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ESTACODE

(EDITION-2021)

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PAKISTAN PUBLIC ADMINISTRATION RESEARCH CENTRE
ESTABLISHMENT DIVISION
CABINET SECRETARIAT
ISLAMABAD
2021

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FOREWORD

Compilation and Publication of administrative and establishment manuals is one of the key functions assigned to Pakistan Public Administration Research Center (PPARC). PPARC is tasked for provision of updated information in the forms of manuals, publications and Federal Government census data for informed decision making and best administrative practices in the Government.

2. This publication includes all in-vogue amendments/new instructions issued by concerned authorities. Obsolete, redundant, overlapped instructions have been struck out. Efforts have been made to make it more comprehensive, authenticated and sequential. The importance of the publication such as Esta-Code depends upon it being maintained up-to-date by incorporating periodical amendments in the laws & rules in the recent years.

3. take this opportunity to place on record our sincere thanks to ex-Secretaries, Special Secretaries and Additional Secretaries who made contributions towards this publication during their respective tenures. It is pertinent to acknowledge the efforts made by current Special Secretary, Additional Secretaries and all officers of Establishment Division, as well as, representatives of all concerned stakeholders in finalization of this edition of Esta-Code within stipulated timeframe.

4. hope that readers/users including researchers will find this publication a useful tool in their field of activity.

5 To make it more qualitative, any suggestions for further improvement will

be highly appreciated, if those are addressed to the Director General (PPARC).

(Inamullah Khan Dharejo)
Secretary Establishment
Islamabad June, 2022

PREFACE

Pakistan Public Administration Research Center (PPARC) has published six editions of Esta-Code i.e. 1979, 1983, 1989, 2000, 2007 and 2015. The exercise for revision of Esta-Code is taken up every five years, with a view to provide the up-to-date version of rules and regulations in consolidated form. PPARC initiated and extensive exercise of information collection which had been disseminated by major stakeholders i.e. Establishment, Finance, Cabinet Divisions and Federal Public Service Commission.

2. During holistic review, to make it sequential and more comprehensive, the contents and text of this edition have been re-aligned. The information has been systematically organized and the stakeholders have certified the contents under their respective domain as regards their authenticity. In the course of review, the top hierarchy of Establishment Division provided guidance and inspiration to the team of PPARC in achieving this milestone within stipulated time frame (i.e. cutoff date for updating was set as 31" December, 2021). In revamping of Esta-Code (Edition-2021), indeed the endeavors of officers and officials of PPARC deserve much appreciation, who performed meticulously.

3. Esta-Code (Edition-2021), is being put on the website of Establishment Division i.e. www.establishment.gov.pk & https://pparc.establishment.gov.pk for those who

are interested to download. To make it more qualitative, errors, omissions and suggestions are welcome please.

(Muhammad Lakhkar Khan Hoti)
Director General
Islamabad June, 2022

“Civil Service is the Backbone of the State. Governments are formed and Governments are defeated. Prime Ministers come and go; but you stay on, and therefore, there is a very

great responsibility placed on your shoulders.”

Founder of Pakistan

Vili

ESTACODE

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CHAPTER 1

CONSTITUTIONAL PROVISIONS
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CHAPTER-1
CONSTITUTIONAL PROVISIONS

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CHAPTER-1
CONSTITUTIONAL PROVISIONS

11 CONSTITUTIONAL PROVISIONS

Extracts from the Constitution of the Islamic Republic of Pakistan, 1973: Part XII

Miscellaneous, Chapter I- Services.—

Article 240— 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 Service, 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)].

Article 241— 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.

Article 242— (1) *[Majlis-e-Shoora (Parliament)] in relation to the affairs of the Federation, and the Provincial Assembly of a Province in relation to affairs of the Province, may, by law, provide for the establishment and constitution of a Public Service Commission.

“[(LA)The Chairman of the Public Service Commission constituted in relation to the affairs of the Federation shall be appointed by the President in his discretion.]

(2) A Public Service Commission shall perform such functions

as may be prescribed by law.

Article 268— (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.

(2) The laws specified in the Sixth Schedule shall not be

altered, repealed or amended ““[expressly or impliedly,] without the

“Subs. by P.O No. 14 of 1985, Art. 2 and Sch., for ‘Parliament’.
“Ins. by P.O. 14 of 1985 w.e.f. 2 March 1985.

*'' Added by Legal Framework Order, 2002.

Appointments to service of Pakistan and conditions of service

Existing rules, etc., to continue

Continuance in force, and adaptation of, certain laws.

previous sanction of the President “[accorded after consultation with the

Prime Minister].

Administrative

Courts and
Tribunals

(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 adaptation, 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 authorize” 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 clause (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 laws, means having effect as law whether or not the law has been brought into operation.

Article 212— (1) Notwithstanding anything hereinbefore contained, the appropriate Legislature may by Act *“[provide for the establishment of] one or more Administrative 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

* Added by Legal Framework Order, 2002.
“ For such authorization, see Gazette of Pakistan, 1973, Extraordinary, Part II, page 2001.

Subs. and shall be deemed always to have been so substituted by the Constitution (First Amendment) Act, 1974 (33 of 1974), section 12, for “establish”.

(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 proceeding 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.

Article 27— (1) No citizen otherwise qualified for appointment in the Safeguard service of Pakistan shall be discriminated against in respect of any such _ against appointment on the ground only of race, religion, caste, sex, residence or _discrimination place of birth: mm services.
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:
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

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).

“Ins. and shall be deemed always to have been so inserted by the Constitution (First Amendment) Act, 19 {33 of 1974), section 12.

Ins. and shall be deemed always to have been so inserted by the Constitution (First Amendment) Act, 19 4x,(62 of 1976), section 15.

Subs. by P.O. No. 14 of 1985, Art. 2 and Sch., for ‘Parliaments’.

For such law, see the Provincial Service Tribunal (Extension of Provisions of the Constitution) Act, @d274 G2 of 1974).

Subs. and shall be deemed always to have been so substitutes by the constitution (16th

Amendment Act, 1999 (VII of 1999) s. 2 for Twenty which was previously sub. by P.O. No. 14 of

1985. Art. 2 and Sch., for ‘ten’.

Subs. and Ins. vide 18" Constitutional amendment s.10 dated 20-04-2010.

(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.

1.2 The Civil Servants (Validation of Rules) Ordinance, 2001

ORDINANCE NO. II OF 2001
AN
ORDINANCE

To validate certain rules made under the Civil Servants Act, 1973 and certain actions taken thereunder—

WHEREAS it is expedient to validate certain rules made under the Civil Servants Act, 1973 (LXXIII of 1973), for the purpose hereinafter appearing;

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

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

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

1. Short title and commencement.—(1) This Ordinance may be called the Civil Servants (Validation of Rules) Ordinance, 2001.

(2) It shall come into force at once.

2. Validation of certain rules._(1) The Civil Servants Occupational Groups and Services (Probation, Training and Seniority) Rules, 1990, the Civil Servants (Seniority) Rules, 1993 and the Civil Servants (Confirmation) Rules, 1993 and all notifications amending the aforesaid Rules immediately before the commencement of the Ordinance are hereby affirmed and shall be deemed always to have been validly made.

(2) | All orders made, proceedings taken, acts done, instructions issued, powers exercised, appointments made thereunder by any authority which were made, taken, done or purported to have been made, taken, done, issued, or exercised immediately before the commencement of this Ordinance shall be deemed to have been validly made, taken, done, issued or exercised and deemed always to have had effect accordingly.

CHAPTER 2

CIVIL SERVICES STRUCTURE
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CHAPTER 2
CIVIL SERVICES STRUCTURE

1.1 C.S.P. Resolution and Principal Decisions of Government

Cabinet Secretariat
(Establishment Branch)

Karachi, the 8" November, 1950
RESOLUTION

No.F.25/4/50-Ests(SEI)— Before the Partition, the premier administrative Service in India was the Indian Civil Service. This was a single service divided up into a number of cadres on a Provincial basis. Officers appointed to this Service were allotted to the various Provinces and they remained members of the Indian Civil Service cadre of their Provinces throughout their careers. The “Central Government met their own needs by the deputation of officers from the provinces. There was also in undivided India the Indian Political Service, the two main sources of recruitment to which were the Indian Civil Service and the Indian Army.

2. The Government of Pakistan have decided to constitute their Civil Service as a centralized Service on a All-Pakistan Basis. It will be called THE CIVIL SERVICE OF PAKISTAN. This decision has been taken in order to create a well-knit Civil Service for the whole of Pakistan, constituted and operated on a centralized basis, thereby increasing association between the various Provinces and developing homogeneity in administration. The members of this Service, who shall be liable to be posted to any of the Provinces of the Dominion, will be administratively more useful to the “Central as well as the Provincial Governments than if they belonged to Provincial Cadres, because of the knowledge and experience they will acquire by serving in the Provinces of West Pakistan as well as in “*[East Pakistan,] and uniform standards of administration in all parts of the Dominion will also be achieved.

3. The Civil Service of Pakistan shall consist of a *central cadre as distinct from the Provincial cadres of the former Indian Civil Service. All of the Service shall be liable to serve in any Province.

The Service shall consist of posts on the cadre of the former Indian Civil Service in the various Provinces and on the cadre of the former Indian Political Service and of

* Now Federal.
“ Words “East Pakistan” may be presumed as deleted.

most of the higher posts in the “Central Secretariat. ““[The posts which will form this centralized cadre are mentioned in the Annexure]. Posts may in future be added to or removed from the cadre.

4. The principal decisions of Government with regard to the constitution of the Civil Service are given below:—

Initial Composition of the Service

Initially, the Civil Service of Pakistan shall be composed of the following:-

(a) Officers of the former Indian Civil Service and the former Indian Political Service employed in Pakistan in continuation of service(other than those who might be transferred to the Pakistan Foreign Service);

(b) Officers appointed to the Pakistan Administrative Service;

(c) Officers to be recruited on an ad hoc basis from the Provincial Civil Services, in numbers not exceeding, for each PROVINCE, 10 percent of the duty posts reserved for the Civil Service of Pakistan in that Province.

The “Central Government will lay down the procedure of making recruitment from the Provincial Civil Services.

Normal recruitment to the Service

In future, recruitment to the Service shall be made by selection on the basis of an open competitive examination to be held each year by the Federal Public Service Commission except in the case of officers of the Armed Forces, who may be appointed to the Service on the recommendations of the Commission arrived at through an interview and a scrutiny of service records.

Appointment and training
(1) Appointments to the Service shall be made by the *Central Government.

(2) Candidates appointed direct to the Service will be appointed on probation and will be required to undergo training in the Civil Service Academy at Lahore.

(3) Rules regulating the conduct, discipline and training of probationers will be issued separately by the Central Government.

(4) A probationer on successful completion of his probation may be confirmed in the Service.

* Now Federal.
“ Note:— The schedule to the Resolution has also been superseded by the Schedule attached to the Civi Service of Pakistan (Composition and Cadre) Rules,1954. Therefore Annexure stands superseded.

Initial postings and liability for transfer

(TEES Transfers from one Province to another or from the “Centre to a Province and vice versa shall be made by the Federal Government in consultation with the Provincial Governments concerned and shall be regulated in the interest of sound administration, prospects of promotion, suitability of officers for particular appointments and similar other considerations*.....00.00

(2) The units within which the centre will make transfers shall be—
(a) “East Bengal,

(b) Punjab,

(c) Sind, and

(d) Frontier i.e. @°NWEP., Tribal Areas

Promotion and Leave

1. Promotions from the junior scale to the senior scale on an officiating basis may be made by the Provincial Government concerned, but the *Central Government shall be informed.

2. Substantive appointments to the senior scale shall be made by the Federal Government on the recommendations of the “Pakistan Public Service Commission, who will ascertain the views of the Provincial Government concerned and forward them to the *Central Government with their own recommendations.

3. | Appointments at the Centre, including appointments of secretaries to Government, shall be treated as tenure appointments.

4. The Provincial Governments may grant leave to officers of the Service for a period of 4 months or less. Leave in excess of 4 months shall be granted by the **Central Government.

Listed Posts in Provinces

1. Posts not exceeding 25 percent of the Superior posts allocated to the Provinces in the “@@[Annexure] shall be treated as Listed appointments, which officers of the Provincial Civil Services will be eligible to hold. The position shall, however, be reviewed after 5 years.

2. Promotion to Listed Posts shall be made in consultation with the Federal Public Service Commission, in accordance with the procedure which may be laid down by the Federal Government.

* Omitted in view of the orders contained in the Establishment Division letter No.25/165/ 51-SEI dated the September, 1952 and letters No.9/58/59-CI dated the 13" August,1960 and 18" Nov.,1960.
“ Now Federal.
"Bast Bengal stands deleted.
Now Sindh
Now K-P.K.

Note:-
Annexure stands superseded vide schedule attached to the Civil Service of Pakistan (Composition & Cadre) Rules,1954.

