.

Organize regional, national and international conferences, seminars, forums, discussion and workshops focusing the archaeology, history, languages, literature and culture of Balochistan.

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Implementation of Drama Act, 1876.

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(k)

Organize and update the website of Directorate of Culture with special features for Complaint Management System to provide effective services to consumers.

Tourism:

(a)

Make policies for promotion & development of, Tourism and its sub-sectors like cultural, eco-tourism, educational, business, research, medical tourism and facilitate religious tourism.

(b)

Establishment and operationalization of "Balochistan Travel and Tourism Development Council" comprising representation from public representatives, Civil Society, Academia and line departments.

(c)

Development of Tourism Development strategy and plans in line with tourism policies in Balochistan.

Establishment and _ facilitation of Balochistan Tourism Development Corporation.

Implementation of Government of Pakistan bilateral and multilateral agreements, treaties and international obligations in tourism sector.

Establishment of institutions for capacity building of relevant people in Tourism, hotel restaurant, event and _ travel management and ancillary services thereof.

Organize foreign tours for tourists of Balochistan and invite tourists from abroad in coordination with Federal and other provincial departments.

Promote and publicize the history, culture, art literature, archaeological monuments and other features of interest and profit to the province.

Regulate, acquire, establish, lease out, give on license and run hotel, restaurants, café, rest houses, guest house, franchise, camping sites, Cable car/chair lift, skiing facilities, hunting lodges, adventure clubs, cinemas, theatre, amusement parks, aquarium, holiday resorts, travel agencies railways, shipping companies, airlines, water ways, cinemas, theatres, business houses and event management companies, tourist vehicles and boats/ships for tourism promotions.

Promotion of signature dishes of Balochistan and establishment of food centres/streets in collaboration with Culture Department and other public and private institutions.

Establishment of regional centres at appropriate locations to facilitate tourists and promote, area products, of arts and crafts.

Development of information management system of tourist attractions supported by GIS maps for effective facilitation of tourism industry.

- (m) Publication and dissemination of promotion resources, tour guide maps for facilitation of tourists.
- (n) Holding seminars, workshops, debates, symposia and awareness campaigns for promotion & development of tourism at domestic, provincial national and international level.
- (o) Establish training institutions and offer certificate, diploma and degree courses in collaboration with universities and other public and private institutions.
- (p) Establish Social and business networks and facilitates public-private partnership, Public and Private partnerships in tourism sector.
- (q) Organize and update the website of Directorate of Tourism with special features for Complaint Management System to provide effective services to consumers.

5. | Provincial Library:

- (a) Establish and regulate the “Balochistan council on Library Services” comprising members from. Academia, Civil Society corporate & Public Sector.
- (b) Regulate, Operate and promote reading culture, and private libraries in Balochistan.
- (c) Identify rare material, documents and manuscripts and ensure its preservation.
- (d) Arrange symposia, seminars, workshops and trainings for institution capacity building of libraries and other staff of library.
- (e) Formulation of plans and policies for development of libraries and library services.
- (f) Provision of reading and other library services to the community by establishing new libraries.
- (g) Arrange books exhibitions, on specified events and programs on different National and International days i-e Independence Day, Book week, mother's day, teachers day, culture day etc.
- (h) Establish digital library information system and to connect all libraries of Balochistan and provide online access to the readers.
- (i) Ensuring the availability and serve as an official house of knowledge in the shape of books, reports, journals, newspapers and E-publications.

(j) Organizing certificate, diploma and degree course on library management in collaboration with public and _ private institutions and universities.

(k) Provide access to library to all citizens irrespective of their age, sex, creed and belief.

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(I) Organize and update the website of Quaid E Azam Library with special features for Complaint Management System to provide effective services to consumers.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

8.

ENERGY DEPARTMENT.

1. Grant of license to electric contractors.
2. Imposition of Power Generation Policy 2007 of Government of Balochistan.
3. Coordination with Quetta Electric Supply Company (QESCO), Karachi Electric Supply Company (KESC), Alternative Energy Development Board, National Transmission and Dispatch Company Limited and Private Power Infrastructure Board.
4. Preparation of feasibility reports and P.C-I's regarding Solar, Wind and Waste to Energy.
5. To exercise the powers delegated under Electricity Act 1910 and Electricity Rules 1937.
6. Periodical inspection of Power Stations and Grid Stations of Licensee (KESC/QESCO) as well as Independent Power Plants/ Producer (IPP).
7. To conduct Electrical Supervisor/Wireman competency examinations annually as per licensing Rules framed under Rule 48 of the Electricity Rules 1937 under auspices of the Licensing board.
8. Implementation of National Electric Power Regulator Authority (NEPRA) Rules.
9. Assessment and Collection of Electricity duty under the West Pakistan Finance Act 1964.
10. Intervention in determination of tariff filed by Distribution Companies (DISCOs) to NEPRA.
11. Monitoring of Village Electrification.
12. Execution of Village Electrification through alternate/renewable energy sources.
13. Standardization of Specifications in respect of electric appliances, machinery and installations.
14. Matters connected with Tube-well electrification.
15. Off-gird power generation/distribution
16. Matters relating to Balochistan Energy Company Limited (BECL)
17. Development of power generation by exploiting renewable energy,

mini hydel and thermal resources.

18. Liaison with Federal government in respect of grant of licenses for

oil and gas exploration in the province and cooperation with such companies and organizations under-taking such ventures in the province.

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19.

20.

Matters relating to Energy Management, Energy Audit, Conservation of Energy, control of pilferage/loss of energy, pollution control measures, renovation and modernization of power plants.

Public private partnership for energy production, conservation, efficiency and audit overseeing and providing requisite inputs towards acceleration of Power Projects implementation.

21.

Coordination with the Ministry of Water and Power, Ministry of Petroleum and Natural Resources and other concerned departments of Federal Government and Provincial Governments.

22.

Development of a power policy for Balochistan

23.

Award of power projects in Balochistan to local and Foreign Private Sector companies.

24.

Review and updating of regulatory framework to promote fast-track investment in energy projects.

25.

All relevant matters under Articles 157, 158 and 161 of the Constitution of the Islamic Republic of Pakistan 1973 and policy making for the Province.

26.

Administration of the following laws and the rules framed thereunder, also processing and enactment of appropriate legislation on Power Policy and Petroleum Policy as may be required from time to time:-

(a) Electricity Act, 1910

(b) The Petroleum Act, 1934

(c) Electricity Rules, 1937

(d) The WAPDA Act, 1958

(e) The Electricity Control Ordinance, 1965

(f) Pakistan Standards and Quality Control Authority Act, 1996.

(g) Regulation of Generation, Transmission and Distribution of Electricity Power Act, 1997.

(h) Offences in respect of Electricity (Emergency Provisions) Ordinance, 1998.

(i) Oil and Gas Regulatory authority Ordinance, 2002.

27.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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ENVIRONMENT DEPARTMENT]

Environment.

1.

Provincial Environment and Climate Change Policy.

2.

Preparation and implementation of development plans, strategies and programs under the policy.

Environment Protection of elements mentioned in Balochistan Environmental Protection Act, 2012 and also elements arising from time to time with a focus on urban, terrestrial and marine eco system and coastal area.

Framing and execution of environmental laws/rules/requirements in all public and private sector development activities/schemes.

Measures to develop, monitor, ordinate for the sustainable use and conservation of water resources.

Framing and regulation of NEQS and EIA for subjects and activities likely to affect environment and individuals in the province.

Monitor, coordinate and assist NGOs (national and international) working for improvement of environment.

Coordination, monitoring and implementation of environmental agreements as Scheduled in Balochistan Environmental Protection Act, 2012.

Maintenance of database of environmental assets/facts of the Province.

10.

Monitoring of Environmental Assets of the Province and generate periodic reports on the state environment of the Province.

11.

Coordinate with international/National/Provincial/Local authorities for preservation, conservation and management of environmental assets and to generate resilience under climate change.

12.

Liaison with Federal Ministries and Entities on the subjects mentioned

in environmental laws and policies.

13.

Generate public awareness on environmental issues and work for social mobilization.

14.

All Service matters of the employees of the Attached Departments, which do not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

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Substituted by Extraordinary Gazette No. 88 of August, 2017, dated 18" August, 2017

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10.

FINANCE DEPARTMENT

Management of public funds, i.e.

- (a) supervision and control of Provincial finances;
- (b) preparation of Provincial budget;
- (c) preparation of Supplementary estimates and demands for excess grant;
- (d) appropriations and re-appropriations;
- (e) Ways and Means.

(f) Audit of receipt and expenditure.

To oversee and coordinate functions of the Public Accounts Committee and Zila Accounts Committees.

The framing of financial rules for guidance of departments.

Supervision of maintenance of accounts.

NIA! RY S

Promotion of Financial Discipline at Provincial and District level.

The framing of Civil Services Rules regarding pension, leave, pay revision applicable to all Government servants, amendments therein and interpretation thereof.

Floatation and administration of Provincial Loans.

Examination and advice on matters affecting directly or indirectly the finances of the Province:-

- (a) grants, contributions, other allowances and honoraria, contingencies, recoveries from and payment to Government Departments and cases relating to money matters generally, such as defalcations, embezzlements and other losses;
- (b) Emoluments, pensions and allowances;
- (c) Loans and advances to Government servants.
- (d) Assets and Liabilities Committees

Administration of Public revenue save as otherwise provided.

10.

11.

Establishment of Banks and banking.

Communication of financial sanctions.

12.

Examination of all proposals for the increase or reduction of taxation.

13.

Creation of new posts and examination of schemes of new expenditure in consultation with the Administrative Departments and with S&GAD in case of Secretariat and Finance Department.

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14. To oversee audit of receipts and expenditure.
15. Public Debt.
16. The Local Fund Audit.
17. Treasuries and Sub-Treasuries.
18. Provincial Finance Commission.
19. Matters relating to National Finance Commission.
20. Delegation of powers in respect of entering into a Contract by any Department, Attached Department, or Autonomous or Semi-Autonomous Body, Regional Office or any Office with any other Agency/Department affecting directly or indirectly the finances of the Province.
21. Interpretation of rules and orders relating to financial matters.
22. Delegation of powers in respect of emoluments privileges affecting pay and allowances packages etc. to any department.
23. Concurrence with regard to change in the number, grading or nomenclature of posts.
24. Management of Benevolent Fund, Provident Fund and Pension Fund.
25. Management of investment of investable funds.
26. Measures to generate Provincial Revenue.
27. Service Delivery improvement for Pensioners.
28. All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

?5[11. COASTAL DEVELOPMENT AND FISHERIES DEPARTMENT.

1. Planning and Development of Balochistan coast with integrated coastal zone management.
2. Marine Fisheries.
3. Inland Fisheries.
4. Promotion of marine and inland aquaculture by establishing hatcheries and model farms in collaboration with private sector.
5. Provision of seed, fingerlings and juveniles of desired species as per agro climatic conditions to promote inland fisheries.
6. Rehabilitation of marine and inland aquatic habitat damaged by over exploitation and environmental degradation.
7. Introduction of latest technologies of fishing, handling, processing and marketing.
8. Up-gradation of existing wooden boats to meet international standards and gradually replacement with fiber glass boats.
9. Establishment and management of fish markets.
10. Controlling illegal fishing by trawlers by raising a force of Fisheries Department and safe guarding the interest of local fisherman.
11. Conducting research in Fisheries Sector in collaboration with International and National Organizations and Lasbella University of Agriculture, Water and Marine Science (LUAWMS)
12. Auction of fishing rights in rivers, canals, lakes, dams, reservoirs and other water bodies.
13. Registration of fishing boats, fish processing plants, ice factories, boat building yards and boat repairing workshops.
14. Issuance of license for fishing at sea.
15. Issuance of license for sports fishing.
16. Implementation of seasonal ban on fishing.
17. Construction, operation and management of mini posts and harbours.
18. Conducting training courses with reference to fisheries sector.
19. Establishment of protected areas, marine parks and theme parks

along the coast.

20. Conducting search and rescue operations at sea to save lives of fishermen and establishment of communications system on boats and in the offices of Fisheries Department along the coastline.

Substituted by Extraordinary Gazette No.12-A of August, 2017 dated 27th January, 2016

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21. Coastal tourism along the coastline and Astola Island.
22. All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

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12.

FOOD DEPARTMENT

To procure and purchase wheat on support price from Local Growers/Sellers and purchase from Punjab and Sindh Food Departments, PASSCO and TCP on requirement basis.

To Handle and Transport wheat by Road and Rail.

To deal with matter concerning storage of stocks such as Purchase of Stock Articles, Gunny bags, Tarpaulins, weighing scales, fumigation to preserve the stock in the Godowns.

To streamline the releases of wheat stock from Godowns to functional Flour Mills/Chakkies for grinding and its supply to population through Fair Price Shops on subsidized rates or without subsidy as the Government may decide.

To register and monitor Mills/Chakkies and fair price shops, maintenance of wheat stock reserves for three months.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

13.

FOREST AND WILDLIFE DEPARTMENT

Land degradation control through soil conservation, reforestation and afforestation.

Management of watershed potential of Balochistan and enhancement of vegetative cover of the province to attain the minimum international standard of 25%.

Effectively contribute in the Carbon sink, Combat climate change and Reduction in the Global warming.

Development, management and regulation of Rangelands on sustainable basis.

Conservation of wildlife and management of protected areas including national parks, game reserves, wildlife sanctuaries, estuaries, wetlands, etc. of the Province.

Promotion, Regulation and Management of Forest ecosystems

Promotion and Regulation of State and Community Forests, Farm Forestry, Roadside Tree Plantation and Natural resources (like fuel wood, timber, non-timber forest products, and wildlife products).

Development and management of recreational parks, arboreta, zoological parks, zoos, wildlife breeding centers at Provincial, Divisional, District and community level.

Coordination with the Economic Affairs Division and Planning Division and other relevant Ministries, Divisions and authorities, International Organizations like UNDP, World Bank etc.

10.

11.

Implementation of International conventions treaties agreements Commitments in forest and wildlife sector made by the Government.

Establishment of research/educational and training facilities for the development, conservation and strengthening the forest, wildlife and environment sectors in the province.

12.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

14.

GOVERNOR'S SECRETARIAT

All affairs of following Public Sector Universities in Balochistan as per provision in the respective Charter of the Universities:

- a) University of Balochistan.
- b) Balochistan University of Information Technology & Management Science.
- c) Sardar Bahadur Khan Women's University.
- d) Balochistan University of Engineering & Technology, Khuzdar.
- e) Lasbella University of Agriculture & Water Management Sciences.

Establishment of New Public Sectors Universities in Balochistan.

Administrative matters relating to the office of the Provincial Ombudsman.

Processing and disposal of hearing cases of Provincial Ombudsman for the Governor as appellant authority to the decision under Section 32 of the Establishment of the Office of Ombudsman for the Province of Balochistan Ordinance 2009.

Disposal of official matters pertaining to Provincial Assembly including prorogation and closing of sessions.

Disposal of official matters pertaining to High Court including Hon'ble Chief Justice and other Justice.

Allocation of Governor's Special Funds and Grant-in-Aid.

Processing and disposal of Public grievances.

Appointment and creation of Federal Levies' positions.

Processing and disposal of matters pertaining to Federal Government/ Ministries, HEC, WAPDA, NHA, Planning Commission and Provincial Departments.

10.

Processing and disposal of matters pertaining to Pakistan Red Crescent Society for Governor as Provincial President.

11.

Processing and disposal of matters pertaining to Balochistan

Education Foundation (BEF) and Cadet Colleges for Governor being Chairman Board of Directors and Board of Governors respectively including conducting and preparing for the meetings.

12.

Preparation of cases/D.O letters to the President, Prime Minister, Provincial Governors/Chief Ministers and dignitaries of National and International levels.

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13.

Other task given by the Governor/Chancellor of Public Sector Universities.

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14. Financial and Administrative matters of the Governor's Secretariat.
15. Affairs of the Balochistan Public Service Commission.
16. All Service matters of the employees of the Attached Departments,

which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

15. HEALTH DEPARTMENT

1. Public Health and Sanitation

(a) Prevention and control of infections and contagious diseases;

(b) Tuberculosis;

(c) Prevention and control of HIV/AIDS;

(d) Prevention and control of Hepatitis;

(e) Eradication/control of malaria;

(f) Treatment of patients bitten by rabid animals;

(g) Measures to check adulteration of foodstuffs.

(h) Nutrition surveys and intervention;

(i) Vaccination and inoculation;

(j) Maternal, neonatal and child health services.

2. Medical Profession:-

(a) Medical treatment of general population.

3. Medical Education:

(a) Medical Schools, Colleges and Institutions.

(b) postgraduate Medical and Nursing Education.

(c) Research Work for Postgraduate Students.

4. Basic and Rural Health, Child and Women Health, District and Tehsil Hospitals:-

(a) Planning and Development of Health care services delivery for

improving Health status of population in accordance with the Community perceived and locally ascertained Health care needs in order to pursue the “ Health for All” goal through Primary Health Care (PHC) approach of providing equitable health services

(b) Health Equipment Maintenance (HEM) for ensuring availability of state of the art and functional bio-medical technology.

(c) Full power for purchase of medicines in accordance with their Budget allocations as per specification and policies fixed by the Provincial Government.

(d) Surgeon Medico-Legal office and its functions relating to the

constitution medical legal examination.

5. All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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16. HOME AND TRIBAL AFFAIRS DEPARTMENT

1 LAW AND ORDER

- (a) Maintenance of Public Order and Internal Security.
- (b) Political intelligence and censorship.
- (c) All matters relating to eradication, prevention and control of crime.
- (d) Crime Reports.
- (e) Coordination with Federal Government/Anti-smuggling Agencies.
- (f) Ensure smooth supply of Petroleum at Provincial level.
- (g) Proscription orders.
- (h) Preventive detention and administration of press law.
- (i) Administration of Publication Laws/Prosecutions in respect of newspapers and other publications.
- (j) Public amusement and control over places of performance and exhibition.
- (k) Compensation for loss of property and life due to terrorism.

(1) Civil Security Schemes.

(m) Prohibited maps

(n) Recovery of missing persons.

2 LAW ENFORCEMENT AGENCIES

- (a) Matters relating to Civil Armed Forces
- (b) Liaison with Defence Authorities.

3 ADMINISTRATION OF JUSTICE

- (a) Constitution and appointment of Judges of Special Courts/Anti-Terrorism Courts.

(b) Criminal Law and criminal law procedure.

(c) Criminal Lunatics.

(d) Local/Domicile and Nationality.

(e) Matters related with Anti-Terrorism Act, 1997.

4 EMERGENCY SITUATION

- (a) War Book and Defense Planning.

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Protection of key points and vital installations.

- (c) Liaison with defense authorities.
- (d) Schedule of persons and firms specified as enemy.
- (e) Prevention of Hoarding and black marketing

ARMS AND AMMUNITION

Arms license.

Transportation of arms and explosives.

Rifles clubs.

- (d) Collective fines

6 PRISONS AND JUDICIAL LOCKUPS

(a) Administration of Prisons, Judicial Lockups and Reformatory Homes.

- (b) Classification of prisoners

(c) Inter and Intra Provincial transfer of prisoners.

- (d) Good conduct probational release of prisoners

(e) Commutation and Remission of sentences.

- (f) Mercy petitions

(g) Juvenile Prisoners

7 BORDER CONTROL

(a) Bio metric system n coordination with the Federal Government.

(b) Coordination with Federal Government/agencies in
Extradition and deportations matters.

- (c) Afghan Refugees and immigrants.

(d) Regulation of matters relating to Passports and permits.

(e) Extension of Visas in respect of visiting India Nationals.

- (f) Grant of NOC to visit India.

Exit permits to foreign nationals.

Border incidents including incidents where diplomatic action
is required.

Registration of foreign national.

8 POLICE

Establishments and administration including, Police Rules, civil works of Police, grant of gallantry awards.

Matters connected with the recruitment, training, pay, allowances, promotion, leave, powers, cadre strength, creation and continuation of posts, deputation, posting, transfer, discipline, retirement, trainings/courses and budget in respect of all organs of Balochistan Police.

9 LEVIES

- (a) Establishment and Administration of levies.
- (b) Rules and regulations concern with levies.
- (c) Control of Civil works of Levies.
- (d) Grant of gallantry awards.
- (e) All service matters related to Balochistan levies including recruitment, training, posting/transfers, promotion, budget and other matters related to all organs of Balochistan Levies including Federal Levies Force working in Balochistan.

10 CIVIL DEFENCE

- (a) Civil Defence training.
- (b) Bomb Disposal.
- (c) Search and Rescue.
- (d) Emergency Response and Mitigation.
- (e) Establishment of Combined Control and Report Centre (CCRC).

11 RECLAMATION AND PROBATION

- (a) Parole

- (b) Probation

12 TRIBAL AFFAIRS

- (a) Extension of Laws to Tribal Areas and Tribal Affairs.
- (b) Individual Service Allowance (I.S.A.).
- (c) Matters connected with census in Tribal Areas.
- (d) Personal rights, privileges and dignities of ex-rulers of former States.

13

14

BALOCHISTAN CONSTABULARY

- (a) Establishments and administration including Rules, civil works and grant of gallantry awards.
- (b) Matters connected with the recruitment, training, pay, allowances, promotion, leave, powers, cadre strength, creation and continuation of posts, deputation, posting, transfer, discipline, retirement, trainings/ courses and budget in respect of all organs of Balochistan Constabulary.

MISCELLANEOUS

20am]

- (b) Notary Public.
- (c) Grant of Christian Marriage License.
- (d) Judicial Inquiry.

15

- (e) Private Security companies.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

Omitted by Extraordinary Gazette No. 240 of March, 2019 dated 20" December, 2018

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17. INDUSTRIES AND COMMERCE DEPARTMENT.

1. Planning and Development of Industries, including Cottage

Industries.

2. Industrial control.

3. Survey of Industries.

4. Coordination for the Promotion of local and foreign investment.

5. Establishment and Rehabilitation of opportunity zones.

6. Control on prices.

7. Industrial exhibitions

8. Trade and commerce with-in the Province, including Government commercial undertakings.

9. Industrial Research

10. Enforcement of the Boilers Act 1923 and Boilers and Pressure

Vessels Ordinance, 2002.

11. Registration of Societies under Registration of Societies Act, 1860.

12. Registration of Firms under Partnership Act, 1932.

13. Printing and Stationery:-

(a) Supply of official publications of the Provincial Government and exchange of publications with Federal Government and other Provincial Governments;

(b) Establishment and budget of Provincial Presses and stationery office;

(c) Monthly income and expenditure statements of Government Presses;

(d) Printing and binding at private and Government presses;

(e) Local purchase of stationery;

(f) Printing and Stationery Manual.

14. The Provincial Advisory Panel for Industries.

15. Chambers and Associations of Commerce and Industry.

16. Undesirable Companies Ordinance and matters relating thereto.

17. All Service matters of the employees of the Attached Departments,

which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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18.

INFORMATION DEPARTMENT

Publicity and projection of Government policies.

To coordinate with various departments on account of projection of achievements of the Government through print and electronic media.

Close liaison with print and electronic media.

Production and distribution of films and documentaries of general or educational interest in consultation with the Government Departments.

News and photographic coverage of Government activities/ events/visits of VVIPs.

Release of Government advertisement to newspapers/ periodicals.

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Coordination with District Administration in issuance of declaration and maintenance of necessary record of newspapers/ periodicals.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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19.

INTER PROVINCIAL COORDINATION DEPARTMENT.

Inter-Provincial Coordination and Coordination between Province of Balochistan and Federation in matters specifically assigned by the Chief Minister including attending Federal meetings, if desired by the Chief Minister.

All cases relating to matters which are liable to involve Government into controversy with the Federal Government, or with another Provincial Government;

Monitoring/implementation of directives of President of Pakistan and the Prime Minister of Pakistan and its follow up action;

General coordination between the Federal Government and Provincial Governments in economic, social and administrative fields.

Promoting uniformity of approach in formulation of policies and their implementation by the Provincial and the Federal Government in all fields of common national concern.

Discussion of policy issues emanating from the Provinces that have economic, social or administrative implications for the country as a whole.