3. Provincial Governments may make promotions to Listed Posts only on an officiating basis and in each case the Federal Government shall be informed. Confirmations in the Listed Posts shall be made by the Federal Government, on the recommendations of the Provincial Governments and in consultation with the Federal Public Service Commission.

4. In the matter of disciplinary safeguards, permanent holders of Listed Posts shall have the same rights as members of the Service.

5. Holders of Listed Posts shall not be liable to be transferred away from Provinces in which they are serving except to the Centre.

[Please also see Rule 7 of the C.S.P. (Composition and Cadre Rules,1954)]
Appointments to Posts at the Centre

1. Not less than 2/3" of posts of Deputy Secretary at the Centre shall be reserved for officers of the Service. For the remaining posts in these grades, officers of the Service as well as officers not belonging to the Service, i.e., officers of the Central Services Class I, the Secretariat Service, the General Administrative Reserve and the Provincial Services, shall be eligible.

This Decision shall be reviewed at the end of 5 years.

2. Not less than 2/3" of posts of Secretary and Joint Secretary at the Federal taken together shall be reserved for the Service but officers of the Service as well as officers not belonging to the service shall be eligible for appointment to the remaining posts in those grades.

Note:— The above decisions shall apply to posts other than the posts which may be included in the Pool of officers which is being constituted on the lines of the Pool of the Finance and Commerce Departments in undivided India.

5. _ ORDERED that this Resolution should be published in the official Gazette.

Note:— The schedule to the Resolution has also been superseded by the Schedule attached to the Civil Service of Pakistan (Composition and Cadre) Rules, 1954.

1.2 Civil Service of Pakistan (Composition and Cadre) Rules, 1954

WHEREAS the President and the Governors of the Punjab, Sindh and the North-West Frontier Province have agreed that there shall be constituted a Service of the Federation to be known as the Pakistan Administrative Service and that certain posts in connection with the affairs of the Provinces shall be filled by members of that Service and specify, 'as far as need be, the conditions of service of its members, whether serving in posts in connection with the affairs of the Federation or of a Province:

NOW, THEREFORE, in pursuance of that agreement and in exercise of the powers conferred by Article 146 of the Constitution of Islamic Republic of Pakistan, 1973 and of all other provisions empowering him in this behalf, the President is pleased to make the following Rules: —

1. These Rules may be cited as the Civil Service of Pakistan (Composition and Cadre) Rules, 1954.

2. Inthese Rules, unless the context otherwise requires:

(a) "Cadre post" means any duty post included in the Schedule.

(b) "Commission" means the [Federal Public Service Commission];

(c) "Schedule" means the Schedule to these Rules;

(d) "Service" means the Pakistan Administrative Service.

3. Appointments to the Service shall be made by the President on the basis of results of open competitive examination held by the Federal Public Service Commission, except in the case of officers of the Armed Forces, who may be appointed to the Service on the recommendation of the FPSC arrived at through an interview and a scrutiny of service record.

4. Persons appointed to the Service shall, unless the President otherwise directs, be appointed on probation and the President may make rules specifying the terms and incidents of such probation. In particular, he may provide for the removal from the Service during his term of probation of any person whose conduct and progress is unsatisfactory or for the withholding of increments from such persons.

5. 1) The Cadre posts shall be filled either by members of the Service or by persons not being members of the Service, appointed in accordance with the provisions of these Rules.

(2) The tenure of the member of the Service appointed to a Provincial sub-cadre post other than a Chief Secretary appointed under Rule 15, shall be determined by

the “[Chief Minister or a person authorized by him] by Order.

(3) The tenure of the member of the Service appointed to a Federal sub-cadre post shall be determined by the ““[Prime Minister or a person authorized by him] by Order.

(4) A person who is not a member of the Service, temporarily appointed to a Provincial or Federal sub-cadre post may not hold that post for a period exceeding one year, save with the approval of the **[Prime Minister or a person authorized by him] or the *[Chief Minister or a person authorized by him] as the case may be.

6. ““[(1) The posts specified in the Schedule of the Federal sub-cadre, excluding the posts in the Federal Secretariat specified below, shall be reserved for the officers of the Pakistan Administrative Service, namely:—

* Subs. for “Provincial Government” vide S.R.O No. 1046(1)/2020 dated 14-10-2020.
Subs. for “Federal Government” vide ibid.

*"" Subs. vide $.R.O No. 1046(1)/2020 dated 14-10-2020.

(i) 80% of the sanctioned posts of Deputy Secretary.
(ii) 75% of the sanctioned posts of Joint Secretary.

(iii) 100% posts of Senior Joint Secretary.

(iv) 35% of the sanctioned posts of Additional Secretary.
(v) 35% of the sanctioned posts of Federal Secretary]

(2) The Federal posts excluded under sub-rule (1) above, shall be reserved and apportioned amongst other services under the Federal responsibility, as may be specified by the Federal Government from time to time in public interest, keeping in view the deputation reserves of various services without further consultations with the federating units.

(3) "[Subject to the provisions of sub-rule (2) of rule 7 and based on the needs of various Ministries and Divisions, vacancies may, in such manner and on such terms and conditions as may be prescribed, be filled on temporary basis from time to time through a competitive process by technically qualified and experienced persons from open market against vacancies in BPS-19 and 20 within the share allocated to Service in Federal Secretariat].

7. (1). The sanctioned posts in the respective Provincial sub-cadre of the Schedule as specified below shall be reserved for the officers of the Pakistan Administrative Service as per agreed Posts-Sharing arrangement:—

BS-17 BS-18 BS-19 BS-20 — BS-21

25% 40% 50% 60% 65%

(2) "[The officers of provincial management services or provincial civil services, i.e. executive and secretariat services, of the Provinces, Azad Jammu and Kashmir management group and secretariat group and district management service and office management service of Gilgit-Baltistan, recruited directly in BPS-17 through respective public service commission having minimum of 12 years' service in BPS-17 and above who held a cadre post for a period of 5 years and presently holding post in BPS-19 in the respective service on regular basis shall be eligible for appointment in the Service in BPS-19 on recommendations of the Federal Public Service Commission in the prescribed manner.

Provided that the appointments under this sub-rule shall not exceed 30% of the apportioned share of the Service in Federal sub-cadre in BPS-19 and above.";]

(3) **[Omitted].

8. (1) The President, in the case of posts in connection with the affairs of the Federation, and the Governor in the case of posts in connection with the affairs of a

* Added vide S.R.O No. 1046(1)/2020 dated 14-10-2020.
" Subs. & omitted vide S.R.O No. 1046(1)/2020 dated 14-10-2020.

Province, may, as the exigencies of the public service require, appoint a person not being a member of the Service to any Cadre post.

(2) Every such appointment made by a Governor shall be provisional and, if the person so appointed is intended to hold the appointment, for a period exceeding 3 months, shall forthwith be reported to the President with the reasons for making it and if the President so directs the Governor shall thereupon cancel the appointment.

(3) Any person appointed to hold a Cadre post under this rule shall not be employed in the post for a period exceeding 12 months save with the previous sanction of the President.

9. (1) Ifa Governor proposes to keep any Cadre post in connection with the affairs of a Province vacant for a period exceeding 3 months, he shall forthwith make a report to the President of the reasons for the proposal, the period for which he proposes to keep the post vacant and whether it is proposed to make any and, if so, what arrangements for the performance of the duties of the post held in abeyance.

(2) If the President directs that the post shall be filled, the Governor shall appoint a person to fill it in accordance with the provisions of these rules.

0. The President may by special or general order temporarily dispense with the provisions of rules 8 and 9 requiring a Governor to report to the President any case in which a Cadre post is filled otherwise than under rule 7 by a person not being a member of the Service or in which a Cadre post is kept vacant for a period exceeding 3 months.

1. The Governor of a Province may direct that two Cadre posts in connection with the affairs of a Province shall be held jointly if he considers this necessary for the purpose of facilitating any leave arrangement or for a period not exceeding 3 months if he considers this necessary for any other purpose.

2. No change shall be made in the duties of the holder of any reserved post if, in the opinion of the President, the character of that post would thereby be altered:

Provided that this shall not apply to a temporary change consequential on leave arrangements or to a change not arising from leave arrangements which will not last more than three months.

13. (1) The President may from time to time, and in the case of posts in connection with the affairs of a Province, after consultation with the Governor of that Province, remove any post from the Schedule or include any post therein.

(2) A Governor may, if the exigencies of the public service so require, create a cadre post in connection with the affairs of a Province below the rank of a Commissioner of a Division, for a period not exceeding three months. If subsequently the Governor proposes to retain that cadre post for a further period, he shall forthwith make a report to the President of the reasons for the proposal and the period for which he proposes to retain that post and shall act in accordance with such directions as the President may give.

14. An officer belonging to the service shall be liable to serve anywhere in Pakistan under the Federal Government and may be deputed by that Government to serve under a Provincial Government. He shall submit himself to the orders of the Government under which he is serving for the time being and of all the officers and authorities under

whom he may from time to time be placed by that Government. His whole time shall be at the disposal of the Government under which he is serving.

15. (i) The transfer of an officer belonging to the Service from the Province to another or from the Federation to a Province or from a Province to the Federation shall be made by “[Prime Minister or a person authorized by him] in consultation with the “[Chief Minister or a person authorized by him] “* [_].

(ii) A “[Chief Minister or a person authorized by him] may post an officer belonging to the Service whose services have been placed at its disposal on any Cadre-post or equivalent in the public interest, under intimation to the *[Prime Minister or a person authorized by him].

(iii) An officer so deputed to a Provincial Government shall not be posted in higher post except with the approval of the “[Chief Minister or a person authorized by him] and in accordance with the prescribed procedure.

(iv) A PAS officer shall be posted as Chief Secretary in a Province by the “[Prime Minister or a person authorized by him] in consultation with the [Chief Minister or a person authorized by him] concerned and due consideration will be given to the recommendations of the “[Chief Minister or a person authorized by him]:

Provided that consultation will mean the intimation of a name or a panel of names of PAS officers to be conveyed to the **[Chief Minister or a person authorized by him] concerned for such a posting, preferably in writing. If there is no response from a * [Chief Minister or a person authorized by him] within 15 days, the *[Prime Minister or a person authorized by him] will proceed to make such an appointment of the named officer or any such officer named on the panel and it will be deemed to have the approval of the **[Chief Minister or a person authorized by him] concerned:

Provided further that if urgency so warrants, the *[Prime Minister or a person authorized by him] may convey its proposal by telephone/fax or any other means and hold necessary consultation with the **[Chief Minister or a person authorized by him] concerned. If there is no response upto 15 days, the *[Prime Minister or a person authorized by him]will proceed to pass appropriate orders. A written confirmation of the proceedings would be sent in each such case.

(v) The procedure of deputing to and withdrawal from any Province of a PAS officer will be the same as indicated above, except that Provincial Government may respond to the proposal within a period of one month.

16. (1) The President may, by rules, provide for the conduct and discipline of officers of the Service, and officers of the Service shall at all times obey such rules, and shall perform such duties as may be assigned to them.

(2) Notwithstanding anything contained in any other law, rule, contract or instructions to the contrary for the time being in force, any person holding a Provincial or

* Subs. for “Federal Government” vide S.R.O No. 1046(1)/2020 dated 14-10-2020.
“ Subs. for “Provincial Government” vide S.R.O No. 1046(1)/2020 dated 14-10-2020.
“““ Words “or Government concerned” deleted vide S.R.O No. 1046(1)/2020 dated 14-10-2020.

Federal sub-Cadre post may be directed by the appropriate government to report to another duty post, station, for training and proceed on leave, as per prescribed procedure.

17. “[The Cadre Schedule to the 1954 Agreement shall be amended from time to time, as per Rule 7 by the Establishment Division in consultation with the Provinces].

[Authority.— Estt. Division’s Notification No. F.25/12/51-SEI, dated 1-6-1954].
“Schedule of Cadre strength of the Pakistan Administrative Service

FEDERAL GOVERNMENT
Federal Sub-Cadre

All posts of Deputy Secretary under the Federal Government and all posts of and above the rank of Joint Secretary under the Federal Government or borne on the strength of a Corporation set up or established by, or an organization or an establishment subordinate to, the Federal Government.

Provincial Sub-Cadre

BALOCHISTAN

Chief Secretary 01
Additional Chief Secretary / Senior Member, Board of Revenue 05
and equivalent posts

Divisional Commissioners / Administrative Secretaries / and 30
equivalent posts

Deputy Commissioners / Additional Secretaries and equivalent posts 25
Additional Deputy Commissioners / Deputy Secretaries and 26
equivalent posts

Assistant Commissioners and equivalent posts 21

PUNJAB

Chief Secretary

Senior Member, Board of Revenue / Chief Land Commissioner 03

/Relief Commissioner and equivalent posts

Additional Chief Secretary / Member, Board of Revenue and 21

equivalent posts

Administrative Secretaries / Divisional Commissioners and 85

equivalent posts

Deputy Commissioners / Additional Secretaries and equivalent posts 117
Additional Deputy Commissioners / Deputy Secretaries and 155

equivalent posts

Assistant Commissioners and equivalent posts 65

* Subs.vide S.R.O No. 1046(1)/2020 dated 14-10-2020.
Subs.vide Notification No. 13/14/2020/E-5 (PAS) dated 12-03-2021.