Coordination with Ministries/ Agencies concerned to evolve suitable response to criticism of Government policies, programmes and actions and to project a proper image of the Government.

Coordination with Provincial Government Departments in devolution process of Federal Ministries/ Divisions.

Coordination with Provincial Government Departments in Aghaz-e-Huqooq-e-Balochistan Package

10.

11.

Matters relating to Council of Common Interest.

Any special task to be notified by the Provincial Government.

12.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

20. IRRIGATION DEPARTMENT

1. | Planning, Development and Monitoring of surface & sub-surface water resources.
2. | Collection and analysis of hydrometer-logical data.
3. | Flood defense measures & flood fighting.
4. | To coordinate with the Federal Government and International Agencies regarding Water Sector Development and Flood Defense Measures.
5. Coordination with Planning Commission, Federal Flood Commission, Ministry of Water & Power, WAPDA, PCRWR, Pak Metro-logical Department, Provincial Irrigation Departments and IRSA with regard to Water Sector issues.
6. | Coordination with World Bank, Asian Development Bank and other International Agencies dealing with Water Sector.
7. Coordination with Pak Army, FC, Civil Administration, Local Administration, Police, PDMA and Population of areas vulnerable to flood problems, alarming monsoon seasons & floods, emergency.
8. | Rivers and river basin surveys.
9. | Construction and maintenance of perennial canals
10. | Construction of water storage reservoirs.
11. | Flood control schemes and embankments.
12. | Construction of dams and reservoirs for ground water recharge and irrigation purposes.
13. | Community irrigation schemes and social mobilization
14. | Irrigation and drainage management
15. | Development of flood irrigation resources.
16. | Assessment of water charges/Abiana and drainage cess.
17. | Planning, development and Monitoring of Ground Water Recharge.
18. | Monitoring and evaluation of ground water resources of all basins and sub basins.
19. | Sustainable ground water conservation strategies.
20. | Measures to control the over exploitation of ground water in the

selected basins/sub basins.

21. | All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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21. LABOUR AND MANPOWER DEPARTMENT.

1. Legislation, implementation and enforcement of Provincial Labour Laws.

2. Cases relating to the Balochistan Weights and Measures

(International System) Enforcement Ordinance, 1977.

3. Employment Exchange (Provincial) Liabilities only.

4. All matters affecting Labour in general:-

(a) Welfare and Condition of Labour;

(b) Employees liability and Workmen's compensation;

(c) General health and accidents;

(d) Invalid and old age pension;

(e) Regulation of hours of work (including shop employees);

(f) Trade Unions;

(g) Maternity benefits;

(h) Labour and industrial disputes.

5. Minimum Wages.

6. I.L.O. Conferences, Seminars, I.L.O. Conventions, and I.L.O.

Experts in the field of labour.

7. Workers' Children Education Cess.

8. Social Security Schemes for workers which includes:-

(i) Health facilities;

9. Construction of Labour Colonies, Hospitals and Schools for Workmen's Family.

10. Death/marriage Grants for Workmen's Family.

11. Educational Scholarships for Workmen's Family.

12. All Service matters of the employees of the Attached Departments,

which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

22.

LAW_ AND PARLIAMENTARY AFFAIRS DEPARTMENT

Conduct of Government litigation :-

- (a) Representation in Civil cases;
- (b) Filing and defending civil suits, appeals, revisions and reviews on behalf of Government.

Advice to Departments on all legal matters including interpretation of laws, rules and orders having the force of law.

Appointment, transfer, leave, fees of Government Law Officers:
Advocate-General, Additional Advocate General, Assistant Advocate Generals, District Attorneys, Assistant District Attorneys, Government Pleaders and Special Councils.

Matters relating to legal practitioners, including scale of fees.

Matters relating to approval of appointments of Legal Advisors and engagement of Legal Practitioners made by the Statutory Bodies, payment of their fees and termination of their services.

Civil Law and Procedure.

Matters relating to Provincial Legislature.

Scrutiny of Bills, Ordinances, Notifications, Rules, Regulations, Statutory Orders and bye-laws.

Constitutional legislation falling in the domain of Provincial subjects.

10.

27I(a) Publication of notification of ordinances and all sub-ordinate /delegated legislation (including rules, regulations, statutes, bye-laws, statutory orders) in the Balochistan Gazette;

(b) codification of provincial laws (principal and subordinate) on the web and in hard form;

(c) translation, printing and publication of provincial laws; and

(d) issuance of instructions for the purpose.]

11.

Appointment of Administrator-General and Official Trustee and the official Assignee.

12.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

Substituted by Extraordinary Gazette No. 59 of August, 2016 dated 12" May, 2016

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23. LIVESTOCK AND DAIRY DEVELOPMENT DEPARTMENT

- [1. Promotion of Livestock Farms (Sheep, Goats, Cattle, Camels, Poultry and other Animals).]
- 2. Livestock production extension services, feed resources and animal breeding.
- 3. Prevention and control of animal and poultry diseases including quarantine system.
- 4. Veterinary training and capacity building.
- 5. Prevention of cruelty to animals.
- 6. Vaccination and animal health coverage.
- 7. Research in various disciplines of livestock and poultry production and their health.
- 8. Livestock breed conservation.
- 9. Inspection of meat and milk.
- 10. Registration and issuance of licenses for manufacturing and selling of veterinary pharmaceutical, drugs and stores.
- 11. Prevention of diseases from animal to humans.
- 12. Storage of medicines, vaccines and scientific equipments.
- 13. Value addition and marketing of livestock and poultry products and by-products.
- 14. Slaughter House/Abattoir Management.
- 15. Enforcement of livestock related laws.
- 16. Registration and inspection of all kinds of livestock, dairy and poultry farms.
- 17. All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

24. LOCAL GOVERNMENT AND RURAL DEVELOPMENT DEPARTMENT.

1. Urban and Rural Uplifts
2. Matters relating to the Local Councils and Rural Development viz:-
 - (a) Divisional/District/Sub-Division/Union Councils, Quetta

Metropolitan Corporation, Municipal Corporations and Municipal Committees;

- (b) Implementation of Development Schemes pertaining to Urban & Rural Councils.

3. Spatial Planning and Housing.

4. Building Control

5. Administrative support/HRM/HRD to Local Councils

6. Service matters of Local Councils Service and employees of Local Councils

7. Fiscal support to Local Councils through Provincial Finance Commission/Local Councils Grants Committee.

8. Monitoring of the Local Government Institutions

9. Coordination and Monitoring of Federal, Provincial and Foreign Aided Project of local Councils.

10. Capacity building of elected representatives and functionaries of Local Councils through Provincial/Federal Training Institutions /Rural Development Academy

11. Research for improvement of Local Government Institutions

12. Rules Bye-Laws and policies under the Balochistan Local Government Act, 2010.

13. Secretarial Support to Local Councils Accounts Committee

14. Judicial Power for Local Councils through the Musalihat Anjuman and Muslim Family Laws

15. Matters relating to Katchi Abadies.

16. Approval of Budget of Local Councils

17. Imposition of taxation by Local Councils

18. Assistance to Federal Government for Census

19. Functions relating to Balochistan Local Councils Elections Cell and

coordination with Election, Commission of Pakistan in matter relating to National/Provincial Assemblies and Local Councils

Elections.

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20. Delimitation of Local Councils and Wards of Local Councils and zoning
21. Coordinating and conduct of National/Provincial Fairs and Exhibitions.
22. Regulate the conduct of Elected Members of Local Councils.
23. Implementation of Donor Assisted Projects/Plans pertaining to Local Governments
24. Matters relating to moveable and immoveable property of Local Councils
25. Implementation of Public Representative Programme
26. Registration of Birth and Death
27. Fire Services
28. All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

25.

MINES AND MINERALS DEVELOPMENT DEPARTMENT

Grant of Mineral concessions/titles under Balochistan Mineral Rules, 2002.

Collection of royalty and rent and resolving the Mines boundary disputes.

Technical assistance/advice to the Mines owners for scientific exploration of Minerals.

Development Projects i.e. Geo Data Center etc.

To ensure the enforcement of the safety laws applicable for the Mines worker under Mines Act, 1923, Coal Mines Regulations 1926, consolidated Mines Rules 1952 and Electricity Rules, 1937.

Training matters of Mines Workers and Supervisory Staff.

Rescue and Safety matters under Mines Act 1923.

Periodic inspection of Mines by Staff of Inspection Wing.

Ool@MINISDA

Prosecution of the defaulters in case of non implementing the safety provisions under the relevant rules.

11

Welfare measures for Mine Workers such as Education, Health, drinking water supply and recreation under Excise Duty on Mineral (Labour Welfare) Act, 1967 Collection of excise duty (Cess) on dispatch of various mineral at the rate so fixed.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

26.

PLANNING AND DEVELOPMENT DEPARTMENT

1. Scrutinizing of Development Schemes prepared and forwarded by the Administrative Departments.
2. Preparation of Annual Development Programme with the coordination of all Departments of Government of Balochistan.
3. Preparation of long term development plans and coordination in the preparation of 5 years/Rolling Plans and other National development Plan.
4. Conducting research on economic issues of interest to the provincial Government, socio economics impacts analysis and helping in the formulation of views on economic policy issues.
5. Compilation of provincial statistical data with the help of Bureau of Statistics.
6. Acting as catalyst between different development departments in order to improve pace and quality of economic development.
7. Determining policy for the approval of development schemes in the Provincial Government.
8. Devising strategy for investment priorities based on the availability of internal and external resources.
9. Helping in the formulation of policy regarding planning and devising guidelines in the development programmes.
10. Approval, monitoring, implementation and allocation of development outlays for development programme and projects.
11. To act as a clearing house for development schemes within the competence of the Federal Government i.e. CDWP/ECNEC
12. Implementation relating to development and administration in respect of foreign assisted/funded projects in the Province, lead steering committees in PRBs of various foreign funded mega projects.
13. Coordination of external capital assistance including foreign training for Provincial Government employees.
14. Coordination of external capital assistance from abroad.
15. To evaluate the progress of development schemes and write their critical appraisal .
16. Representation in Departmental Development Committees.

17. Review of various development Plans/projects to be implemented

through PSDPs by conducting Quarterly Review Meeting.

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18.

Giving suitable publicity to development plans for the education of public for better utilization of facilities development and the results achieved periodically.

19.

To look after the affairs of Autonomous Bodies.

20.

Selection of Project Directors through the Project Director Selection Committees.

21.

Establishment of MIS (Management Information System) for Provincial line departments for the purpose of planning and monitoring.

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To serve as overall functional authority for public private partnership arrangements and subsidiary institutions, and as a public private partnership repository as well as reviewer organization in relation to public private partnership activities.]

22.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

Added by S&GAD's Notification No. S.O. (R-I)3(2)/S&GAD-2018/ 1916-2015 dated 17 May, 2019

27.

POPULATION WELFARE DEPARTMENT

Formulation of overall Provincial Population Welfare programme policy goals, targets and strategy.

Provision of Family Planning (FP)/Reproductive Health (RH) information and services, clinical and non-clinical contraception through Family Welfare Centres, Mobile Service Units, and Reproductive Health Services Centres.

Supply of contraception and medicine to the clients through the Health outlets of PLDs (including Health), Nation Building Departments, PPSO, community distribution points, and other agencies involved in the programme.

Operational planning and implementation of Programme in line with provincial population and development strategy.

Ensure availability and accessibility of full range of quality services to the clients with adequate follow up arrangements

Undertake intensive monitoring and supervision to ensure functional efficiency of the Programme in the province at various levels.

10.

11.

Undertake and assist the Federal Government in regular monitoring of the implementation and periodical evaluation of the Programme in the Province.

Design and develop plan of action and coordinate with Provincial Line Departments including Health, National Building Departments and PPSOs for provision of Family Planning Services and information through their outlets and maintain linkage with SMCs and NGOs in the Province.

Preparation of compiled statistical reports on programme performance in the Province for informed decision making.

Training needs assessment, formulation of training Plan for program and non-program function.

Implementation of the Training programme through Regional Training Institutes (RTIs) and other identical Institutions for programme and non-programme functionaries and community.

12.

Develop Communication Strategy in line with the local and cultural needs of the province.

13.

Design and implement: advocacy and IEC activities within the provincial communication strategy with special focus on interpersonal communication. The Advocacy campaign will include.

14.

Monitoring, Supervision and evaluation of all components of Population Welfare Program and changes in the implementation strategy accordingly.

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15. Develop Provincial Population Policy with in the ambit of National Population Policy.

16. Any other activity of the Population Welfare Programme that the Provincial Government may specify.

17. All Service matters of the employees of the Attached Departments,

which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

28.

PROSECUTION DEPARTMENT

Conduct of Criminal cases including :-

- (a) Representation in and prosecution of criminal cases; and
- (b) Criminal appeals, against acquittal or conviction and applications of enhancement of sentences and convictions.

Advice to Departments on issues relating to prosecution of criminal cases.

Filing and defending criminal cases involving Government.

Appointment, transfer, leave, fees etc of Public Prosecutors:-
Prosecutor General, District Public Prosecutor, Public Prosecutors, Special Public Prosecutors/Counsels and the members of the Balochistan Prosecution Service as well as of other subordinate ministerial/supporting Services of the Department.

Defence of pauper accused in the Courts and fees to plead for such defence.

All matters connected with Prosecution establishment, Prosecuting Officers/Public Prosecutors and administration including the power and functions relating to prosecution of criminal cases.

Interest of State in criminal cases before the competent Courts.

To ensure conduct of prosecution in accordance with the provisions of the Balochistan Prosecution Service (Constitution, Functions and Powers) Act, 2003.

Withdrawal of prosecution.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

29. PUBLIC HEALTH ENGINEERING DEPARTMENT

1. Potable water management; and monitoring & implementation of the Water Supply Schemes of the department.
2. Facilitating access of safe drinking water to the general public.
3. Establishment of sources for drinking water purpose i.e. installation of Tube Wells, construction of galleries/sump wells to surface flow and water treatment system for canal I surface water.
4. To make available piped water for drinking and household purpose with construction of sound sewerage system.
5. Setting regulations for technical issues related to the sector.
6. Planning, design and construction of water filtration plants including operation and maintenance of already completed plants.
7. Construction and maintenance of Public Health Drinking Water Scheme.
8. Water Tariff Collection in consultation with Finance Department.
9. Issuance of Notification for water Rates.
10. Levying regular taxes which should be increased gradually to generate revenue.
11. To monitor the implementation of all vertical programmes, Federally Funded Projects, Foreign Aided Projects through its Provincial setup i.e. CE/SE and field implementations.
12. To introduce and monitor the implementation of water quality standards and quantity control, for its economical and efficient use.
13. To continue the present practice of disbursement of O&M funds to the lower tiers to ensure smooth operation of Water Supply Schemes.
14. Adoption of renewable energy to control operation and maintenance.
15. To monitor the functioning of the existing Electrical and Mechanical Division for drilling and development of Tube Wells.
16. Protection of water sources from contamination by continuous water treatment, stream pollution control etc.
17. Public awareness with regard to water conservation by means of

campaigns.

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18. To interact with the sister departments to create provision of drinking water regarding construction/design of water reservoirs in order to meet with future requirements of drinking water.

19. All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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30. RELIGIOUS 79 [*#*****%*****] DEPARTMENT

HAJJ

1. Selection of Government employees for performance of Hajj under Benevolent Fund Scheme.

2. Selection of Seasonal Hajj duty staff.

3. Arrangement of Ruet-e-Hilal Committee meeting.

4. Arrangement of Qirat and Naat Competition.

5. Arrangement of Ulma Mashekhan Convention.

6. To co-ordinate with Ministry of Religious Affairs Islamabad in all matters relating to Religious Affairs and Inter-Faith Harmony.

AUQAF

7. Administration of:-

(a) The Balochistan Waqf Properties Ordinance, 1979.

(b) The Balochistan Historical Mosques and Shrines Cess Fund Ordinance, 1960.

8. Charitable and Religious Endowments.

9. Religious Trusts.

10. Muslim graveyards taken over by the Chief Administrator of Auqaf under Section 6 of the Balochistan Waqf Properties Ordinance, 1979.

11. Repairs and Maintenance of Historical Mosques and Shrines from the Historical Mosque Cess Fund.

12. To manage affairs of Mosques, Shrines and other Religious Institutions under the control of the Chief Administrator of Auqaf Balochistan.

13. Grant in Aid to Mosques/Madaris in the Province
ZAKAT

14. To distribute Zakat Funds amongst the beneficiaries through District and Local Zakat Committees provided by the Central Zakat Funds, Islamabad .

15. To co-ordinate with Board of Revenue regarding Assessment, collection and Transfer of Ushers into the Account of District Zakat Committee concerned/ Provincial Zakat Fund Account No-3.

16. Preparation of Zakat Fund Budget and distribution and Release of Zakat funds to District Zakat Committees after approval of the Provincial Zakat Council.

17. To administers, regulates and looks after the entire matters pertaining to Provincial Zakat Council, District Zakat Committees and Local Zakat Committees according to policy guideline given by Provincial Zakat Council.

18. Formulation of Provincial Zakat Council

19. Selection /Nomination of the Chairman/Members of District Zakat Committees.

20. Supervision and Monitoring of Election of Local Zakat Committees.

21. Preparation of Disbursement Procedure of Zakat, Rules and Regulations of Zakat Distribution and approval from the Provincial Zakat Council.

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24. KRKKKKKKKKKEKKERKKKEK

25. KRKKKKKKKKKEKKERKKKEK

26. RRR IR IRR IRA IAAI

27. All Service matters of the employees of the Attached Departments,

which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

MINORITIES AFFAIRS DEPARTMENT.

Policy formulation and planning for public awareness regarding Minorities Rights.

Functions assigned under the Minorities Marriage Act and Rules framed there-under.

Minorities Welfare including:-

(a) Safeguarding the Rights and Interest.

(b) Promotion and Welfare

(c) Protection against discrimination

(d) Coordination with the Federal Government regarding development schemes proposed by the Minorities' and matters relating to Minorities.

Welfare of Religious Institutions of Minorities including Graveyards, Shamshan Ghat etc.

Compilation of the statement showing protection of the interest of minority communities for submission to the Government of Pakistan.

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All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

Inserted by S&GAD's Notification No. S.O. (R-1)3(2)S&GAD-2018/778-877 dated 10" April, 2020

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31.

SCIENCE AND INFORMATION TECHNOLOGY DEPARTMENT.

To promote Science & Information Technology.

To implement programmes under national Science and Information Technology policies as well as to devise and implement provincial Science and Information Technology policies/plans.

To support/facilitate computerization, automation and re-engineering of Provincial Government business processes leading to e-Government for continuous improvement in the state of efficiency, effectiveness and transparency in service delivery and decision making.

To promote Research and Development in all fields of Science & Information Technology and recognition of research and development achievements through awards and prizes.

To develop and optimally utilize human resource in the fields of Science and Information Technology.

To coordinate with the Provincial Government departments to ensure that the contents on official website stay current.

To develop technology standards, testing and quality assurance systems including pre-qualifying firms that provide the services of Science and Information Technology consultancy, research, development and products to the Government.

Registration and monitoring of those private sector Science and Information Technology institutes which do not come in the purview of Education Department.

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All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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32.

SECONDARY EDUCATION DEPARTMENT.

Curriculum development, implementation of Education for all (EFA) and Millennium Development Goals (MDG), Free and Compulsory Education.

Administration and Regulation:

- (a) Early Childhood Education/Primary;
- (b) Elementary;
- (c) Secondary;
- (d) Technical and Vocational/Education Research;
- (e) Physical Education.

Education Policies and Planning.

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Measures to eliminate drop-outs at Primary/Secondary/ Elementary Colleges levels.

Grant of scholarship in consultation with Finance Department.

Promotion of Literacy (male/Female)

Production and distribution of Educational and Scientific Films.

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Teacher Professional Development Pre-Service and In-Service.

Extra Curriculum activities in Educational Institutions.

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Development and Review of Text Book upto Higher Secondary level.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

33.

SERVICES AND GENERAL ADMINISTRATION DEPARTMENT.

Cabinet Work:-

(a) Cabinet of Ministers (appointments, salaries and privileges of Ministers); and

(b) All Secretarial work of Cabinet of Ministers including convening of meetings.

2. Issuance of Notification with regard to appointment & removal of Chief Ministers, Provincial Ministers and Advisors to the Chief Ministers. /Legislation on matters related to the Minister.

3. Oath taking of Governor, Chief Minister and Members of the Provincial Cabinet.

4. Allocation and withdrawal of portfolios to the Provincial Ministers and Advisors to the Chief Ministers and collection of bio-data of Provincial Ministers.

5. Conducting Provincial Cabinet meetings, Secretaries Committee meetings, Commissioners Conferences, Deputy Commissioners Conferences and preparation & issuance of minutes thereof.

6. Issuance of NOCs to the Provincial Ministers for proceeding abroad and Issuance of Official/Gratis Passports to Provincial Ministers.

7. Pay Bills, T.A Bills and Medical Re-imbursement cases of for all Provincial Ministers Government of Balochistan.

8. Implementation of Federal Cabinet decisions.

9. Conducting meeting of President & Prime Minister of Islamic Republic of Pakistan with the Provincial Cabinet.

10. Conducting Inter Provincial Transfer meeting.

11. Conducting Civil Award Ceremony.

12. General Directives of Governor, Chief Minister and other higher ups.

13. Policy, Affairs/Demands of all the Service Associations and Press clippings of Newspapers.

14. Miscellaneous Correspondence with Federal/Provincial Governments.

15. Assembly Questions pertaining to National Assembly and Senate Secretariat pertaining to Balochistan.

16. General Co-ordination.

17. Honours, awards and Sanads for public service.

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18. Ceremonial:-

- (a) Warrant of Precedence and Table of Precedence;
- (b) Pakistan Flag Rules;
- (c) Civil Uniforms;
- (d) Court mournings;
- (e) Liveries and Clothing Rules.

19. Formulation of Policy guidelines for celebration of National days.

20. Holidays.

21. Office Management:-

- (a) Civil Secretariat and Government Offices generally;
- (b) Secretariat standing orders;
- (c) Memorials and petitions;
- (d) Standing Orders;
- (e) Office timings; and
- (f) Punctuality.

22. Estate Office.

- (a) Formation of Policies for allotment of Houses at the Pool of S&GAD, GOB.
- (b) Provision of offices and residential facilities to Provincial Ministers and Civil Servants/other employees from the S&GAD's Pool of accommodation on usual terms and conditions.
- (c) Supervision and coordination with Construction of Buildings, Physical Planning and Housing Department regarding development and maintenance works in Civil Secretariat and residential colonies.

23. Affairs of Civil Secretariat Mosque and Civil Officers' Club.

24. House requisitioning Scheme to employees, framing of policy and sanction of House requisitioning allowance to entitled employees in lieu of Government accommodation.

25. Government Hospitality and Protocol arrangements:

(a)

High Officers reservations and logistic arrangements for visiting dignitaries of the country as well as Foreign Missions. Issuance of instructions to Home Department/ IGP for provision of Escort/pilot for Federal Ministers/ Foreign delegation/Ambassadors, and also wherever required.