SINDH

Chief Secretary 01
Additional Chief Secretary / Senior Member, Board of Revenue 16
/Commissioners and equivalent posts
Member, Board of Revenue / Administrative Secretaries and 67
equivalent posts

Deputy Commissioner / Additional Secretaries and equivalent posts 59
Additional Commissioner / Deputy Secretaries and equivalent posts 85
Assistant Commissioners and equivalent posts 98

*[KHYBER PAKHTUNKHWA]

Chief Secretary 01
Additional Chief Secretary / Senior Member, Board of Revenue 11
equivalent posts
Divisional Commissioners / Administrative Secretaries and 47
equivalent posts
Deputy Commissioners / Additional Secretaries and equivalent posts 67
Additional Deputy Commissioners / Deputy Secretaries and 52
equivalent posts
Assistant Commissioners and equivalent posts 63

1.3. Creation/Abolition of Posts of Joint Secretary,
Deputy Secretary and Section Officers

Posts of Secretary, Joint Secretary and Deputy Secretary at the “Centre are borne on the C.S.P. Cadre, which is administered by the Establishment Division. It has, however, been noticed that additions to/deletion from this Cadre are made by Ministries without consulting the Establishment Division. It has, therefore, been decided that prior concurrence of the Establishment Division in addition to that of the Ministry of Finance, should invariably be obtained before any additional post is created on the C.S.P."™* or any existing post is abolished.

[Authority.- Estt. Division’s O.M. No. 1/9/61-CI, dated 14-9-1961]

1.4 Clarification Regarding Occupational Groups and
Services (Probation, Training and Seniority) Rules,1990

It is observed that Ministries/Divisions controlling different occupational groups, other than APUG, are forwarding matters under the subject Rules,1990 for decision to the Establishment Division. It is hereby clarified that the term “Appointing Authority” appearing in the said rules, means Secretary of the Ministry/Division controlling the respective Occupational Group, in respect of officers of BS-17 to BS-19, as per delegation of powers vide SRO. 276(1)/2000 dated 25-05-2000. Accordingly, Ministries/Divisions concerned are requested to examine and decide cases falling under

“ Subs. for “N.W.F.P” vide SRO No. 1046 (1)/2020 dated 14-10-2020.
“Federal Government.

“DMG (District Management Group)***, successor to CSP (Civil Service of Pakistan).***”District Management Group” renamed as “Pakistan Administrative Service” vide Establishment Division’s O.M.No

6/3/2012-CP-II dated 21-05-2012.

purview of the said rules, at their own level keeping in view the merit of each case. Nevertheless, where an advice/opinion from the FPSC/Establishment Division is required, the Establishment Division may be invariably consulted for necessary views/comments.

2. The above is circulated for information and further necessary action by all concerned.

[Authority.- Estt. Division’s U.O No. 2/7/2006-T.V dated 28-04-2007.]

I. RULES AND PROCEDURES APPLICABLE TO OCCUPATIONAL GROUPS/SERVICES

2.1 Commerce and Trade Group

In pursuance of the Administrative Reforms, it has been decided to form another occupational group to be called the “Commerce and Trade Group”. The Group shall comprise posts in the following Departments and such other posts as may be included in the group from time to time.

(i) | Trade Development Authority of Pakistan.
(i) TF **]

(iii) National Tariff Commission.

(iv) Cotton Board.

(v) Department of Insurance.

(vi) Trade Marks Registry.

2. The Group will be under the administrative control of the Ministry of Commerce and will function within the following framework of rules and procedure.

3. “Grades 1 to 16—Each Department/ Office will operate separately as hithertofore. The existing instructions in regard to direct recruitment and promotion quotas, the composition of Departmental Promotion and Selection Committees, the Appointing Authorities for various **grades etc. will continue to apply. The provisions of recruitment rules already framed for various categories of posts with the approval of Establishment Division will also continue to apply. All posts to be filled by direct recruitment will be advertised, except posts in **Grade 16 which will be reported to the Federal Public Service Commission.

“"4. Grade 17.—©[Sixty per cent of posts in **Grade 17 will be filled through competitive examination to be conducted by the F.P.S.C. and 40% by promotion from amongst the Departmental incumbents holding posts in **Grade 11 and above.] After completion of integrated training at the Academy for Administrative Training®®, the probationer officers allocated to the “Commerce and Trade Group” will undergo common departmental training®@® to be followed by a departmental examination, the details of which will be worked out by the Secretary, Ministry of Commerce, in consultation with this Division and the Federal Public Service Commission. Thereafter, they will be allocated to a particular department. They will ordinarily remain in that department until they get promotion to the higher grade. With the exception of very special cases, there will be no horizontal movement at this stage from one Department to the other.

“Import & Export (Control) Department deleted vide Cabinet Division’s Memo No. 412/92-Min.I, dated 25.01.1997.
* BPS.
“Para 4 to be seen in light of Occupational Groups and Services (Probation, Training and Seniority) Rules 1990.
Subs. vide Estt. Division O.M. No. 3/3/86-CP-2 dated 8-9-1987.

Civil Services Academy (CSA). May be read as such in subsequent SI. Nos. wherever it occurs.

There is now a Foreign Trade Institute of Pakistan.

5. “Grade 18 and above’*.— Posts will be filled by promotion or direct recruitment in accordance with the procedure laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and other instructions issued from time to time or by horizontal movement of suitably qualified and experienced officer from other groups. In case of appointment of Director General ML&C, the Prime Minister may appoint any officer of the corresponding rank/grade and having required/special expertise and experience on secondment.

6. — Eligibility for posts in the Secretariat.—Officers of Commerce and Trade Group will be eligible for Secretariat posts i.e. Deputy Secretary and Joint Secretary, by horizontal movement, as well as by lateral entry through examination etc.

7. For posts in **Grades 21 and 22.—Additional Secretaries and Secretaries and equivalent, the selection would be made from amongst Government servants of Grade 20 and above and also from amongst professionally qualified persons from other occupational groups as well as the private sector.

8. Lateral entry.— In order to meet shortages of officers in the Commerce and Trade Group or to meet specific requirements, appointments may be made to posts in the Group in any grade by recruitment through lateral entry of persons engaged in a profession or in the service of a corporation or private organization, who possess such professional qualifications and experience as may be prescribed from time to time. Similarly, officers of this group may be posted to appropriate posts in corporations and private organizations under Government management and control.

9. Seniority: **Grades | to 16.—Separate Department wise seniority lists would be maintained for all posts in **Grades 1 to 16 as hithertofore, on the basis of continuous regular officiation in the ** grade.

10. Seniority: **Grade 17.—All officers of **Grade 17 will be borne on the combined seniority list of the "Commerce and Trade Group". The inter-se seniority of direct recruits to **Grade 17 will be determined on the basis of marks obtained at the Federal Public Service Commission examination and the assessment during training at the Training Institutes/Academies. Those recruited direct on the basis of interview only shall reckon their seniority from the date of appointment. The seniority of officers promoted to *Grade 17 will be determined with reference to the dates of their regular continuous officiation in *Grade 17. As for seniority of direct recruits vis-a-vis promoted officers, the direct recruits of a particular year will as a class rank junior to the promoted officers of that year.

11. Seniority: *Grade 18 and above.— Seniority will be determined in each *grade from the date of regular continuous officiation in the *grade.

12. Officers of other occupational groups working in the Departments referred to in para above.— Such officers of other groups as may be working in posts now borne on the Commerce and Trade Group may be inducted into the Group subject to their option and suitability.

*

BPS
** Amended vide Establishment Division’s O.M.No.6/4/2004-CP-II (ML&C) dated 29" October, 2014.

13. Provision for accelerated promotions to posts in “Grade 17.— To enable bright young persons who have failed to secure, through competitive examination conducted by the F.P.S.C., direct entry to *Grade 17 posts, to get another opportunity to compete for these posts, or to get accelerated promotion within the Department, the following two provisions are made:-

(a) Those of age upto 30 years can appear in the competitive examination conducted by the FPSC provided they have put in at least two years government service;

(b) There will also be a Departmental Examination under which departmental candidates will be considered for promotion to posts in *Grade 17. All officials having a minimum of five years Government service in *Grade 11 and above employed in the Ministry of Commerce, its Attached Departments and Subordinate Offices which are included in the Commerce and Trade Group, will be eligible to appear in this Examination provided they are otherwise eligible. The upper age limit for this examination will be 45 years for the first examination, 40 years for the next examination, and 35 years for all subsequent examinations.

14. The Secretary, Ministry of Commerce will prepare a scheme for the Departmental Examination at (b) above and obtain the approval of Establishment Division. Subject to availability of suitable departmental candidates, promotion on accelerated basis through the above examination will be limited to a maximum of 25% of the total vacancies and these promotions will be reckoned against the “ [promotion quota].

15. The existing arrangements with regard to personnel management of the “Commerce and Trade Group” will continue under the overall supervision of the Ministry of Commerce who will prepare gradation lists of all officers in *Grade 17 and above. Each department under the Ministry of Commerce will prepare, issue and maintain seniority lists of *Grade 16 and below. The Ministry of Commerce will submit periodical reports to the Establishment Secretary. Any major difficulty which may arise in the implementation of these instructions will be resolved in a meeting of the Establishment Secretary and the Secretary, Ministry of Commerce.

[Authority.—Estt. Division’s O.M. No. 6/2/75-ARC, dated 8-5-1975].
2.2. “*Pakistan Customs Service

In pursuance of the Administrative Reforms, it has been decided to constitute the "Pakistan Customs Service". The group shall comprise all posts in the Customs and Central Excise Department. The overall administration of this group will remain with the

*
BPS
“ Subs. vide Estt. Division’s O.M. No.3/3/86-CP.2 dated 8-9-1987.

"Nomenclature “Customs and Excise Group” renamed as “Pakistan Customs Service vide Estt. Division’s O.M. No. 4/2/75-ARC dated 12-09-2009.

“Federal Board of Revenue under the Ministry of Finance. It will function within the following broad framework of rules and regulations.

2. “Grade 1 to *Grade 16.—The existing instructions with regard to direct recruitment and promotion quotas, the composition of Departmental Promotion and Selection Committees, the appointing authorities for various grades, etc., will continue to apply as hithertofore. All posts to be filled by direct recruitment will be advertised except posts in *Grade 16 which will be reported to the Federal Public Service Commission.

3. **Grade 17.— 75% posts in *Grade 17 will be filled through competitive examination conducted by the Federal Public Service Commission and 25% through promotion. After completion of one year's training at the Academy for Administrative Training, the probationer officers allocated to this group will undergo departmental and on-the-job training to be followed by an examination. Officers promoted to *Grade 17 may also be required to undergo such departmental training as the Federal Board of Revenue* may prescribe.

4. — The following provisions are being made to enable educationally qualified persons in *Grade 16 and below to secure entry in *Grade 17:-

(a) They can appear in the competitive examination upto the age of 30 years provided they have put in at least 2 years service. A maximum of two chances will be allowed after one has entered government service.

(b) There will also be a departmental examination under which departmental candidates can be considered for accelerated promotion in their own department. The upper age limit for this examination will be 45 years for the first examination, 40 years for the next examination, and 35 years for all subsequent examinations.

The Federal Board of Revenue** will prepare a scheme for the departmental examination at (b) above and obtain the approval of the Ministry of Finance and Establishment Division. Subject to availability of suitable departmental candidates, promotion on accelerated basis through the above examination will be limited to a maximum of 20% of the total vacancies and these promotions will be reckoned against the direct recruitment quota.

5. **Grade 18 and above.— The procedure for promotion and other matter; as laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 will be observed subject to the length of service as prescribed in Establishment Division O.M. No. 3/7/74-AR-II, dated the 29" May, 1974 namely:—

For **Grade 18..
For **Grade 1
For **Grade 20..

...5 years service in *Grade 17.
2 years service in *Grade 17 and above.
..15 years service in *Grade 17 and above.

* Revenue Division (Federal Board of Revenue) inserted in the Rules of Business, 1973 (as amended up
January, 2007), vide Cab. Div. Notification No. 4-14/98-Min. I. dated 1-12-1998, Schedule II [Rule 3(3)
Distribution of Business Among the Divisions.

“BPS.

6. Secretariat Posts— Officers of this group will be also eligible for Secretariat Posts (Deputy Secretary and above) to which appointment is made through examination or by horizontal movement with the approval of the Central Selection Board.

7. Lateral entry.— In order to meet shortages of officers in this Group or to meet specific requirements, appointments may be made to posts in the Group in any *Grade by transfer from other Groups, or by recruitment through lateral entry of persons engaged in a profession, or in the service of a corporation or private organisation, who possess such professional qualifications and experience as may be prescribed from time to time. Similarly, officers of this Group may be posted to appropriate posts in corporations under government management and control.

8. Seniority-(i) *Grades 1 to 16.— Seniority lists for all posts in *Grades | to 16 would be maintained as hithertofore on the basis of continuous regular officiation in the *Grade.

(ii) | *Grade 17.— The inter se seniority of direct recruits to **Grade 17 will be determined on the basis of order of merit, of probationers determined at the time of final passing out from the Academy for Administrative Training. The inter se seniority of the promoted officers to “Grade 17 shall be determined according to the date of their regular continuous officiation in *Grade 17. Direct recruits of a particular year, however, shall as a batch be placed junior to the officers promoted to *Grade 17 in that year.

(iii) *Grade 18 and above—Seniority in each grade will be determined from the date of regular continuous officiation in the *grade.

9. The existing arrangement with regard to personnel management of the Customs and Central Excise Department will continue under the overall supervision of the Federal Board of Revenue and the Ministry of Finance. The Federal Board of Revenue will prepare gradation list of all officers in *Grade 16 and above. The lists will be prepared Grade-wise. Each Collector of Customs and Central Excise will prepare, issue and maintain seniority lists of *Grade 15 and below.

10. The Federal Board of Revenue will submit periodical reports to the Establishment Secretary. Any major difficulty which may arise in the implementation of these instructions will be resolved in a meeting of Establishment Secretary and the Chairman of the Federal Board of Revenue.

[Authority.-Estt. Division’s O.M. No. 5/2/75-ARC, dated 9-5-1975].
2.3. “Inland Revenue Service

In pursuance of the Administrative Reforms, it has been decided to constitute the "**Inland Revenue Service". The group shall comprise all posts in the Income Tax Department. The overall administration of this group will remain with the Federal Board of Revenue under the Ministry of Finance. It will function within the following broad framework of rules and procedure:—

“BPS

“ “Income Tax Group” renamed as “Inland Revenue Service” vide Estt. Div.’s O.M.No.F.6/2/2009-C.P.II d 12-09-2009.

2. *Grades 1 to 16.—The existing instructions with regard to direct recruitment and promotion quotas, the composition of Departmental Promotion and Selection Committees, the appointing authorities for various *Grades, etc. will continue to apply as hithertofore. All posts to be filled by direct recruitment will be advertised except posts in Grade 16 which will be reported to the Federal Public Service Commission.

3. *Grade 17.— 75% of the posts in *Grade 17 will be filled through competitive examination conducted by the Federal Public Service Commission and 25% through promotion. After completion of one year's training at the Academy for Administrative Training, the probationer officers allocated to this group will undergo departmental and on-the-job training to be followed by an examination. Officers promoted to Grade 17 may also be required to undergo such departmental training as the Federal Board of Revenue may prescribe.

4. The following provisions are made to enable educationally qualified persons in *Grade 16 and below to secure entry in “Grade 17:-

(a) They can appear in the competitive examination upto the age of 30 years provided they have put in at least 2 years service. A maximum of two chances will be allowed after one has entered Government service.

(b) There will also be a departmental examination under which departmental candidates can be considered for accelerated promotion in their own department. The upper age limit for this will be 45 years for the first examination, 40 years for the next examination and 35 years for subsequent examinations.

The Federal Board of Revenue will prepare a scheme for the departmental examination at (b) above and obtain the approval of the Ministry of Finance and Establishment Division. Subject to availability of suitable departmental candidates, promotion on accelerated basis through the above examination will be limited to a maximum of 20% of the total vacancies and these promotions will be reckoned against the direct recruitment quota.

5. *Grade 18 and above.—The procedure for promotion and other matters as laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, will be observed subject to the length of service as prescribed in Establishment Division O.M. No. 3/7/74. AR I, dated the 20th May, 1974, namely: —

For *Grade 18 .. 5 years service in *Grade 17.
For *Grade 19 .. 12 years service in *Grade 17 and above.
For *Grade 20 .. 15 years service in *Grade 17 and above.

6. Secretariat Posts.— Officers of this group will be eligible for Secretariat posts in “[All Pakistan Unified Grades] in *Grade 19 and above in accordance with the procedure prescribed for appointment to Secretariat posts of Deputy Secretary and above.

* BPS

“All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09
1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi
issued on the subject from time to time were mutatis mutandis amended.

7. Lateral Entry.— In order to meet shortages of officers in this group or to meet specific requirements, appointments may be made to posts in the Group in any *Grade by transfer from other Groups, or by recruitment through lateral entry of persons engaged in a profession or in the service of a corporation or private organization, who possess such professional qualifications and experience as may be prescribed from time to time. Similarly officers of this Group may be posted to appropriate posts in corporations and other organizations under Government management and control.

8. Seniority.— (i) “Grade 1 to 16.— Seniority lists for all posts in Grade | to 16 would be maintained as hithertofore on the basis of continuous regular officiation in the Grade. The inter se seniority of direct recruits in *Grade 16 ina particular year will be determined in accordance with the merit position obtained by them in the competitive examination conducted by the Federal Public Service Commission.

(ii) *Grade 17.—The inter se seniority of direct recruits in *Grade 17 will be determined on the basis of order of merit of the probationers determined at the time of final passing out from the Academy for Administrative Training. The inter se seniority of officers promoted to *Grade 17 will be determined with reference to the dates of their regular continuous officiation in the grade. As for seniority of direct recruits vis-a-vis promoted officers, the direct recruits of a particular year will as a class rank junior to the promoted officers of that year.

(iii) *Grade 18 and above.— Seniority will be determined in each *Grade from the date of regular continuous officiation in the *Grade.

9. The existing arrangement with regard to personnel management of the Income Tax Department will continue under the overall supervision of the Federal Board of Revenue and the Ministry of Finance. The Federal Board of Revenue will prepare Gradation Lists of all officers in *Grade 16 and above. The lists will be prepared Grade-wise. Each Commissioner of Income Tax will prepare, issue and maintain seniority lists of *Grade 15 and below.

10. The Federal Board of Revenue will submit periodical reports to the Establishment Secretary. Any major difficulties which may arise in the implementation of these instructions will be resolved in a meeting of the Establishment Secretary and the Chairman of the Federal Board of Revenue.

[Authority.-Estt. Division’s O.M. No.4/2/75-ARC, dated 09-5-1975].

2.4 Tax Administrative Reforms: Reorganization of Federal Board of Revenue - Creation of New Occupational Service Namely Inland Revenue Service

In terms of S.No.10.2. (i) of Schedule-II of Rules of Business, 1973 and in continuation of this Division’s O.M. No.5/2/75-ARC dated 9-5-1975 and O.M. No. 4/2/75-ARC dated 9-5-1975, to say that in view of the ongoing Tax Administrative Reforms that

include reorganization of Federal Board of Revenue, it has been decided to create a new Occupational Service namely Inland Revenue Service with immediate effect.

2. All the business concerning Income Tax, Sales Tax and Federal Excise currently being done by the officers and staff of Inland Revenue Service and Pakistan Customs Service is transferred to the new Inland Revenue Service. Existing Customs and Excise Group will be renamed as Pakistan Customs Service.

3. Federal Board of Revenue shall seek from each officer and staff of the existing Customs & Excise Group and Income Tax Group an irrevocable option for inclusion or otherwise into the new Inland Revenue Service. Such option once exercised shall be final. In order to facilitate the officers in this process, FBR shall apprise each officer (1) the number of posts which would form part of the new occupational service (2) upon option, the seniority in the new service shall count from the date of regular appointment in the present post in the existing Customs & Excise Group and Income Tax Group in accordance with Civil Servants (Seniority) Rules, 1993, as amended from time to time.

4. Upon receipt of requisite options. Federal Board of Revenue shall proceed as under:-

(a) Scenario-I

In case, some officers from the Pakistan Customs Service and some officers from the Inland Revenue Service opt for Inland Revenue Service, the shortage of the Inland Revenue Service shall be met by posting of officers of Pakistan Customs Service and defunct Inland Revenue under Section 10 of the Civil Servants Act, 1973. Depending upon number of options to be exercised by the officers of Pakistan Customs Service and Inland Revenue Service, the tentative cadre strength of new Inland Revenue Service and Pakistan Customs Service may be as under (i.e. equivalent to existing combined strength of the Inland Revenue Service and Pakistan Customs Service):—

New Inland Revenue Service

Functions Officers
° Federal Excise 218
e Sales Tax
e Inland Revenue Service 978
Total 1196
e Pakistan Customs Service
Functions Officers

Customs 218

Upon completion of exercise of options, the exact cadre strength shall be finalized by the Establishment Division in consultation with Revenue Division.

(b) Scenario-I

In case all the officers of the Customs and Excise Group and Income Tax Group opt for new Service, the Service be renamed as “Pakistan Revenue Service” with common seniority and doing all the revenue and tax business. All officers would be part of one cadre. The tentative cadre strength of new service may be as under (i.e. equivalent to existing combined strength of the Inland Revenue Service and Pakistan Customs Service):—

Functions Officers
e Federal Excise 218
e Sales Tax
e Income Tax 978
e Customs 218
Total 1414

Upon completion of exercise of options, the exact cadre strength shall be finalized by the Establishment Division in consultation with Revenue Division.

5. In both the scenarios mentioned in para-4 above, the Income Tax Group officers not opting for the new service will remain in the existing Income Tax Group which will be a defunct and dying cadre without any future intake.

6. The inter-se-seniority of the officers of existing Inland Revenue Service and Pakistan Customs Service exercising option for inclusion in the new Pakistan Revenue Service or Inland Service, as the case may be, shall count from the date of regular appointment in the present post in the existing Customs and Excise Group and Income Tax Group in accordance with Civil Servants (Seniority) Rules, 1993, as amended from time to time.

7. Other measures shall be taken as under:-—

(a) All the existing posts currently forming part of Income Tax Group as well as those meant for Federal Excise Business but currently forming part of Customs and Excise Group shall form part of the new Inland Revenue Service with immediate effect. The said posts will, however, be transferred to the new Service upon completion of exercise of option.

(b) Further recruitment to the existing Income Tax Group is stopped.

(c) Effective from 2009, fresh recruitment to the newly constituted Inland Revenue Service or Pakistan Revenue Service as the case may be, shall be initiated through Federal Public Service Commission.

8. Establishment Division's O.M. No. 5/2/75-ARC dated 9-5-1975 and O.M. No. 4/2/75-ARC dated 9-5-1975 regarding constitution of existing Inland Revenue Service and Pakistan Customs Service shall be deemed to have been modified to the above extent. In case of inconsistency between the provisions of said O.M.s dated 09-05-1975 and this O.M., the provisions of this O.M. shall have the overriding effect.

9. To overcome the difficulties and interpretation of the methodology an Anomaly Committee is constituted comprising Additional Secretary-II, Establishment Division, Chairman, Federal Board of Revenue and Additional Secretary, Law and Justice Division whose interpretation shall be final subject to approval of Establishment Division.

10. The Anomaly Committee and all others concerned shall ensure that the decisions contained in this O.M. do not create any administrative complications.

[Authority.—Estt. Division's O.M. No. F.6/2/2009-CP-IL, dated 12-9-2009].
2.5 "Pakistan Administrative Service

In continuation of Establishment Division Office Memorandum No. 1/2/74-ARC, dated the 23 January, 1974 regarding the formation of the Pakistan Audit and Accounts Service, it has been decided with Prime Minister's approval to constitute another occupational group called the *Pakistan Administrative Service, comprising field posts in the civil administration of the district and the division viz. Commissioner, Deputy Commissioner, Additional Deputy Commissioner, Assistant Commissioner and such other posts as may be included in the group from time to time.

2. The *Pakistan Administrative Service will function within the following framework of rules and procedure. These instructions will apply to members of [Omitted] and to all other Government servants holding the posts specified in the Schedule of Cadre Strength of the Civil Service of Pakistan.

3. "Grades 17 to 19: Recruitment to **Grade 17 will continue to be made through Federal Public Service Commission as hithertofore except to the extent the posts have to be filled through promotion. Separate orders in this regard will be issued. After completion of integrated training at the Academy for Administrative Training, the probationer officers allocated to Pakistan Administrative Service will undergo departmental training as hithertofore to be followed by an examination. Promotion to ***Grades 18 and 19 will be made by the Central Selection Committee as explained in subsequent paragraphs.

4. In view of the importance of the post of Deputy*Commissioner which at present is a **Grade 18 post carrying special pay, it has been decided as follows:—

* "District Management Group" renamed as "Pakistan Administrative Service" vide Estt. Division's O.M.No.6/3/2012-CP-II dated 21-05-2012.
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Since abolished, except in the ICT administration & FANA, as a result of devolution plan under the local

government system introduced in the country. Now District Coordination Officer (DCO) is the principal administrative officer.

(i) | The post of Deputy Commissioner would be a selection post and selection will be made from amongst officers having at least 10 years service in police, armed forces, civil administration or military lands and Cantonments Department". The selected persons shall be given training in administration and law, if necessary, before posting as Deputy Commissioner.

(ii) To ensure appointments of experienced persons, the post of Deputy Commissioner in major Districts will be placed in "Grade 19. As in other groups, for promotion to **Grade 19 a minimum service of 12 years in **Grade 17/18 shall be a condition precedent.