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26. Facilitation of Chief Secretary Office in Official business, briefing etc.
27. Guest/Rest Houses at the pool of S&GAD, formulation of policies and their maintenance etc.
28. Maintenance and Reservation in Balochistan House Islamabad and Karachi.
29. Government Transport at the Pool of S&GAD: Purchase, repair, fuel and maintenance of all official vehicles.
30. Maintenance of the Register of memorials addressed to the President, withheld by the Provincial Government.
31. Identity Cards for Civil Officers / officials.
32. Supervision, Internal Security arrangements and cleanliness of Balochistan Civil Secretariat Buildings.
33. Telephones and Telephone Directory.
34. Legislation for Benevolent Fund and matters relating to Government employee's Benevolent Fund.
35. et aoolololoiaeaelelolololokelolaiaeiaeieieioieiaiaiaiaiaiaiaiial|
36. Formulation and Examination of Budget of S&GAD, Minister and their staff, Balochistan House at Islamabad, Karachi and VIP Flats
37. Purchase, Repair of Machinery, Equipment, Provision of Stationery Items, Furniture and Fixture for the Provincial Ministers' office.
38. Discretionary Grants etc.
39. Manage all administratively/economically affairs of the Estate under the decision of the Provincial Board of Management, under the Benevolent Fund Housing Schemes.
40. Air Passage Subsidy to all APUG/PSP Officers posted in Balochistan.
41. Pay Bills, T.A Bills, Medical Re-imbursement, charcoal, Honoraria, House Requisitioning allowance, G.P. Fund cases, Pension cases, advances etc cases of for all the employees of the Balochistan Secretariat as well as the BCS and DMG officers working in the Secretariat.
42. Rights and interest of Members of the Service guaranteed under the Constitution.
43. Matters connected with:-

(a) All Pakistan Civil Service of Pakistan, Police Service of Pakistan and other Central Service;

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Omitted by S&GAD's Notification No. S.O. (R-I)3(2)S&GAD-2018/778-877 dated 10" April, 2020

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(b) recruitment, training, pay, allowances, promotion, leave, posting of:-

(i) the Balochistan Civil Service (Executive Branch);

(ii) the Balochistan Secretariat Service; and

(iii) the Ministerial establishment of the Balochistan Secretariat.

44,

45.

46.

Service matters of APUG officers and Army Officers on secondment and deputation from the Federal Government/ other Provincial Governments.

Service matter of BPS-17 and above officers of the Balochistan Police.

Reviewing the cases of Government Servants who complete 20 years service so as to determine their fitness for retention in service.

47.

Anti-corruption Establishment-placement of Anti-corruption cases before the Competent authorities and Provincial Anti-Corruption Council.

48.

Contract employees and Deputation of Provincial Government Officers to the Federal Government and other Provinces.

49.

Formation of cadres and classification of posts

50.

Distribution of share amongst the APUG, BCS and BSS stake holders/ Officers.

51.

Instructions for the Reporting Channels, preparations and submission of Performance Evaluation Reports.

52.

Maintenance of Performance Evaluation Report of:-

- (a) Dealing with PERs of all APUG Officers posted in Balochistan.
- (b) all Officers of BPS-17 and above of Attached Department
- (c) employees of BPS-1 and above of the Balochistan Secretariat
- (d) Preparation of PER Quantification / Synopsis of promotion of all BCS/BSS officers.
- (e) Communication of adverse and advisory remarks in PERs to the officers concerned and disposal of the representations against the adverse PERs.(if any)

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53.

54.

Deals with Declaration of Assets of all BPS-16 and above Provincial officers and BPS-7 to BPS-15 officials of the Civil Servants of the Balochistan Secretariat.

Policy and nomination for capacity Building of Civil Servants of the Province.

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55. Issuance of Officials/Gratis Passports in favour of Officers and Officials.

56. To place Deputation cases of the Provincial Government employees before the Special Selection Board for clearance who are selected by the International Organizations

57. Process and examination of Requisitions of BPS-16 and above posts of the Attached Department as well as 0 the BSS and BCS posts for onward submission to the Balochistan Public Service Commission.

58. High Court:

59. Ex-Pakistan leave/NOC of Hon'ble Chief Justice and Judges of High Court of Balochistan.

60. Affairs of the Balochistan Service Tribunal

61. Cypher and other Codes.

62. Preparation of Civil List and Provincial Gazette, and Liaison with Defence Authorities.

63. Services Rules (other than Civil Services Rules) relating to various Services and posts, and interpretation hereof.

64. Framing and amendment in the Departmental Examinations Rules.

65. Appointment of Commissions of inquiry or panel of officers in cases of misconduct of Government servants.

66. Organization and Methods.

(a) Review of organization, functions and procedure of the Departments and other Provincial Government Offices and giving advice thereupon.

(b) Periodic review of the organization, staff, and procedures of the Departments, Attached Departments and Subordinate offices and suggestions for improvement thereof;

(c) Improvement of general efficiency and economic execution of Government business;

(d) Compilation, Preparation and Circulation of administrative codes, manuals, booklets etc.

(e) Advice regarding proper utilization of stationery and printing resources of the Government;

(f) New creation of posts, abolition of posts, up-gradation of posts, up-gradation of posts along with incumbent, change

of nomenclature of posts/re-designation of posts, shifting of posts from one Department/office to another, shifting of posts with incumbents from one office to another office, submission of SNEs and issuance of Administrative approvals for the posts meant for Governor's Secretariat, Chief Minister's Secretariat and Balochistan Civil Secretariat including Finance Department.

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(g) Merger of Administrative Departments/Attached Department and wings/section.

(h) Review of the staffing pattern of Government Departments
(i) Simplification of forms and procedures.

67. Scrutiny of proposals of F.D. for creation of new posts and any change therein as administrative Department.

68. Framing and alteration of Rules of Business of Provincial Government and allocation of business among various Departments.

69. Compilations of the list of persons debarred from future employment under the Provincial Government, for submission to the Government of Pakistan.

70. Council of Governors.

71. Report on the observance and implementation of the implementation of the Principles of Policy under Article 29 (3) of the Constitution.

72. Relaxation in Services Rules and Policies framed by the S&GAD

73. Examination of Departmental Inquiries and Judicial cases.

74. Government Servant conduct Rules and their interpretation

75. Ordinance/Acts and Rules relating to Service Matters of Civil Servants.

76. General Circular and Policies on service matters.

77. Constitution of Provincial Selection Boards, Departments Selection/Recruitment Committees, Promotion Committees and Service Rules Main Committee and Service Rules Sub-Committees.

78. Surplus Pool, absorption of surplus staff and allied matters.

79. Employees Welfare Schemes.

80. West Pakistan Essential Service Maintenance Act and all matters connected therewith.

81. West Pakistan Civil Services (Application for Posts) Rules, 1957

°3181-A | Administrative and financial control of VIP Aircraft and Helicopter Establishments]

82. All Service matters of the employees of the Attached Departments,

except those matters entrusted to any other Department.

33

dded by S&GAD's Notification No. S.O. (R-1)3(2)S&GAD-2018/778-877 dated 10" April, 2020

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34.

SOCIAL WELFARE, SPECIAL EDUCATION, LITERACY, NON-FORMAL EDUCATION AND HUMAN RIGHT DEPARTMENT

1. Co-ordination of Social Welfare Schemes.
2. Community Development and Monitoring.
3. Medical Social Services in Hospitals.
4. Special Education School.
5. Treatment and Rehabilitation of disabled persons.
6. Registration and control of voluntary Social Welfare Agencies NGOs.
7. Maintenance and Supervision of Dar-ul-Aman.
8. Maintenance and Supervision of Working Women Hostel.
9. Eradication of Social Evils/Treatment and Rehabilitation Center, for Drug Addicts.
10. Welfare Homes for beggars.
11. Welfare of Transsexuals.
12. Child Welfare and Protection.
13. Maintenance and Supervision of Baby Daycare Center.
14. Affairs of Literacy and Non-Formal Education.

HUMAN RIGHTS

15. Human Rights and its abuses.
16. Protect and safeguard the fundamental human rights without any distinction of creed, race or religion.
17. Formulate policies to foster equality, unity, peace and harmony among all citizens with compassion and care for the oppressed segments of the society.
18. Harmonization of laws, legislation and practices with the international human rights covenants and agreements.
19. To coordinate with public and private sector and institutions to promote human rights.
20. To gather information, facts and reports on complaints and

allegations of human rights' violations from other departments or agencies.

21. Referring and recommending investigation and enquiries in respect of any violation of human rights.

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22.

23.

To visit police stations, prisons and jails, women and juvenile refuge centers, hospitals, factories and other Institutions and places to report to the competent authorities for necessary action against violation of human rights.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

35.

TRANSPORT DEPARTMENT.

Legislation, transport policy and planning.

Administration of the West Pakistan Motor Vehicle Ordinance 1965 except enforcement of the Ordinance relating to control of traffic.

Administration and maintenance of bus stands and terminals

Route permits, fare and freights of public transport vehicles.

NIA! RY S

S16-A

Loading, parking and halting places of public transport vehicles.

Inspection and certification of public transport vehicles in coordination with Motor Vehicle Examiner.

Enforcement of provisions of Motor Vehicles Act, 1939/Motor Vehicle Ordinance 1960 and the rules with regard to control traffic and inspection of motor vehicle for the purpose of traffic control.]

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

36. URBAN PLANNING AND DEVELOPMENT DEPARTMENT

1. Land use/Urban Planning.
2. Planning and controlling of Projects related to Civic facilities.
3. Town Development and Housing.
4. Preparation of Master Plan, Outline, Development Schemes and Town Improvement Scheme.
5. All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

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37.

WOMEN DEVELOPMENT DEPARTMENT.

Formulation of policies, schemes, plans and programmes for socio-economic development of women.

To organize trainings/seminars and workshops etc for women.

Conduct surveys to explore links between indigenous craft-producers and market-place, without a middleman.

Develop cottage-industry for employment of women at urban and rural areas.

Design umbrella projects for protection and shelter for women at district-level.

To register and provide assistance to women organizations as well as register Women NGOs.

Create awareness regarding commitments to nationally and internationally recognized women's rights.

Establish and keeps Data-Base of all Civil Society Organizations working for women's rights and gender-equality within the Province at all levels.

Ensure positive interaction with all women-related organizations with the Province at all levels.

10.

Establish relief organizations for women in distress and victims of violence of all kinds.

11.

Enforcement of the Protection against Harassment of women at the Workplace Act, 2010.

12.

Elimination of all forms of discrimination and violence against women.

13.

All Service matters of the employees of the Attached Departments, which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.

SPORTS AND YOUTH AFFAIRS DEPARTMENT.

Sports Sector:

1. | To formulate and prepare Provincial Policy/Rules and Legislations for promotion of Sports in the Province.
2. | To Promote Sports activities in the Province of Balochistan from Grass root level to the top level.
3. | To organize Sports organization/associations from Tehsil level to Provincial level in accordance with the provisions of Sports Policy.
4. | To facilitate Sports men and Sports women with regards to all Sports disciplines.
5. | To streamline mechanism for executions of Sports activities throughout the Province.
6. | To encourage Public towards healthy Sports.
7. | To Plan and execute mega events/Festivals etc.

Youth Affairs Sector

8. | To prepare and execute the Youth Policy.
9. | To promote, Supervise and implement Your Exchange Programs in close coordination with the Federal Government.
0. | To promote Youth Activities in the Province.
1. | To coordinate with other Provinces in organizing Youth activities.
2. | To look after the Youth related matters and to work out for enhancing Youth forums.
3. | To manage affairs of Youth Centre's and Youth Hostels.
4. | To work out strategies for advocacy of Youth Mobilization.
5. | All Service matters of the employees of the Attached Departments, which do not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

°°(39. CHIEF MINISTER'S SECRETARIAT.

1. | Administrative, services and financial matters pertaining to Chief Minister's Secretariat and officers and staff working therein, except those entrusted to S&GAD.

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3. | Any other matter which the Chief Executive/authority of the Province may assign specially and in writing.

4. | All Service matters of the employees of the Attached Departments, which do not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

36

37 Added by Extraordinary Gazette No. 26 of August, 2018, dated 20th February, 2018

Omitted by S&GAD's Notification No. 8.0. (R-1)3(2)S&GAD-2018/778-877 dated 10th April, 2020

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38140. EXCISE, TAXATION AND ANTI-NARCOTICS DEPARTMENT.

1. Control of Opium, hemp, narcotics, liquor and intoxicating preparation: and Excise Taxes thereon.
2. Assessment and collection of taxes and fee on :-
 - (a) Professions, trades, callings and Employment
 - (b) Urban immovable properties;
 - (c) Motor Vehicles;
 - (d) Registration of motor vehicles.
 - (e) Capital gain tax;
 - (f) Hotel tax;
 - (g) Welfare Cess;
 - (h) Entertainment Duty; and
 - (i) Annual Cinema Tax.
3. All Service matters of the employees of the Attached Departments,

which does not include employees of the Secretariat and except those matters entrusted to Services and General Administration Department or to any other Department.]