5. | **Grade 20.—Promotion to **Grade 20 shall be made by selection from officers of the group who have had at least 15 years of service in **Grades 17-19.

6. Secretarial Posts.— As in other occupational groups, officers of this service will be eligible for Secretariat appointments in accordance with the procedure already prescribed. The officers will be selected, after written tests and interviews, for posts of Deputy Secretary and Joint Secretary in the Federal Government and equivalent posts in the Provincial Secretariat. These posts will be in a common pool to which officers of all Federal and Provincial Departments will be eligible. Those selected for Deputy Secretary and Joint Secretary or equivalent posts would be put through a training programme of 3-4 months. Their final selection would be made after satisfactory completion of training. No posts of the rank of Deputy Secretary and Joint Secretary in the Federal Secretariat, or their equivalent in the Provincial Secretariats tenable by officers of "*[All Pakistan Unified Grades] would be filled except from these panels. Relaxation will be made with Prime Minister's approval in individual cases.

7. **Grades 21-22.—For posts of Additional Secretaries and Secretaries to the Federal Government and equivalent posts in the Provincial Governments, selection would be made from government servants of various occupational groups in **Grade 20 and above and also from amongst professionally qualified persons from the private sector.

8. Lateral entry.— To bring in fresh blood and to relieve shortages, if any, at various levels, lateral entry will be resorted to. Lateral entry selections will be made only by the Federal Government.

"9, Seniority — (i) Seniority inter-se of direct recruits to **Grade 17 appointed in a batch to the @@Pakistan Administrative Service on the results of the competitive examination held by the FPSC shall be determined on the basis of the order of merit of the probationers determined at the time of final passing out from the Academy for

* Directorate of Military Lands & Cantonments; ref. Rules of Business, 1973 as amended upto 16" Januar
442007, rule 4(4), Schedule-III.
+eBPS
All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09-
1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi
issued on the subject from time to time were mutatis mutandis amended.
Subs.vide Estt. Division O.M. No. 2/2/74-ARC, dated 14-12-1976. This amendment takes effect from the
@gssuance of Estt. Division O.M.No.2/2/74-ARC, dated 23-2-1974.
"District Management Group" renamed as "Pakistan Administrative Service" vide Estt. Division's
O.M.No.6/3/2012-CP-II dated 21-05-2012.

Administrative Training. Seniority of direct recruits to “Grade 17 appointed otherwise than through the competitive examination held by the FPSC shall be determined on the basis of the date of continuous regular officiation in that *grade in the Pakistan Administrative Service. If the date of continuous regular officiation is the same, the older in age shall rank senior.

(ii) | Seniority in *Grade 18 and above shall be determined on the basis of the date of continuous regular officiation in the *grade provided that those who are selected for promotion to a higher grade in one batch shall, on their promotion to the higher grade retain their inter-se-seniority as in the lower grade.

(iii) Gradation list of officers in **[All Pakistan Unified Grades] would be issued by the Establishment Division periodically."

10. Under Article 240 of the Constitution, appointments to and conditions of service of persons in the All-Pakistan Services are to be determined by the Federal Government. The concept of All-Pakistan Services has been retained in the Constitution with a broader national purpose, viz. national integration and cohesion. It is, therefore, emphasized that all matters pertaining to the appointment, promotion, transfer, etc. of members of the ““[All Pakistan Unified Grades] are the responsibility of Federal Government.

11. In the past, substantive appointments to posts in *Grade 18 were made on the recommendations of the Federal Public Service Commission by the Federal Government after consulting the Provinces concerned. This procedure was, however, reduced to a mere formality as the Provinces who were permitted to make officiating appointments on temporary basis continued such appointments without interruption. For appointments to *Grades above 18, no reference to Federal Public Service Commission was necessary; in their case recommendations were made by the Provinces to the Federal Government and with their approval promotions were made. While making officiating appointments or making recommendations for promotions, the Provinces usually considered only those Government servants who were working within their jurisdiction. The cases of senior persons with good record of service working at the Centre” or in other Provinces were generally not considered by the Provinces. This procedure now requires modification for various reasons. Firstly, under the revised procedure consultation with Federal Public Service Commission in the matter of substantive promotion to *Grade 18 is no longer necessary and, therefore, distinction between officiating and substantive appointments is no longer valid. Secondly, as a result of the introduction of the administrative reforms a number of officers from other services have been inducted into All Pakistan Services. It is, therefore, necessary that their claim for promotion should also be fully taken into account before making appointments to higher *Grades.

12. It has, therefore, been decided that:

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“All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09
1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi
issued on the subject from time to time were mutatis mutandis amended.

“* Federal Government.

(i) A Central Selection Committee under the Establishment Secretary in which Chief Secretaries of the Provinces would be associated would make recommendations for promotion to “Grade 18 and above. For appointments in the Provinces, the cases will be first submitted to Governor/Chief Minister as at present before submitting the cases to the Prime Minister for approval. Instead of making recommendations in each case of promotion, panels of names for promotion to higher *Grades would be prepared periodically so that whenever vacancies have to be filled at short notice, action would be taken without any delay.

(ii) “No officer above a certain seniority should remain in the same Province for a period of more than “"""5 years. The Central Selection Committee referred to above will look into the implementation of this decision.

[Authority.-Establishment Division’s O.M. No. 2/2/74-ARC, dated 23-2-1974 as amended vide Establishment Division’s O.M. of even number dated 14-12-1976].

2.6 Classification of Districts

The Federal Government in pursuance of para 4 (ii) of the Establishment Division O.M. No. 2/2/74-ARC. II, dated the 23" February, 1975 agree to the classification of the following districts as major districts and placing of posts of Deputy Commissioner of these districts in BPS 19:—

Sl #	Punjab	Sindh	Sl #	K.P.K	Balochistan
1.	Lahore	1... Karachi	1.	Peshawar	1. Quetta
2.	Rawalpindi	2. Hyderabad |	2.	D.I. Khan	2. Zhob
3.	Multan	3. Sukkur	3.	Swat	3. Nasirabad
4.	Bahawalpur |	4. Larkana	4	Abbottabad	4. Mekran
5.	Sahiwal	5. Khuzdar			
6.	Gujranwala	6. Kohlu			
7.	Sargodha	7. Loralai			
8.	Faisalabad				

Placement of the posts in BPS 19 does not imply automatic “upgradation of the

incumbent of the posts. The Provincial Government will refer the case of promotion to BPS 19 against these posts to the Establishment Division in accordance with the normal procedure.

[Authority.- Estt. Division’s Additional Secretary's d.o. letter No.3/16/ 74-ARC-IL, dated the 30-8-1975 addressed to Provincial Governments].

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ae . .

See Rotation Policy.
“= Also see Rotation Policy for PAS/PSP officers.
® For instructions/orders on upgradation.

2.7 Economists and Planners Group

In pursuance of the Administrative Reforms, it has been decided to constitute another occupational group to be called "Economists and Planners Group" comprising all posts of Economists, Chief, Deputy Chief, Assistant Chief, Research Officers, Planning Officers and Economic Investigators in the Economic Sections of the Planning Division, Economic Affair Division and Finance Division and posts in other Ministries, Divisions and Departments of the Federal Government dealing exclusively with economic matters and planning and development in the economic field. For this purpose the Ministries and Divisions concerned shall communicate to the Planning and Development Division the number and “Grades of all such posts under their administrative control, together with a nominal roll of the incumbents of these posts showing dates of their regular appointment in their present *Grades. Based on the information supplied by the Ministries and Divisions, the Planning and Development Division shall prepare a schedule of posts to be included in the Economists and Planners Group and forward it to the Establishment Division for approval.

2. The Economists and Planners Group will be under the administrative control of the Planning and Development Division, and will function within the following broad framework of rules.

3. *Gradesl- 16.— Each Ministry/Division/Department will operate these posts separately as heretofore subject to the overall supervision of the Planning and Development Division. The existing rules, regulations and instructions in regard to direct recruitment, promotion quotas, composition of Promotion and Selection Committee, appointing authorities for various *grades etc. will continue to apply as heretofore. The provisions of recruitment rules already framed for various categories of posts with the approval of the Establishment Division will also continue to apply. All posts to be filled by direct recruitment will be advertised.

4. *Grade 17.— Initial entry to *grade 17 will be made from amongst such probationers, recruited through the competitive examination conducted by the Federal Public Service Commission, as are in possession of the prescribed academic qualifications. After the initial institutional training, the probationers officers will be given such departmental training as may be prescribed, to be followed by an examination the details of which will be prepared by the Planning and Development Division. Thereafter, they will be allocated to various posts in different Ministries/ Divisions/ Departments. They will ordinarily remain in the Ministries/ Divisions/Departments of their original posting until they get promotion to the next higher *grade. With the exception of very special cases, there will be no horizontal movement at this stage from one Ministry/Division/ Department to the other.

5. 75% of posts in *grade 17 will be filled by direct recruitment and 25% through promotion on the basis of selection.

6. *Grade 18 and above.—33% posts in *grades 18, 19 & 20 would be filled by promotion if suitably qualified and experienced persons are available. The remaining 67% would be filled by direct recruitment, or transfer, of persons possessing such

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qualifications and experience as may be prescribed. Direct recruitment will be made through the Federal Public Service Commission.

7. All posts in *grade 17 and above will be selection posts.

8. | The procedure for promotion and other matters as laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 will be observed.

9. Officers of this group will be eligible for appointment to equivalent posts in the Secretariat and other Groups by horizontal movement, and to posts in higher *grades in the Secretariat Group in accordance with the prescribed procedure.

10. Lateral entry—In order to meet existing deficiency in *grades 17 and 18, the Planning and Development Division will prepare a scheme for recruitment of young economists possessing Master's Degree in Economics and for their training in Pakistan and abroad (in Ph.D. Fellowships etc.) and submit it to the Establishment Division for approval.

11. To meet specific requirements, appointments may also be made to posts in the Group in any grade by recruitment through lateral entry of persons either in Government service, or engaged in a profession or in the service of a corporation, or private organization, who possess professional qualifications and experience as may be prescribed for the posts from time to time. Similarly, officers of the Economists and Planners Group may be posted to appropriate posts in corporations and public sector organizations under government management and control.

12. Seniority—"Grade 1 to 16.— Separate Division-wise/ Department-wise seniority lists would be maintained for all posts in *grades 1 to 16 as hithertofore. The seniority as already determined in various grades under the previous rules before the promulgation of the Civil Servants Ordinance, 1973, i.e. before 15" August, 1973, shall not be disturbed. However, seniority of persons promoted to higher grades on or after 15" August, 1973 shall be determined on the basis of the date of regular appointment to the grade, provided the persons who are selected for promotion to a higher *grade in one batch shall, on their promotion to the higher *grade, retain their inter-se-seniority in the lower *grade.

13. *Grade 17— All officers of *grade 17 will be borne on a combined seniority list of the "Economists and Planners Group". The inter-se-seniority of the direct recruits to *grade 17 will be determined on the basis of the order of merit of the probationers determined on the conclusion of training. The inter se seniority of officers promoted to *grade 17 will be determined with reference to the dates of their regular appointment in *grade 17 provided that officers who are selected for promotion to that grade in one batch shall, on their promotion, retain their inter-se-seniority in the lower grade as for seniority of direct recruits vis-a-vis promoted officers, the direct recruits appointed in a particular year will, as a class, rank junior to the officers appointed by promotion on regular basis in that year.

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14. *Grade 18 and above.— Seniority will be determined in each grade from the date of regular appointment to the *grade provided that officers who are selected for promotion to higher grade in one batch shall, on their promotion to a higher *grade, retain their inter-se-seniority in the lower *grade. Those appointed by direct recruitment, if more than one person is selected in one batch, shall be assigned seniority in accordance with the order of merit determined at the time of selection provided the selected persons join within the prescribed time.

15. Provision for accelerated promotion of posts in *grade 17.— To enable bright young persons in the Group who fail to secure direct entry to *Grade 17 posts through the Federal Public Service Commission to get another opportunity to compete for these posts or to get accelerated promotion to *Grade 17 within the department, the following provisions are made:-

(a) Officials of age upto 30 years can appear in the competitive examination conducted by the Federal Public Service Commission provided they have put in at least two years Government Service. Not more than two chances will be allowed after one has entered government service;

(b) There will also be a departmental examination for departmental candidates for accelerated promotion to posts in *Grade 17. Subject to possession of such minimum qualifications as may be prescribed, all officials having a minimum of 5 years government service in *Grade 11 and above in the Group will be entitled to appear in this examination. The upper age limit for this examination will be 45 years for the first examination, 40 years for the next examination and 35 years for subsequent examinations.

16. The Secretary, Planning and Development Division will prepare a scheme for departmental examination mentioned in para 15 and obtain the approval of the Establishment Division. Promotion on accelerated basis through the above examination will, subject to availability of suitable departmental candidates, be limited to the maximum of 25% of the total vacancies in *Grade 17 and these promotions will be reckoned against the direct recruitment quota.

17. The existing arrangements with regard to personnel management of various posts and cadres in the "Economists and Planners Group" will continue but the Secretary, Planning and Development Division in liaison with the Ministry/Division/ Department concerned will be responsible for the smooth implementation of the above instructions. He will prepare *grade-wise gradation list of all officers in “Grade-17 and above. Any major difficulties which may arise in the implementation of these instructions will be resolved in a meeting of the Establishment Secretary, the Secretary Planning & Development Division and such other Secretary or Secretaries as may be co-opted.

[Authority.-Estt. Division’s O.M.No.10/2/75-ARC, dated 25-3-1976].

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2.8 Foreign' Service of Pakistan

In continuation of Establishment Division Office Memorandum No. 1/2/74-ARC, dated the 23" January, 1974, it has been decided with the Prime Minister's approval to constitute another occupational group called the "Foreign Affairs Group" comprising all posts in or under the Ministry of Foreign Affairs. The group will be under the administrative control of the Foreign Ministry and will function within the following framework of procedure, rules and regulations etc.

2. ""Grade 1-16.— These comprise posts of Peons, Daftries, Clerks, Assistants, "Stenographers and Office Superintendents. Recruitment will be partly by promotion and partly direct recruitment in accordance with the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. As provided in the rules, where appointments are to be made from outside, the posts will be advertised.

3. ***Grade 17.— Initial entry to ***Grade 17 in the **Foreign Affairs Group will continue to be made as at present through competitive examination conducted by Federal Public Service Commission. On completion of one year's training at the Academy for Administrative Training®®, suitable candidates would be allocated to **Foreign Affairs Group on the basis of their ability and aptitude. Thereafter, they would be given departmental or on-the-job training in such a manner that they are exposed to Commercial, Press etc., as well as Diplomatic work.

4. As in the case of ""@ Accounts Group, the following two provisions are being made to enable educationally qualified persons in ***Grade 16 and below to secure entry in ***Grade 17.

(a) They can appear in the competitive examination conducted by F.P.S.C. upto the age of 30 years provided they have put in at least 2 years services.

(b) There will be a departmental examination under which departmental candidates would be considered for promotion to ***Grade 17. The age limit for this examination will be 35 years. Such departmental examination will be held by FPSC. Those promoted ***Grade 17 will be initially appointed as Section Officers at Headquarters. After training and a spell of duty at Headquarters they would be eligible for posting abroad.

5. ***Grade 18.—Promotion to ***Grade 18 will be from amongst government servants of Grade 17 who have rendered at least 5 years of service in that *Grade.

6. ***Grades 19 and 20.— The existing procedure governing promotions to these Grades would, by and large, remain the same. As in the case of Secretariat

. The nomenclature of Foreign Affairs Groups was changed to 'Foreign Service of Pakistan' vide Estt. Div Notification No. SRO 936(1)/83, dated 29-9-1983.

" Foreign Service of Pakistan.

"" BPS

"Now Assistant Private Secretary.

©@ Civil Service Academy.

©@@ Now Pakistan Audit and Accounts Service.

Officers, promotion to “Grade 20 will be on the basis of written test and as well as “Annual Confidential Reports. The minimum length of service for promotion to *Grade 19 and 20 will respectively be 12 years and 15 years in *Grade 17 and above.

7. *Grades 21 and 22.— Selection will be made from Government servants in *Grades 20 and above.

8. Transfer of officers from other Ministries.....

9. Lateral entry.— In view of our expanding requirements to man posts abroad and the need for greater circulation of officers of the “*"Foreign Affairs Group to other Ministries, the cadre strength of the ***Foreign Affairs Group will be kept constantly under review and lateral entry resorted to whenever and in whichever *Grade there is shortage. But apart from the need to meet such shortages, there would be regular lateral entry each year at 1“ Secretary/ Director and Minister/Director General levels for continuous enrichment of the ***Foreign Affairs Group by induction of fresh blood from the private sector as well as other occupational groups. For the next few years the Ministry of Foreign Affairs would submit a report every three months as to how the lateral system is working. On this report, the comments of the Establishment Division would be obtained before submission to the Prime Minister.

10. Exposure to other Ministries— In order to equip them better for diplomatic work officers of the ***Foreign Affairs Group, in the course of their assignment in Pakistan, would be exposed to the work relating to Trade and Commerce, Planning, Public Relations and Publicity and Economic matters. They would be posted, on short term secondments, to Ministries/Organisations/ Corporations etc. dealing with these and allied subjects.

11. Secretariat Officers working in Foreign Office — There are at present a large number of *Grade 17 and *Grade 18 officers belonging to the former Central Secretariat Service who are working in the Foreign Ministry and in Missions abroad. Some of them who are suitable would be permanently inducted into the *Foreign Affairs Group and the rest would be withdrawn in a phased programme.

12. Personnel Wing of the Foreign Ministry— The two top posts in the Personnel Wing of the Ministry of Foreign Affairs will be manned by officers, not belonging to ***Foreign Affairs Group.

13. Seniority ete—— A Unified Gradation List of officers of the ***Foreign Affairs Group will be prepared by the Ministry of Foreign Affairs, taking into account the above decisions and in accordance with the principles already adopted for other groups viz-the seniority in each *Grade will be determined from the date of appointment to that *Grade. The strict application of this rule may create hardship in certain cases as for example some Section Officers of former CSS cadre are in *Grade 18 while most of the

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** Now Performance Evaluation Reports(PERs).

Directors are also in “Grade 18. Such anomalies have to be removed. To do this and to resolve any major difficulty that may arise as a result of the application of these instructions in regard to seniority a committee has been set up consisting of the Foreign Secretary (Administration) and Establishment Secretary.

[Authority.-Estt. Division’s O.M. No. 3/2/74-ARC, dated 8-4-1974, as amended vide O.M. of even numbers dated 21-9-1976, 30-1-1978 and 28-2-1978].

2.9 Information Group

In pursuance of the Administrative Reforms, it has been decided to constitute another occupational group to be called "Information Group" which shall comprise all posts in the following Departments and Organizations and such posts in the Ministry of Information and Broadcasting as may be specifically included in the Group:-

(i) _ Press Information Department and its Regional Information Offices.
(ii) Directorate of Research and Reference.

(iii) External Publicity Wing and its Offices in Pakistan Missions abroad.
(iv) Border Publicity Organization and its Regional Offices.

(v) Audit Bureau of Circulation and its Regional Offices.

(vi) Directorate of Economic Publicity.

(vii) Directorate of Films and Publications.

The group will be under the administrative control of the Ministry of Information and Broadcasting and will function within the following broad framework of tules and procedure.

2. The posts in *Grade 17 and above included in the Information Group are detailed in the enclosed schedule (Annex). The Ministry of Information and Broadcasting may, after consultation with the Establishment Division, add to, or remove any post from the Schedule. In addition, there will be a leave, training and deputation reserve as follows:-

(1) Leave Reserve....10% of the duty posts.
(2) | Training and Deputation reserve....10% of the duty posts.

3. BPS 1 to 16.— Each Department and Organization will operate these posts as hithertofore. The existing instructions with regard to direct recruitment and promotion quotas, the composition of Promotion and Selection Committees, the Appointing Authorities for various *Grades, etc., will continue to apply. All posts to be filled by direct recruitment will be advertised, except posts in BPS 16 which will be reported to the Federal Public Service Commission.

4. BPS 17.— Seventy-five per cent posts in BPS 17 will be filled through competitive examination conducted by the Federal Public Service Commission. After completion of training at the Academy for Administrative Training, the probationer officers

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allocated to the Information Group will undergo on-the-job departmental training to be followed by an examination prescribed by Ministry of Information and Broadcasting.

5. The remaining 25% posts will be filled by promotion on the basis of selection from amongst BPS 16 Officers of the Ministry of Information and Broadcasting and the Departments and Organizations included in the group.

6. BPS 18 and above.— The posts will be filled by promotion on the basis of selection from amongst eligible officers of the group in accordance with the procedure laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and other instructions issued from time to time, or if no candidate is considered suitable from within the group by horizontal movement of suitably qualified and experienced officers from other groups. Government instructions regarding minimum length of service for eligibility for promotion to BPS 18, 19 and 20 will be observed.

7. Eligibility for senior posts in the Secretariat.— Officers of this group will be eligible for Secretariat posts i.e. Deputy Secretary and Joint Secretary, by horizontal movement, as well as by lateral entry through examination ete.

8. Lateral entry.— In order to meet shortage of officers in the group or to meet specific requirements, appointment may be made in posts in the group in any BPS, by transfer from other groups or by recruitment through lateral entry of persons either in Government service or engaged in a profession or in the service of a corporation or private organization, who possess such professional qualifications and experience as may be prescribed from time to time. Such appointments shall be made through Federal Public Service Commission in consultation with the Establishment Division.

9. Seniority: (a) BPS 1 to 16.— In respect of BPS | to 16, separate seniority ists would be maintained for each Department and Organization included in the Information Group, as hithertofore, on the basis of continuous regular officiation in the Grade.

(b) BPS 17.— All officers of BPS 17 will be borne on a combined seniority ist of the "Information Group". The inter-se-seniority of the direct recruits to BPS 17 will be determined on the basis of the order of merit of the probationers determined on the conclusion of training. The inter-se-seniority of officers promoted to BPS 17 will be determined with reference to the dates of their regular appointment in BPS 17 provided that officers who are selected for promotion to that Grade in one batch shall, on their promotion, retain their inter-se-seniority in the lower BPS. As for seniority of direct recruits viz-a-viz promoted officers, the direct recruits appointed in a particular year will, as a class, rank junior to the officers appointed by promotion on regular basis in that year.

(c) BPS 18 and above.— Seniority will be determined in each BPS from the date of regular appointment to the BPS; provided that officers who are selected for promotion to higher BPS in one batch shall, on their promotion to a higher BPS, retain their inter-se-seniority in the lower BPS. Those appointed by direct recruitment, if more than one person is selected in one batch, shall be assigned seniority in accordance with the order of merit determined at the time of selection provided the selected persons join within the prescribed time.

Note.—The seniority as already determined in various BPS under the rules in force before the promulgation of the Civil Servants Ordinance, 1973 i.e. before 15-8-1973, shall not, as far as possible be disturbed. However, seniority of persons promoted to higher BPS on or after 15-8-73 shall be determined on the basis of the date of regular appointment to the Grade, provided that the persons who are selected for promotion to a higher Grade in one batch shall, on their promotion to the higher BPS, retain their inter-se-seniority in the lower BPS.

10. Provision for accelerated promotion to posts in BPS 17.— To enable bright young persons who have failed to secure through competitive examination conducted by Federal Public Service Commission direct entry to BPS 17 posts, or to get accelerated promotion within the Department, the following two provisions are made:-

(a) Those of age upto 30 years can appear in the competitive examination conducted by the Federal Public Service Commission provided they have put in at least 2 years service.

(b) There will also be a departmental examination under which departmental candidates will be considered for promotion to posts in BPS 17. All officials having a minimum of 5 years service in BPS 11 and above in the Ministry of Information and Broadcasting and the departments and organizations, which are included in the Information Group, will be eligible to appear in this examination, provided they fulfill the prescribed conditions. The upper age limit for this examination will be 45 years for the first examination, 40 years for the next examination and 35 years for all subsequent examinations.

The Ministry of Information and Broadcasting will prepare a scheme for the departmental examination at (b) above and obtain the approval of Establishment Division. Subject to availability of suitable departmental candidates, promotion on accelerated basis through the above examination will be limited to a maximum of 25% of the total vacancies and these promotions will be reckoned against the direct recruitment quota.

11. The existing arrangements with regard to personnel management will continue under the overall supervision of the Ministry of Information and Broadcasting who will prepare gradation lists of all officers in BPS 17 and above. Each Department under the Ministry of Information and Broadcasting included in the group will prepare, issue and maintain seniority lists in respect of BPS 16 and above.

12. The Ministry of Information and Broadcasting will submit periodical reports to the Establishment Secretary. Any major difficulties which may arise in the implementation of these instructions will be resolved in a meeting of the Establishment Secretary and the Secretary, Ministry of Information and Broadcasting.

[Authority.-Estt. Division’s O.M. No. 2/8/75-ARC, dated 17-6-1977].