Added by S&GAD's Notification No. S.O. (R-1)3(2)S&GAD-2018/2113-2212 dated 17" September, 2020

SCHEDULE II

{See Rule 2 (1) (b), (j) and (o)}

Ss. SECRETARIAT ATTACHED HEADS OF
No. DEPARTMENT DEPARTMENTS ATTACHED
DEPARTMENTS

1 2 3 4

1. Agriculture and|Directorate | Director General

Cooperatives|General of

Department. Agriculture

(Extension)

Directorate | Director General

General of

Agriculture

(Research)

Directorate | Director General

General of

Agriculture

(Engineering)

Directorate of | Director

Crop. Reporting

Services

Cooperative | Registrar

Societies

2. Board of Revenue. | Office of Divisional | Commissioner
Commissioner

Settlement Office. | Settlement Officer

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*

Directorate of Director

Land Records

3. Chief Minister's N.A. N.A.

Inspection Team.

4. Colleges, Higher | Directorate of | Director
and Technical|Education

Education | (Colleges)

Department. ; ;

Directorate of | Director

Technical

Education.

40TH RRR IR IRR IRA IAAI NIL NIL

6. *1/Communicatio | Office of Chief | Chief Engineer
n, Works, | Engineer (Quetta
Physical Planning | Zone)
and Housing : ; ; ;
Department] Office of Chief Chief Engineer

Engineer (Sibi

Zone)

Office of Chief | Chief Engineer
Engineer (Khuzdar

Zone)

Office of Chief | Chief Engineer
Engineer (Design)

7. Culture, Tourism | Directorate of | Director
and Archives | Archives
Department. ; ;

Direcotorate of | Director
Archeology and
Museums

Direcotorate of | Director
Culture

Direcotorate of | Director
Tourism

@8. |E n er g y|Directorate | Director General]
Department. General of

Electricity.

9. *3/Environment, NIL NIL]
Department.

“110. |F in ance|Directorate | Director General.
Department. General of

Treasuries and

Accounts.

Directorate of | Director.]
Local Fund Audit.

11. *5[Coastal]Directorate | Director General

Development and |General of
Fisheries | Fisheries
Department.]

12. FoodDepartment. | Directorate of Food | Director

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Omitted by Extraordinary Gazette No. 121 of November, 2014 dated 30" October, 2013

Substituted by ibid.

Substituted by Extraordinary G:

Substituted by Extraordinar

Substituted by Extraordinar

tte No. 66 of September, 2014 dated 30" April, 2014,

ete No. 88 of August, 2017, dated 18" April, 2017

ete No. 171 of December, 2015 dated 13" October, 2015.

Substituted by Extraordinary Gazette No.12-A of August, 2017 dated 27" January, 2016

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13. Forest and| Office of Chief | Chief Conservator of Wildlife} Conservator of | Forest (North)
Department. Forest and Wildlife

(North)

Office of Chief | Chief Conservator of Conservator of | Forest (South)

Forest and Wildlife

(South)

14. Governor's NIL NIL
Secretariat

15. H e alt h]Directorate | Director General
Department. General of Health.

Directorate of | Director Nursing
Nursing.

16. Home and Tribal | Police Department | Inspector General of Affairs Police
Department. ;
P ri s on s/Inspector General of Department Prisons.
Balochistan | Commandant
Constabulary
Directorate of | Director
Civil Defence
Reclamation and | Director
Probation
4917. | Industries and |Directorate | Director General

Commerce]General of

Department. Industries
Government | Chief Controller]
Printing and
Stationery

18. Information|Directorate | Director General
Department. General of Public

Relations.

19. Inter Provincial NIL NIL
Coordination
Department

20. Irrigation | Office of of Chief | Chief Engineer.
Department. Engineer (North)

Substituted by Extraordinary Gazette No. 163 of November, 2015, dated 11th September, 2015

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Office of of Chief | Chief Engineer.
Engineer (South)

Office of of Chief | Chief Engineer.
Engineer (Canal
Irrigation System)

Office of of Chief | Chief Engineer.
Engineer (Design)

Office of of Chief | Chief Engineer.
Engineer (Planning
and Monitoring)

Directorate
General of (Water
Resources
Planning,
Development and

Director General

Monitoring).

21. Labour andJ|Directorate _ of | Director

Manpower | Labour Welfare

Department. ;

Directorate of | Director

Manpower

Training.

22. Law an d | Office of Advocate | Advocate General

Parliamentary | General

Affairs

Department. _ _

Office of District District Attorney

Attorney

47123. | Livestock and|Directorate | Director General

D a i r_y |General of Animal

Development/Health &

Department. Extension Services

Directorate | Director General

General of Farms

& Feed Resources

Directorate | Director General]

General of

Research &

Supplies.

24. Local Government |Directorate | Director General

and Rural

Development
Department.

47

General of Local
Government and
Rural Development

Substituted by S&GAD's Notification No. 8.0. (R-1)3(2)/S&GAD-2021/486-585 dated 9" February, 2021

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Omitted by S.

25. Mines and|Directorate | Director General

Mineral1s|General of Mines

Development | and Minerals

Department. ;

Inspectorate of Chief Inspector of Mines

Mines

26. Planning and NIL NIL

Development

Department.

27. Population|Directorate | Director General

Welfare/General of

Department. Population Welfare

28. Prosecution|Office o f | Prosecutor General

Department Prosecutor General

29. Public Health | Office of of Chief | Chief Engineer.

Engineering | Engineer (North)

Department. _ ; ; ;

Office of of Chief | Chief Engineer.

Engineer (South)

30. Religious Affairs NIL NIL

Ae eee

Department

4°130-A. | Minorities Affairs NIL NIL]

Department.

31. Science and|Directorate | Director General

Information|]General of

Technology|Information

Department Technology.

32. Secondary |Directorate of | Director

Education|/Education

Department. (Schools).

Directorate of | Director

Education of

Bureau of

Curriculum and

Extension

33. Services andJ|Directorate of | Director

General|Enquiries and
Administration | Anti-Corruption
Department

FAD's Notification No. S.O. (R-1)3(2)S&GAD-2018/778-877 dated 10" April, 2020

Inserted by S&GAD's Notification No. S.O. (R-I)3(2)S&GAD-2018/778-877 dated 10" April, 2020

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34. Social Welfare, | Directorate | Director General
S pec i a 1]General of Social
Education,] Welfare and
Literacy, Non- | Special Education
formal Education ;
and Human | Directorate of | Director
Rights Literacy and Non-
Department Formal Education.
"Directorate of | Director]
Human Rights.

35. Transport|Provincial | Secretary (BPS-18)

Department Transport

Authority

36. Urban Planning Directorate of Civil | Director
and Development | Works
Department

37. W o m e n|Directorate_ of | Director
Development|W o m _eon
Department Development.

51138. | Sports and Youth | Directorate | Director General]

A f f a i r s | General of Sports

Department

°2139. | Chief Minister's NIL NIL]

Secretariat

(40. | Excise, Taxation| Directorate | Director General

and Anti- | General of Excise

Narcotics | and Taxation

Department.

Added by Extraordinary Gazette No. 63 of August, 2017, dated 22TM March, 2017

'Added by Extraordinary Gazette No. 88 of August, 2017, dated 18" April, 2017

Added by Extraordinary Gazette No. 26 of August, 2018 dated 20" February, 2018

'Added by S&GAD's Notification No. \$.0. (R-1)/3(2)S&GAD-2018/2113-2212 dated 17" September, 2020

SCHEDULE

III

{ See Rule 22 }

TRANSFER OF OFFICERS

OUTSIDE THE SECRETARIAT

S.No. Post with Basic Pay Scale of Authority Competent to make
Officer transfer

1 2 3

1. Officers of the all Pakistan unified |Services and General group Administration Department in e.g., DMG, Police Group, etc. consultation with the Department concerned.
2. Other officers holding senior scale Ditto posts normally held by officers of the Civil Service of Pakistan.
3. Heads of Attached Departments. Ditto
4. All other officers not covered by | Head of the Administrative S.No-1 to 3 above. Department in respect of BPS-16 and above and by the Head of the Attached Department/ Commissioners in respect of BPS-1 to BPS-15 or as may be specified by the Government from time to time.
5. Officer of Police Service of |Home and _ Tribal affairs Pakistan and Balochistan Police. | Department in consultation with Inspector General of Police.

Secretaries

Other Officers of and above the rank of Section Officer.

IN THE SECRETARIAT

Within the Department

same

Within the Secretariat from one Department to another.

Services and

General

Administration Department.

-do-

Secretary.

(a)

(b)

(c)

In case of BPS-20 and above by the Chief Minister;

In case of BPS-18 and BPS-19 by the Chief Secretary; and

In case of BPS-17 by the Secretary S&GAD.

or as may be specified by the Government from time to time.

Officials upto the rank of Superintendent:-

(a)

Within the Department

same

Secretary.

(b)

Within the Secretariat from
one Department to another

Secretary S&GAD

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SCHEDULE IV
{ See Rule 22 (2) }

Tenure Posts.

NAME OF POSTS TENURE

1 2

Chief Secretary and Additional Chief 3 years
Secretary /Chairman CMIT
Members Board of Revenue 3 years
Secretaries, Additional Secretaries 3 years

and Deputy Secretaries

Under Secretaries/Section Officers 3 years
Heads of Attached Departments. 3 years
Note-I:- (i) The normal term of posting of Commissioners, other

Divisional/Regional Officers and District Officers of
BPS-16 and above shall be 3 years.

(ii) The normal tenure in the Hard Areas so declared by the
Government of Balochistan, shall be one and a half year.

Note-II: The Chief Minister may extend or curtail the tenure mentioned
above.

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SCHEDULE V

{See Rule 2 (1) (c)}

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54
55
56
57
58

Substituted by Extraordinary Gazette No. 51 of August, 2016, dated 12" April, 2016.

Omitted by Extraordinary Gazette No. 121 of November, 2014, dated 30 October, 2013.

Substituted by ibid.

Substituted by Extraordinary Gazette No. 88 of August, 2017, dated 18" April, 2017

Substituted by Extraordinary Gazette No. 16 of March, 2019, dated 29" January, 2019

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Ss. SECRETARIAT NAME OF HEAD OF THE
No. DEPARTMENT BODY/BOARD/ BODY/BOARD/
INSTITUTION INSTITUTION.

1 2 3 4

1. Agriculture and | Balochistan Agriculture | Principal
Cooperatives | College.

Department.

2. Board of Revenue. | Provincial Disaster | Director General
Management Authority.

3. Chief Minister's NIL NIL
Inspection Team.

4. "Colleges, Higher | Balochistan Academy | Director.
and Technical | for College Teachers.

Education

Department.

S5[* RIAA KAKA AKITA IA] NIL NIL

6. 5¢6(Communication, NIL NIL

Works, Physical

Planning and

Housing

Department]

7. Culture, Tourism | Provincial Library Senior Librarian.
and Archives
Department.

8. E ner g y/Balochistan Energy | Chief Executive
Department Company Limited

9. 571Environment, | Directorate General of | Director General]
Department. Environmental
Protection Agency.

S710. |F in anc e| (i) Balochistan | Managing Director

Department. Public
Procurement
Regulatory
Authority
(ii) Balochistan |Chief Executive
Revenue | Officer (CEO)]
Authority

11. 5° Coastal] (a) Pasni Fish | Managing Director.
Development and Harbour
Fisheries Authority.

Department. ;
(b) Balochistan | Director General.]
Coastal
Development
Authority.

12. Food Department. NIL NIL

13. Forest and Wildlife NIL NIL
Department.

14. Governor's CORI III IAI I Jinn ininineeiis]
Secretariat

Office of Provincial | Ombudsman
Ombudsman

University o f | Vice Chancellor
Balochistan

Balochistan University | Vice Chancellor
of Information

Technology Engineering

and Management of

Science

Sardar Bahadur Khan | Vice Chancellor
Women University

Balochistan University | Vice Chancellor
of Engineering

Technology Khuzdar

Lasbella University of | Vice Chancellor
Agriculture, Water and

Marine Science, Uthal.

University of Turbat Vice Chancellor

15. H e a 1 t h/Balochistan Health | Managing Director
Department. Foundation

Shaheed Nawab Ghaus

Chief Executive

Bakhsh Raisani

Memorial Hospital.

Institute of Public | Director

Health.