(ANNEX)

"SCHEDULE SHOWING POSTS IN BPS 17 AND ABOVE INCLUDED IN THE INFORMATION GROUP

WING/ DEPARTMENT	NOMENCLATURE OF POST	BPS	NO. OF POSTS
1	2	3	4
1. Audit Bureau of Circulation, (Headquarters, Islamabad)	Director	19	1
	Deputy Director	18	1
	Assistant Director	17	1
	Audit Bureau of Circulation, — (Lahore/Karachi/ Peshawar/Quetta).	Assistant Directors	17	4
		>Total:		7
2. External Publicity Wing, Islamabad.	Director General	21	1
	Minister (Information) (London/New Delhi)		20	2
	Directors	19	4
	Press Counselors (Bonn, Cairo, Dhaka, New York, Paris, Riyadh, Tehran, Washington)	19	8
	Deputy Directors Press Attaches (Abu Dhabi, Colombo, Canberra, Beijing, Ankara, Jeddah, Kuala-Lumpur,Kuwait London, New Delhi, Nairobi, Ottawa, Rome, Tokyo,Hong Kong, Jakarta, Washington)	18	17
	Assistant Directors	7	7
	> Total:			45
3. Internal Publicity	Director General	20	1
	Directors	9	3
	Deputy Directors	8	2
	Assistant Directors	7	3
	> Total:			9
4. Information Service Academy	Director General	20	1
	Directors	9	2
	Deputy Directors	8	3
	>Total :			6

* Subs.vide Ministry of Information and Media Development (now M/o Information and Broadcasting) O.M

1(5)/92-IC, dated 24-7-1993.

5. Press Information Director General 21 1
Department Dy. Directors Genl. 20 2
(Headquarters), Directors 9 7
slamabad. Deputy Directors 8 12
Assistant Directors/ 7 32
Information Officers
PID (Regional Director 9 1
nformation Deputy Directors 8 3
Office), Lahore
PID (Sub-Office) Deputy Directors 8 2
Multan/Faisalabad Information Officers 7 2
PID (Regional Assistant Directors/ 7 5
nformation Information Officers
Office) Lahore +
>Total: 67
PID (Regional Director 19 1
nformation Deputy Directors 8 2
Office) Karachi
PID (Sub-Office) Deputy Director 18 1
Hyderabad Information Officer 17 1
PID (Regional Information Officers/ 17 6
nformation Assistant Directors —
Office)Karachi > Total: 11
PID (Regional Director 19 1
nformation Deputy Directors 18 2
Office) Research Officer 17 1
Peshawar Information Officers 17 2
PID (Sub- Information Officer 17 1
Office) D.I. Khan —
>Total: 7
PID (Regional Director 19 1
nformation Deputy Directors 18 2
Office) Quetta Information Officers 17 2
>Total: 5
PID (Regional Deputy Director 18
nformation Office) Information Officer 17
Gilgit PID (Sub-Office)
Chilas Information Officer 17 1
> Total: 3

6. Directorate of Director General 20
Films and Directors 19 2
Publications Deputy Directors 18 2
(Headquarters) Ibd.
DFP (Lahore Deputy Director 18
Office) Directorate of Assistant Directors 17 2
Films and Publications Assistant Directors 17 4
(Headquarters) Ibd. —
>Total: 12
7. Directorate General Director General 20
(Research and Directors 19 3
Reference) Ibd. Deputy Directors 18 9
Assistant Directors 17 11
>Total: 24
8. Central Zakat Deputy Director 18 1
Administration (To be paid by
Finance Div., Ibd. Central Zakat
Administration) >Total: 1
»Grand Total: 197

(Besides there will be 10% deputation reserve and 10% leave reserve in each pay scale).
2.10 Military Lands and Cantonments Group

In pursuance of the Administrative Reforms, it has been decided to form another Occupational Group to be called "Military Lands and Cantonments Group". The Group shall comprise all posts in the Military Lands and Cantonments Department and such posts as may be included in the group from time to time.

2. The Group will be under the administrative control of the Ministry of Defence and will function within the following broad framework of rules and procedure.

3. BPS 1 to 16.— The existing instructions with regard to direct recruitment and promotion quotas, the composition of Departmental Promotion and Selection Committees, the appointing authorities for various BPS, etc. will continue to apply. The provisions of recruitment rules already framed for various categories of posts with the approval of Establishment Division will also continue to apply. All posts to be filled by direct recruitment will be advertised except posts in BPS 16 which will be reported to the Federal Public Service Commission.

4. BPS 17.— Seventy five percent (75%) posts in BPS 17 will be filled through Competitive Examination to be conducted by the Federal Public Service Commission and 25% by promotion from amongst the departmental incumbents holding posts in BPS 11 and above. After completion of integrated training at the Academy for Administrative Training, the probationer officers allocated to the "Military Lands and Cantonments Group " will undergo common Departmental Training to be followed by a Departmental Examination, the details of which will be worked out by the Secretary, Ministry of Defence in consultation with this Division and the Federal Public Service Commission. Thereafter, they will be allocated to various posts in the Group.

“[5. BPS 18 and above.— Posts will be filled by promotion or direct recruitment in accordance with the procedure laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and other instructions issued from time to time or by horizontal movement of suitably qualified and experienced officer from other Groups. In case of appointment of Director General ML & C, the Prime Minister may appoint any officer of the corresponding rank/“"grade and having required/special expertise and experience on secondment.]

6. — Eligibility for posts in the Secretariat— Officers of the Military Lands and Cantonments Group will be eligible for Secretariat posts i.e. Deputy Secretary and Joint Secretary, by horizontal movement as well as by lateral entry through examination etc.

7. — Eligibility for posts in the Pakistan Administrative Service.— Officers of the Military Lands and Cantonments Group will also be eligible for induction in the Pakistan Administrative Service on the basis of selection in accordance with a procedure that may be prescribed from time to time.

8. Lateral Entry— In order to meet shortages of officers in the Military Lands and Cantonments Group or to meet specific requirements, appointments may be made to posts in the Group in any BPS by transfer from other Groups, or by recruitment through lateral entry of persons engaged in a profession or in the service of a corporation or private organization, who possess such professional qualifications and experience as may be prescribed from time to time.

9. Seniority— (i) BPS 1 to 16.— Separate seniority lists would be maintained for all posts in BPS 1 to 16 as hithertofore on the basis of continuous regular officiation in the BPS.

(ii) BPS 17.— All officers of BPS 17 will be borne on the combined seniority list of the Military Lands and Cantonments Group. The inter-se-seniority of direct recruits to BPS 17 will be determined on the basis of order of merit of probationers determined at the time of final passing out from the Academy for Administrative Training. The inter-se-seniority of officers promoted to BPS 17 will be determined with reference to the dates of their regular continuous officiation in BPS 17. As for seniority of direct recruits viz-a-viz promoted officers, the direct recruits of a particular year will, as a class, rank junior to the officers promoted to BPS 17 in that year.

(iii) BPS 18 and above.—Seniority in each BPS will be determined from the date of regular continuous officiation in the Grade.

10. Provision for accelerated promotion to posts in BPS 17.—To enable bright young persons who have failed to secure direct entry to BPS 17 posts through Competitive Examination conducted by the Federal Public Service Commission to get another opportunity to compete for these posts or to get accelerated promotion within the department, the following two provisions are made:—

(a) Those of age upto 30 years can appear in the Competitive Examination conducted by the Federal Public Service Commission provided they have

*Para-5 modified vide Establishment Division’s O.M No. 6/4/2004-CP-II (ML&C) dated 29-10-2014.
BPS.

put in at least two years Government service. A maximum of two chances will be allowed after one has entered Government service.

(b) There will also be a departmental examination under which departmental candidates can be considered for accelerated promotion to posts in BPS 17. All officials having a minimum of 5 years Government service in BPS 11 and above will be entitled to appear in this examination provided they are otherwise eligible. The upper age limit for this examination will be 45 years for the first examination, 40 years for the next examination and 35 years for subsequent examinations.

11. The Secretary, Ministry of Defence, will prepare a scheme for the departmental examination at (b) above and obtain the approval of this Division. Subject to availability of suitable departmental candidates, promotion on accelerated basis through the above examination will be limited to a maximum of 25% of the total vacancies and these promotions will be reckoned against the direct recruitment quota.

12. The existing arrangements with regard to personnel management of the "Military Lands and Cantonments Group" will continue under the overall supervision of the Ministry of Defence who will prepare Gradation Lists of all officers in BPS 17 and above. The Director, Military Lands and Cantonments will prepare, issue and maintain seniority lists of BPS 16 and below, the Ministry of Defence will submit periodical reports to the Establishment Secretary. Any major difficulty which may arise in the implementation of these instructions will be resolved in a meeting of the Establishment Secretary and the Secretary, Ministry of Defence.

[Authority.- Estt. Division’s O.M.No.9/2/75-ARC, dated 11-5-1975].

2.11 Office Management Group

In continuation of the Establishment Division Office Memorandum No.3/2174-ARC dated the 8" April, 1974*, it has been decided to constitute another occupational group called Office Management Group which will comprise:-

(i) all ministerial posts in the Federal Secretariat from BPS | to 16,
(ii) posts of Section officers in BPS 17 & 18 ; and

(iii) such other posts including posts in BPS 19 & 20 as may be specified and included in the Group from time to time.

2. Subject to the delegation specified below, the administrative control of the Group will rest with the Establishment Division and will be exercised within the broad framework of rules and procedure as outlined in the succeeding paras.

3. Ministerial Posts from BPS 1 to 16.—Each Ministry/Division will operate these posts as heretofore. The existing rules, regulations and instructions in regard to direct recruitment, promotion, provincial quotas, composition of promotion and selection committees, appointing authorities for various “grades etc., will continue to apply as heretofore.

*Relates to the constitution of the Foreign Service of Pakistan.
“BPS

4. Initial Composition of Group in respect of Posts in BPS-17 and Above.—
The following officers, including those who are on temporary deputation outside the Federal Secretariat, shall be included in the group on its initial constitution viz:

(i) | Section officers who already stood en-cadred in the former CSS Cadre through notifications issued from time to time.

(ii) Section officers who were eligible to be en-cadred but notifications could not be issued before the abolition of the CSS Cadre.

(iii) Section Officers directly recruited by FPSC till the end of 1974".

(iv) Ad-hoc Section Officers who qualified in the promotional examinations of 1967 & 1969 but who could not be adjusted on regular basis due to non-availability of posts in the departmental quota.

(v) Ad-hoc Section Officers who appeared in the promotional examinations of 1967 & 1969 and were cleared by revising the standard in consultation with FPSC.

5. Working Strength of Section Officers.—The strength | of duty posts of Section Officers in Federal Secretariat will, for the present, be 750. [10% percent of these posts will be reserved for appointment on deputation on tenure basis or by transfer of officers in BS-17 and BS-18 from other occupational groups/cadres and provincial civil servants in accordance with para 9 (A)]. There will be leave, training and deputation reserve as under: -

Sanctioned Strength”

(i) Leave reserve 10% of the duty posts..... 75

(ii) Training & deputation reserve 15% oo... eee 112
of the duty posts.

50% of the total strength of these posts will be in BPS 17 and the remaining 50% in BPS-18. No vacancy in BPS 18 would occur if a Section Officer in BPS -18 is deputed to an ex-cadre post or sent on foreign service except when the deputationist ceases to have lien in the parent Group.

6. Placing of Ad-Hoc Section Officers on Regular Footing.—Ad-hoc Section Officers other than those mentioned at clauses (iv) & (v) of para 4 above, are liable to be replaced by FPSC qualified Section Officers. Such of them as are not replaced will be required to take Section Officers (Qualifying) Examination to be conducted by the FPSC. Not more than two chances to clear the examination will be allowed. Final clearance will be given after taking into account the marks obtained by them in the Qualifying Examination, service record and the vacancies available at the time. Such of them as are cleared finally will be placed on regular footing. Those who do not clear it will be reverted.

“Amended vide Estt. Division’s O.M. No. 10/1/74-C.II(A), dated 17-2-1979.
“Subs vide Estt. Division’s O.M. No.7/12/81-C.III (B)/(OMG.ID dated 4-11-1985.
“” Ref. Estt. Div.’s UO No. 13(2)/2000-OMG-I, dated April, 23, 2007.

7. Future Recruitment.—(a)BPS -17: In future 2/3rd of the vacancies of Section Officers in BPS 17 may be filled by direct recruitment through FPSC.

“[Provided that the appointing authority may, in the public interest, fill up vacant posts falling to the share of initial appointment, through promotion in the prescribed manner].

“(b)(i) The remaining 1/3™ of the vacancies shall be filled by promotion of the departmental eligible candidates through a promotional examination. The promotional examination will be conducted by the FPSC. The condition of eligibility will be eight years service in BS-11 to BS-16 in President's Secretariat, Prime Minister's Secretariat, Senate Secretariat, National Assembly Secretariat, Federal Secretariat, Attached Departments, Wafaqi Mohtasib's Secretariat, Federal Service Tribunal, Federal Public Service Commission, Intelligence Bureau and also the Civilian employees of Pakistan Armed Forces Headquarters and their lower formations.

“"(b) (ii) Appointment on Acting Charge Basis:(a)In the case of vacancies of Section Officers in pay scale, 17 reserved for initial appointment, if the appointing authority is satisfied that the initial appointment will take sufficiently long time, the vacancies may be filled by making appointments on acting charge basis.

(b) The Section Officers, serving on acting charge basis, may be appointed on regular basis to the posts held by them, depending on their merit position in the promotional examination, service record and availability of vacancies in the promotion quota, on the recommendation of Departmental Promotion Committee.