Government Medical | Additional Director

Store Depot.

Substituted by Extraordinary Gazette No.12-A of August, 2017 dated 27th January, 2016

Omitted by Extraordinary Gazette No. 18 of August, 2018 dated 2nd February, 2018

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Nursing Examination | Controller
Board

Balochistan Medical | Secretary
Faculty

Post Graduate Medical | Dean/Director
Institute Quetta (PGMI)

Bolan Medical College Principal

College of Nursing Principal.
Bolan Medical Complex | Medical 1
Hospital Superintendent

Sandeman
Hospital.

(Provincial)

Medical
Superintendent

Fatima Jinnah General
and Chest Disease
Hospital

Helper's Eye Hospital

Sheikh Khalifa Bin
Zayed Hospital
Prince Fahad Bin

Sultan Hospital.

Quality Control Board

Medical
Superintendent

Medical
Superintendent

Executive Director

Medical
Superintendent.

Secretary

®'[Balochistan Institute
of Psychiatry and
Behavioral Science,

Quetta (BIPBS)

Chief Executive]

"(Balochistan Institute

Chief Executive

of NephroUrology, | Officer]

Quetta

®{OmaniGrant Hospital | Chief Executive

Pasni. Officer]

16. Home and Tribal NIL NIL

Affairs

Department.

17. Industries andj/Lasbella Industrial | Managing Director

Commerce/Estate Development

Department. Authority (LIEDA)

Gwadar Industrial | Managing Director

Estate Development

Authority (GIEDA)

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Added by Extraordinary Gazette No. 224 of January, 2016, dated 27" November, 2015.

Added by Extraordinary Gazette No. 231 of January, 2016, dated 4" December, 2015

Added by S&GAD's Notification No. \$.O(R-1)3(2)/S&GAD-2018/4423-4522 dated 15"October, 2019.

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18. Information NIL NIL
Department.

19. Inter Provincial NIL NIL
Coordination
Department

20. Irrigation NIL NIL
Department.

21. Labour and _| Balochistan Employees | Commissioner
Manpower|Social Security | (BPS-20)
Department. Institution

Workers Welfare Board. | Secretary
(BPS-19)

22. Law and NIL NIL
Parliamentary
Affairs
Department.

23. Livestock and NIL NIL
Dairy Development
Department.

24. Local Government | Balochistan Local | Secretary (BPS-19)
and Rural | Government Board
Development ;

Department. Directorate General of | Director General
Balochistan Rural
Development Academy.
Balochistan Local | Secretary (BPS-19)
Councils Election Cell.

25. Mines andy|Mines Labour Welfare |Mines Labour
Minerals/Organization|Welfare
Development | Balochistan. Commissioner.
Department.

26. Planning and|Balochis tan | Chairman
Development | Development Authority
Department. ;

Gwadar Development | Director General
Authority.

27. Population Welfare |Regional Training | Principal
Department. Institute.

28. Prosecution NIL NIL

Department

29. Public Health | Quetta Water and | Managing Director

Engineering | Sanitation Authority

Department.

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30. Religious Affairs NIL NIL

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Department

°5[30-A | Minorities Affairs NIL NIL]

Department.

31. Science and | Balochistan Institute of | Rector/Principal
Information | Information Technology
Technology|]and Management
Department Sciences.

32. ©®[Secondary | (a) Board o f | Chairman
Education Intermediate and
Department. Secondary

Education;

(b) Balochistan Text | Chairman
Book Board;

(c) Provincial | Principal
Institute for
Teachers'

Education;

(d) Balochistan | Managing Director
Education
Foundation; and

(e) Government Agro | Principal.]
Technical
Teacher Training
Center.

33. Services and|Balochistan Service | Chairman
Gener a 1} Tribunal
Administration [7 ; ; ;
Department [Balochistan Public Chairman]

Service Commission

34. Social Welfare, NIL NIL

Special Education,
Literacy, Non-
formal Education
and Human Rights

Department

35. Transport NIL NIL
Department

36. Urban Planning | Quetta Development | Director General
and Development | Authority
Department

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Omitted by S&GAD's Notification No. S.O. (R-1)3(2)S&GAD-2018/778-877 dated 10" April, 2020
Inserted by S&GAD's Notification No. S.O. (R-I)3(2)S&GAD-2018/778-877 dated 10" April, 2020

Substituted by Extraordinary Gazette No. 51 of August, 2016 dated 12" April, 2016.
Added by Extraordinary Gazette No. 18 of August, 2018 dated 2" February, 2018

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37.

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W om eon
Development
Department

[Sports and Youth
Affairs
Department.

NIL

Balochistan
Board.

Youth Development

Centre

Sports

NIL

Chairman

Director]

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Chief Minister's
Secretariat.

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Taxation
Anti-

Excise,
and

Narcotics

Department.

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Added by Extraordinary Gazette No. 88 of August, 2017, dated 18" April, 2017

Omitted by Extraordinary Gazette No.12-A of August, 2017 dated 27" January, 2016

Substituted by Extraordinary Gazette No.8 of August, 2015 dated 18" June, 2015,

'Added by Extraordinary Gazette No. 26 of August, 2018, dated 20" February, 2018

NIL

NIL]

Added by S&GAD's Notification No. \$.O. (R-1)/3(2)S&GAD-2018/2113-2212 dated 17" September, 2020

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**LIST OF CASES TO BE SUBMITTED TO THE GOVERNOR FALLING
WITHIN HIS DISCRETIONARY POWERS UNDER THE CONSTITUTION**

Ss. Cases Reference of

No. Article of

Constitution.

1. Right of Governor to address Provincial Assembly 110

2. Dissolution of the Assembly. 112

3. Chief Minister: his 130

(a) appointment and

(b) acceptance of resignation and 136

(e) vote of no-confidence.

4. Dissolution of the Provincial Assembly:

(a) On the advice of the Chief Minister: 112 (1)

(b) In his discretion, but subject to the 112 (2)

previous approval of the President, where a
vote of no-confidence having been passed
against the Chief Minister, no other
member of the Provincial Assembly
commands the confidence of the majority of
the members of the Provincial Assembly.

5. Appoint a date, not later than ninety days from 105 (3) (a)
the date of dissolution, for the holding of a general
election to the Assembly.

6. Appoint a Care-Taker Cabinet 105 (3) (b)

7. Giving assent to a Bill presented to the Governor 116
for assent passed by the Provincial Assembly.

8. Rules for appointment of the officers and servants 208
of the High Court and terms and conditions of
their employment.

9. Matters relating to Universities requiring order of Governor as
Chancellor.

10. | Liaison/coordination for all Public Sector Universities including their
matters with Higher Education Commission.

11. | All cases arising out of discretion of the Governor under Rule 44 of
the Balochistan Government Rules of Business, 2012.

12. | Appellant Authority to the decisions of Provincial Ombudsman and
Authority to appoint employees BPS-16 and above including
Provincial Ombudsman in line with the Establishment of office of
Provincial Ombudsman Ordinance, 2001.

SCHEDULE - VII

PART -A

{ See Rule 44 (1) }

LIST OF CASES TO BE SUBMITTED TO THE GOVERNOR FOR HIS

APPROVAL THROUGH THE CHIEF MINISTER

Ss. Cases Reference of

No. Article of the

Constitution.

1. Summoning and prorogation of Provincial 109
Assembly.

2. Promulgation of Ordinances. 128

3. Making of Rules of procedure for Provincial | 67 read with 127
Assembly.

4. Resignation of Speaker and Deputy Speaker of 53 (5) & (6)
the Provincial Assembly. read with 127

5. Provincial Ministers from amongst members of 132
the Provincial Assembly on the advice of the Chief
Minister: their
(a) appointment;

(b) removal; and
(c) acceptance of resignation.

6. Appointment of Advisors to the Chief Minister. 130 (11)

7. Dissolution of the Provincial Assembly except | 105 (3) and 112
when an appeal to electorate is necessary.

8. Advocate General: Appointment and resignation. 140

9. Framing of Rules for the custody of the Provincial 119
Consolidate Fund and other matters as provided.

10. | Regulating the attendance before a Committee of 66 (3) read
the Provincial Legislature of persons who are or with 127
have been in the Service of Pakistan and
safeguarding confidential matter from disclosure.

11. | Reports of the Auditor General of Pakistan or the 171
Auditor General or Accountant General of the
Province, relating to the accounts of the Province,
or of any other authority appointed to scrutinize
the accounts of the Province and reports of the
Public Accounts Committee.

12. | Reference to the Council for Islamic Ideology 229
whether a proposed law is or is not repugnant to
the Injunctions of Islam.

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13. | Appeals and Review petitions to Governor under admissible Laws/Rules.
14. | Adaptation of existing laws. 268
15. | Public Service Commission: 242 (1B)
 - (a) its strength;
 - (b) appointment, removal or resignation; of members including the Chairman;
 - (c) their terms and conditions of service;
16. | Laying of a report by the Governor on the 29 (3) observance and implementation of the Principles of Policy before the Provincial Assembly for discussion.
17. | Appointment/ posting of staff/officers of the Governor.
18. | Mercy petitions against sentence of death passed in criminal cases in accordance with the rules to be made by the Governor.
19. | All cases relating to personal rights, privileges and dignities of Ex- Rule of former States.
20. | Cases under the High Court Judges (Leave, Pension and Privileges) Order, 1970.
21. | Cases requiring orders of the Governor under any law.

PART -B

{ See Rule 44 (2) }

LIST OF CASES TO BE SUBMITTED TO THE GOVERNOR
FOR INFORMATION.

Ss. Cases Reference of

No. Article of the

Constitution.

1. The Chief Minister shall keep the Governor

informed on matters relating to Provincial

administration and on all legislative proposals 131

the Provincial Government intends to bring

before the Provincial Assembly.

2. (a) All periodical reports by Administrative and Executive Officers of a Political nature or relating to law and order, such as the fortnightly reports submitted by Commissioners, Deputy Commissioners and Daily Situation Reports submitted by the Police Department.

(b) All special reports by administrative and executive officers relating to matters which may seriously affect the peace and tranquility of the Province or any part thereof.

(c) Periodical reports of Administrative Departments and Head of Attached Departments.

All important cases involving questions of policy or principle.

Reports of Committees of Inquiry appointed by the Governor.

Press notes and handouts issued by the Information Department.

Intelligence Reports.

Summary, Minutes and decisions of the Provincial Cabinet.

All Cypher messages and telegrams.

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Annual Reports of the Public Service Commission.

10. All documents issued by the Finance Minister pertaining to the Annual Budget.

11. Papers pertaining to any other matter required by the Governor through a general or special order.

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SCHEDULE VIII
{ See rule 5 (2) and 45 (1) }

PART -A

**LIST OF CASES TO BE SUBMITTED TO THE CHIEF MINISTER FOR HIS
APPROVAL BEFORE ISSUE OF ORDER.**

Ss. Cases Reference of

No. Article of

Constitution.

1. | Rules of Business: Framing and alteration thereof. 139 (3)
2. |Framing or alteration of rules for the 139
authentication of orders and other instruments.
3. | Removal of difficulties. 267
4. | Presentation of Annual Budget statements to the 120
Assembly and charges thereon.
5. | Making demands for grants on the Provincial 122 (3)
expenditure.
6. | Authentication of the Schedule of Authorised 123
Expenditure.
7. |Laying of Supplementary Statement of 124
Expenditure before the Provincial Legislature.
8. | Bill or amendment in respect of matters for which 115
the Provincial Legislature has power to enact to be
introduced or moved in the Provincial Legislature
during the state of emergency.
9. | Cases in which Federal Government has issued 149
direction
10. | Complaints to the Council of Common Interests 155
about any executive action or legislation taken or
passed or proposed to be taken or passed or the
failure of any authority to exercise any of their
powers with respect to the use, distribution or
control of water from any natural source of supply.
11. | Allocation of Department to the Minister under Rule 3 (5) of the Rules
of Business.
12. | Cases regarding the conditions of service or promotion of, or

disciplinary action against, members of Federal Services or holders of appointment normally held by them. Cases to be referred to the Federal Government, shall be shown to the Chief Minister both before a reference is made to the Federal Government as well as before final orders are issued.

13. | Cases in which advice of the Public Service Commission is not acceptable to a Department.
14. | Selection of officers of the rank of Secretaries to Government and above for appointment under the Federal Government.
15. | Recommendations for the grant of honours and awards.
16. | All cases relating to matters which are liable to involve Government into controversy with the Federal Government or with another Provincial Governments.
17. | All cases which may have a bearing on relation with a Foreign Government.
18. | Matters of policy in which a Minister propose to rescind an order passed by his predecessor in office.
19. | Provincial Selection Board:
 - (a) its constitution and
 - (b) approval of recommendations thereof.
20. | Proposal involving any change in the functions or powers of Secretaries, Members Board of Revenue and Heads of Administrative Departments/Attached Departments.
21. | Petitions addressed to the President by members of All Pakistan Services.
22. | Preventive detention.
23. | Appointment, etc. of members of Administrative Courts and Tribunals.
24. | Appointment of:
 - (a) Secretary to the Government of Balochistan, Heads of Attached Departments and other officers of the Provincial Government in BPS-17 (or equivalent) and above;
 - (b) Officers to post in a Corporation, Autonomous/Semi-Autonomous Body or Authority carrying BPS-18 or equivalent and above under the administrative control of the Provincial Government.
25. | Determination of terms and conditions of appointment of Advisors to the Chief Minister.
26. | All cases of relaxation of :-
 - (a) Service Rules; and

(b) All other Policies framed by the Government of Balochistan.

27. | Appointment of officers on the Secretariat staff of the Chief Minister

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28. | Cases requiring orders of the Chief Minister under any law.

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SCHEDULE - VIII
{ See rule 5 (3) and 45 (2) }
PART - B

**LIST OF CASES TO BE SUBMITTED TO THE CHIEF MINISTER
FOR INFORMATION**

1. Report of Committees of Inquiry appointed by Government
2. Press notes issued by the Information Department.
3. All periodical and special reports by administration and Executive Officers of a political nature or relating to Law and Order such as the fortnightly reports submitted by Commissioners, Deputy Commissioners and situation Reports submitted by the Police.
4. Intelligence Report (daily, weekly and special reports) of Special Branch
5. Reports of Commissions of Inquiry appointed by the Government
6. All periodical reports of Heads of the Departments and proposed resolutions and such reports.

**BY ORDER OF
GOVERNOR BALOCHISTAN**

**CHIEF SECRETARY
BALOCHISTAN**

GOVERNMENT OF BALOCHISTAN
SERVICES AND GENERAL ADMN.; DEPARTMENT
(PMCS CELL)

Dated Quetta, the Lik /August, 2005.

CIRCULAR.

No. 8-3 / 2003 - PMCS/IS&GADIADA 36 g / In continuation of this office letter

No. SORI4(25YS&GAD/ 101 - 200, dated 22" January, 2003 and No. 8 - 3 / 2003 - PMCS/S&GAD/584 — 636, dated 21" September, 2004, through which it was informed that the Chief Minister has desired that all the directives issued from the Chief Minister Secretariat should be resubmitted to Chief Minister in a summary form.

= The Chief Minister has again directed that all the Administrative Department should be instructed that all the directives issued from the Chief Minister under the signature of the Chief Minister should be resubmitted to Chief Minister Secretariat for confirmation. The instruction of the Chief Minister's in the subject matter should be strictly followed.

SECRETARY, S&GAD.

No. 8 —3 / 2003 - PMCS/S&GAD/ 294 --26bF / Dated Quetta the CHa August, 2005.

Copy forwarded for information to:-

- 1 The Additional Chief Secretary(Dev:) P&D Department, Balochistan, Quetta
- 2; The Senior Member Board of Revenue, Balochistan, Quetta.
3. All the Administrative Secretaries to Government of Balochistan,
- 4 The Chairman, Chief Minister Inspection Team, Balochistan, Quetta.

The Chairman, Balochistan Development Authority, Balochistan, Quetta.

6. The Principal Secretary to Chief Minister Balochistan, Quetta with reference to their U.O. No. PS/CM/I — 1/2005/1053, dated the 2" August, 2005.

ve The Additional Secretary, S&GAD.

8. All the puty Secretaries / Under Secretaries / Section Officers, S&GAD, 2 Reis Bese SS ae
- 9, The P.S to Chi 'tary, Balochistan, Quetta.
10. The P.S to Secretary, S&GAD.

te!

Section Officer (PMCS —CELL)
S&GAD.

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No. SORI.4(25)/S@GAD/2006
GOVERNMENT OF BALOCHISTAN

&
SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT

Dated Quetta, the July 19, 2006

To

Ls The Additional Chief Secretary (Dev),
Planning and Development Department,
Government of Balochistan,

Quetta.

2. All the Members,
Board of Revenue Balochistan,
Quetta.

3. The Chairman, PIT, BDA, BPSC, Quetta.

4. All the Administrative Secretaries to
Government of Balochistan.

5. All the District Coordination Officers,
in Balochistan.

6. All the Heads of Attached Department,
in Balochistan.

Subject: | NON-SUBMISSION OF SUMMARIES ON THE DIRECTIVES OF THE
INFIRMATION.

Please refer to this Department' Circular No. 89-
3/2003/PMCS/S&GAD/298-369 dated 9" August, 2005.

2. It has been observed by the Chief Minister's Secretariat with great
concern that despite clear directions issued from time to time the
Administrative Departments/concerned agencies are not getting formal
approval from the Hon'ble Chief Minister in the form of a summary
submitted in the prescribed manner before issuance of order/implementing
his directive as required under the Rules of Business.

3. Under the Balochistan Government Rules of Business 1976, the
cases are required to be submitted in the form of a summary to the Chief
Minister before issuance of the Orders. In the case of Provincial Set-up the
summaries have to be initiated by the Administrative Department for getting
formal approval of the Chief Minister through Minister Incharge and the
Chief Secretary Balochistan and in the case of District set-up the concerned
District Coordination Officer will move the summary through the Chief

4. Henceforth no directive of the Chief Minister be implemented by all concerned until and unless it has been formally approved/re-confirmed by the Chief Minister in form of a summary submitted by the Administrative Department in the prescribed manner through the Chief Secretary Balochistan.

5. If it appears later to involve departure from these instructions/Rules of Business the concerned Heads of Department, Heads of Attached Departments, District Coordination Officer /implementing agency shall be held responsible.

alu 1g

(RANA NASEER AHMED) ~
SECRETARY S&GAD. %

Copy forwarded to:-

1. The Principal Secretary to Governor Balochistan, Quetta.
- abe The Principal Secretary to Chief Minister Balochistan, Quetta.
3. The Deputy Secretary (Staff) to Chief Secretary Balochistan.

ajnewyamA ~
(RANA NASEER AHMED)
SECRETARY S&GAD.

No. SORI.4 (25)/S&GAD/2007/ 69-482

GOVERNMENT OF BALOCHISTAN

SERVICES & GENERAL ADMN: DEPARTMENT

Dated Quetta, the 29" February, 2008.

To

Addl Chief Secretary (Dev) P & D Department, Quetta

All the Members, BOR Balochistan, Quetta.

The Chairman, CMIT, BDA, BPSC, Quetta.

All Administrative Secretaries to Govt: of Balochistan, Quetta.

All District Coordination Officers in Balochistan, Quetta

Alf Heads of Attached Departments in Balochistan.

aoe aN =

Subject: NON-SUBMISSION OF SUMMARIES ON THE DIRECTIVES OF
THE CHIEF MINISTER

The undersigned is directed to refer to this Department's letter No.

SORI. 4 (25)/S&GAD/2006 dated 19" July, 2006, on the subject noted above and to say that the Chief Minister, Balochistan has taken a serious view that procedure circulated vide above quoted letter is not being followed which is clear violation of Balochistan Government Rules of Business.

2 The undersigned has, therefore, been directed to request you once again that implementation of the directives be ensured which contains procedure for getting approval of the Chief Minister through Minister Incharge and the Chief Secretary Balochistan in the form of a summary on the directives issued by the Chief Minister Balochistan. In case of verbal orders from the Chief Minister's the similar procedure is also to be adopted

3. These instructions may be strictly adhgjed to in letter and spirit.

Under Secretary (Regulation-!)

Copy forwarded to:-

ye The Principal Secretary to Governor Balochistan Quetta.

The Principal Secretary to Chief Minister, Balochistan with reference to his U.O.No.S-I/CM/1 (28)/2002/456 dated 14.2.2008

3 The Deputy Secretary (Staff) to Chief Secretary, Balochistan.

4. Section Officers / AEOs in S&GAD.

—_

(Benjamin Stephen)

Under Secretary (Regulation-I)

=)

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&

CHIEF SECRETARY BALOCHISTAN,

No. S.O. (R-I)/4 (25)/20012-S&GAD/2843-2942

Dated Quetta, the December 4, 2012

To

1. The Additional Chief Secretary (Dev), P&D Department, Quetta.
re The Senior Member, Board of Revenue, Balochistan, Quetta.
3. The Member-II BOR/ Secretary Excise and Taxation Department.
4. The Chairman, Chief Minister's Inspection Team, Quetta
5. The Chairman, Balochistan Public Service Commission, Quetta
6. The Chairman, Balochistan Development Authority, Quetta.
- i The Principal Secretary to Governor Balochistan, Quetta
8. The Principal Secretary to Chief Minister Balochistan, Quetta
9. All the Administrative Secretaries to Government of
Balochistan... Department.
10. All the Commissioners in Balochistan

Subject:

Please refer to S&GAD's circular letters No. SORI.4(25)/S&GAD /2006 dated
19" July, 2006 and No. SORI.4(25)/S8&GAD/2007/69-180 dated 29" February, 2008
on the above noted subject.

2. It has been observed with great concern that despite clear directions issued
by the Competent Authority from time to time the Administrative Departments/
concerned agencies are not getting formal approval from the Hon'ble Chief Minister in the
form of a summary submitted in the prescribed manner before issuance of order/

implementing his directives as required under the Balochistan Government Rules of
Business, 1976.

3. Under the Balochistan Government Rules of Business 1976, the cases
requiring approval of the Chief Minister are to be submitted to him in the form of a
summary before issuance of the orders. In such cases the Administrative Secretary shall
have to initiate a summary through Minister Incharge and the Chief Secretary
Balochistan for getting formal approval of the Chief Minister.

Page 1 of 2

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4. The Hon'ble High Court of Balochistan in C.P. No. 5525/2011 and others has also observed that any case not initiated by the Administrative Secretary in the form of a summary through the prescribed manner and channel and approval thereupon of the Chief Minister will not be treated an official decision of the Government of Balochistan.

5. Henceforth no directive of the Chief Minister be implemented by all concerned until and unless it has been formally approved/re-confirmed by the Chief Minister in form of a summary submitted by the Administrative Department in the prescribed manner through the Chief Secretary Balochistan. All the cases requiring approval of the Government of Balochistan shall be initiated in the form of a summary by the Administrative Secretary concerned through Minister incharge. Under the Rules of Business, 1976, the Chief Secretary being the official Head of the Secretariat and the Chief Advisor to the Chief Minister shall have to see all such cases prior to submission to the Chief Minister for getting approval which shall be construed as decision of the Government of Balochistan. The decision/sanctioned policy of the Government of Balochistan has to be executed /communicated through a Notification or an order as the case may be by the authorised officers as prescribed in Rule 7 (2) of the Balochistan Government Rules of Business, 1976. Any decision of the Government obtained on a summary properly submitted but not been formally notified shall not be deemed to be a decision of Government.

6. In cases of departure from these instructions/Rules of Business the concerned Heads of Department, Heads of Attached Department/ implementing agencies shall be held responsible and disciplinary action be taken under the provisions of Balochistan Employees' Efficiency and Discipline Act, 2011.

(BABAR YAQOOB FATEH MUHAMMAD)

Chief Secretary Balochistan

A copy is forwarded to:-

1. The Registrar, High Court of Balochistan, Quetta.
The Principal Secretary to Chief Minister Balochistan
The Director General Publication Relations, Balochistan, Quetta.
The Deputy Secretary (Staff) to Chief Secretary Balochistan.
All the Private Secretaries to the Provincial Ministers

Chief Secretary Balochistan

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