(c) Lateral entry.- In order to meet the shortage of officers in the Federal Secretariat or to meet specific requirements, appointments may be made through lateral entry. Appointment through lateral entry will be made against 2/3rd vacancies reserved for direct recruitment.

(d) Provision for accelerated promotion to the post of BPS 17.- In addition to the provisions made at (b) (i) above, eligible ministerial staff of the Federal Secretariat and its Attached Departments including Assistants, Superintendents, Assistant Private Secretaries and Private Secretaries etc. who hold a university degree and who are over the age of 25 years but below the age of 30 years may appear in the examination for direct recruitment of BPS-17 Section Officers conducted by the FPSC if they have been in continuous service for a period of not less than two years. Two chances will be allowed within the prescribed age limits.

8. | Training —(a) After completion of their common training at the Academy for Administrative Training, the directly recruited officers allocated to the Office Management

* Added vide Establishment Division’s O.M. No. 13/4/2004-OMG.I, dated 31-10-2002.
ey
Subs. vide Establishment Division’s O.M.No.13/2/98-OMG-I, dated 2.8.2000.
fee
Added vide Estt. Division’s O.M. No. 7/12/81-C.III(B)/(OMG-II) dated 4-11-1985.

Group will be given on the job departmental training to be followed by an examination which may be prescribed.

(b) Those successful at the promotional examination and finally cleared after taking into account marks obtained by them in the promotional examination and their service records shall undergo a training programme conducted at the Secretariat Training Institute before they are actually posted as Section Officers.

9. | BPS-18.—Promotion to BPS 18 will be from amongst Section Officers of BPS-17 who have rendered at least 5 years of service in this BPS, in accordance with the provisions of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

“[9(A) A regular BS-17 or BS-18 Civil Servant, Provincial Civil Servant, Government Servant, Public Servant, or officer of Autonomous Body/Corporation having served on deputation in Federal Secretariat on Section Officers post for a period of three (03) years shall be eligible to appear in the examination (test and interview) to be conducted by the FPSC for appointment by transfer in OMG on regular basis subject to provision of NOC for appointment by transfer in OMG from parent department of the candidate.

For appointment by transfer in BS-17:— A regular BS-17 officer who has three years regular service at his credit in Federal Secretariat on deputation basis on Section Officer post.

For appointment by transfer in BS-18:— A regular BS-18 officer who has three years regular service at his credit in Federal Secretariat on deputation basis on Section Officer

post.]

10. BPS 19 & 20.—Promotion to such posts in BPS 19 and 20, as may be specified from time to time, will be made by selection from amongst eligible officers of the Group in accordance with the procedure etc. laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Minimum length of service required for eligibility to BPS-19 & 20 will be 12 years and 15 years, respectively in BPS -17 and above. Officers of this Group will also be eligible for the posts of Deputy Secretary and Joint Secretary, selection to which is made on the basis of written test and interview etc.

11. BPS-21 & 22.—Selection to posts in these BPS will be made from amongst BPS -20 government servants and professionally qualified persons in the private sector.

12. Seniority.—(a) Separate Division-wise seniority lists would be maintained for all posts in BPS 1 to 16 as hitherto on the basis of continuous regular officiation in the BPS.

(b) All officers of BPS-17 will be borne on one combined seniority list to be drawn up in accordance with the following Principles:-

“Subs, vide Estt. Division’s O.M. No.7/23/2016-E-VII,dated 07-02-2020.

(i) | Those Section Officers who were eligible for regular appointment as such under the former CSS Rules shall, as a class, rank senior to other Section Officers; their inter-se-seniority shall be fixed in accordance with provision of the said rules.

“(ii) The seniority of Section Officers other than those mentioned in (i) above shall be determined on the basis of date of regular continuous officiation as Section Officers provided that the promote officers of a particular year shall, as a class, be senior to the direct recruits of that year. Their inter-se-seniority, however, shall be determined in the case of direct recruits according to the order of merit assigned to them on completion of their training at the Academy for Administrative Training and, in the case of promoted officers, according to their order of merit as determined in the Promotional Examination.

“(iii) The officers appointed vide para 7(b)(ii) will be assigned seniority according to merit position obtained by them in the Promotional - Examination. The officers appointed on the basis of an earlier promotional examination will, as a batch, rank senior to those appointed on the basis of subsequent promotional examination.

(c) Seniority in BPS 18 and above will be determined in each BPS from the date of regular continuous officiating in each BPS.

**(d) Officers appointed by transfer will be assigned seniority in accordance with Civil Servants Act, 1973 and the rules framed thereunder.

13. General.—The existing provisions of CSS Rules and Section Officers (Probation, Training & Seniority) Rules, 1964 will continue to be in force to the extent they are not in conflict with the provisions of this Office Memorandum. However, this shall not be construed to limit or abridge the powers of the competent authority to issue new rules and instructions or revisions of the existing ones or to deal with cases of members of group in such manner as may appear to be just and equitable.

[Authority:— Estt. Div.’s O.M. No. 1/2/75-ARC, dated 27-01-1975].
2.12. “*Pakistan Audit and Accounts Service

Following the introduction of the Administrative Reforms by the Prime Minister on 20" August, 1973 and the abolition of services as a result thereof, the question of formation of new occupational groups to take the place of services has been under consideration of the government. Necessary information was called for from the Ministries/Divisions and Joint Secretary, Administrative Reforms, had detailed discussions with them. The first Ministry to be taken up was the Ministry of Finance. In respect of the Departments efc. under the Ministry of Finance, the President is now pleased to constitute an occupational group called the ***Accounts Group which shall comprise all posts in:-

“subs. vide Estt. Division’s O.M. No.10/1/74-C.III(A), dated 17-2-1979.
Renumbered vide Estt. Division’s O.M. No. 7/12/81-C.II(B)/OMG-II, dated 4-11-1985.

** accounts Group was renamed as Pakistan Audit and Accounts Service w.e.f. 10" December, 2002 vide Division’s OM No. 1/17/92-CPII, dated 10"" December, 2002.

(i) the Pakistan Audit and Accounts Department, the Military Accounts Department and the Railway Accounts Department;

“[(ii) the Accounts cadres of the “T&T Department, the Pakistan Post Office and the office of the CAO, Ministry of Foreign Affairs and its sub-offices]; and

(iii) all Accounts posts under Ministries/Divisions and Departments of the Federal Government “”“[other than the posts of Budget and Accounts Officers or Finance and Accounts Officers in the Ministries and Divisions of the Federal Secretariat.]

2. The broad framework of rules and regulations etc. within which the Group

will function is outlined below.

[3. From BPS 1 to BPS 17.— Each Department will operate separately as heretofore except with regard to BPS 17 posts included in the Inter-Departmental Cadre vide para 4 below. The existing instructions in regard to quotas for direct recruitment and promotion, the composition of promotion and selection committees, the appointing authorities for various grades etc. will continue to apply. All posts to be filled by direct recruitment will be advertised.]

“4. Inter-Department Cadre— (a) All posts in BPS 17 which were formerly borne on the cadre of the former Accounts Services and 25% of BPS 17 accounts posts in the T & T ©Department and Pakistan Post Office Department shall be borne on an Inter-Departmental Cadre. Posts in BPS 17 sanctioned after 20th August, 1973 will be distributed between the Departmental and Inter-Departmental Cadres in the ratio of 3:1. The Cadre shall in addition comprise all posts in BPS 18 and above in the “Accounts Group. Officers of the Inter-Departmental Cadre will be transferable from one Department to the other.

(b) Appointments to posts in BPS 17 on the initial formation of the Inter-Departmental Cadre will be made by allocating posts to the promotee officers and the direct recruits in BPS 17 in the ratio of 50 : 50, on year-to-year basis. Future appointments to BPS 17 posts in the cadre will also be made by allocating vacancies arising in that pay scale to officers of the Departmental Cadre and the direct recruits in the ratio of 50 : 50. The ratio is subject to review after 5 years.

(c) All officers who are holding posts in BPS 18 and above on regular basis shall be deemed to have been appointed to the Inter-Departmental Cadre in their respective Grades.

(d) The number of BPS 17 officers of a department approved for induction in the Inter-Departmental Cadre shall not exceed 50% of the number of BPS 17 posts contributed by that department to the Inter-Departmental Cadre.

* Subs. vide Estt. Division’s O.M.No.10/22/82-R.2 dated 29-11-82 effective from 1-10-1987.
T&T Department, converted into Pakistan Telecommunication Corporation Limited (PTCL), stands privatized as Pakistan Telecommunication Company Ltd. The National Telecommunication Corporation ex (NTC) caters to the government telecommunication requirements.
Subs. vide Estt. Division’s O.M. No. 2/1/75-ARC, dated 3-3-1976.
ef. to footnote # w.r. to para 1(ii).

Accounts Group was renamed as Pakistan Audit and Accounts Service w.e.f. 10" December, 2002 vide Estt. Division’s OM No. 1/17/92-CPII, dated 10" December, 2002.

*

ok

(e) The probationer officers recruited on the results of the competitive examination held by the Federal Public Service Commission who, after completion of integrated training at the Academy for Administrative Training, are allocated to the Accounts Group, will undergo common departmental training, to be followed by an examination the details of which will be prepared by the Auditor General. Thereafter, they will be allocated to a particular Accounts Department. They will ordinarily remain in that Department until they get promotion to the next higher Grades].

"[5. Posts in BPS 18 and above will be filled by promotion of officers of the Inter-Departmental Cadre in accordance with the prescribed procedure.]

6. — Secretariat Posts— Officers of Accounts Departments will be eligible for Secretariat posts and will be selected, after written tests and interviews, for posts in BPS 19 and 20, i.e. Deputy Secretary and Joint Secretary. These posts will be in a common pool to which officers of all federal and provincial departments will be eligible. Instead of making selection as and when vacancies occur, panels of officers for appointment to these posts would be prepared after tests as mentioned above. These panels will be prepared twice a year. Those selected for Deputy Secretary and Joint Secretary's posts would be put through a training programme of 3-4 months. Their final selection would be made after satisfactory completion of training. No posts of the rank of Deputy Secretary and Joint Secretary or equivalent in the Provincial Secretariat or the Federal Secretariat, tenable by officers of "[All Pakistan Unified Grades] would be filled except from these panels. (Relaxation will be made with Prime Minister's approval in individual cases).

7. For posts in BPS 21 and 22 i.e. Additional Secretaries and Secretaries and equivalent, the selection would be made from government servants of BPS 20 and above and also from amongst professionally qualified persons from the private sector.

8. Lateral Entry.— In order to meet shortages of officers in the Accounts Group, or to meet specific requirements, appointments may be made to posts in the Accounts Group in any grade by recruitment through lateral entry of persons engaged in a profession, or in the service of a corporation or private organization, who possess such professional qualifications and experience as the President may from time to time determine. Similarly, officers of the Accounts Group may be posted to appropriate posts in corporations and private organizations under Government management and control.

9. Seniority: (i) BPS 1 to ""[17]—***[Save as provided in (ii) below,] separate Department-wise seniority lists would be maintained for all posts in BPS | to ***[17] as hitherto on the basis of continuous regular officiation in the Grade. To meet shortages in a particular grade, and to ensure an even pace of promotion of employees in different Departments, it would be permissible to order transfer from one Department to another.

***T(ii) BPS17 (Inter-Departmental Cadre).—

* Subs vide Estt. Division's O.M. No. 2/1/75-ARC, dated 3-3-1976.

* All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1/73 dated 14-09 1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi issued on the subject from time to time were mutatis mutandis amended.

** Subs.& added vide Est. Division's O.M. No. 2/1/75-ARC, dated 3-3-1976.

(a) A separate seniority list will be maintained in respect of BPS 17 officers of the Inter-Departmental Cadre;

(b) The promotee officers adjusted in a particular year will be placed senior to the direct recruits of that year;

(c) The inter-se-seniority of direct recruits of a year or batch will be determined on the basis of the order of merit of the Probationers determined at the time of final passing out from the Academy for Administrative Training.

(d) The inter-se-seniority of the Departmental officers inducted in the nter-Departmental Cadre in a particular year shall be determined according to the date of their regular continuous officiation.]

(iii) BPS 18 and above.— Seniority will be determined in each grade from the date of regular continuous officiation in the grade.

10. Departmental Examination.— The present departmental examination for promotion to posts in BPS 16 will continue to operate.

11. Provision for accelerated promotion to posts in BPS 17.— To enable bright young persons who have failed to secure through competitive examination conducted by Federal Public Service Commission direct entry to BPS 17 posts, to get another opportunity to compete for these posts, or to get accelerated promotion within the Department, the following two provisions are made:—

(a) They can appear in competitive examination upto the age of 30 years provided they have put in at least 2 years service. At present this relaxation is admissible upto the age of 28 years and is allowed only if one has not previously appeared in the examination. In future two chances will be allowed after one has entered government service.

(b) There will also be a departmental examination under which departmental candidates can be considered for accelerated promotion in their own department. The upper age limit for this will be “[45] years for the first examination, 40 years for the next examination and 35 years for all subsequent examinations.

The Auditor General will prepare a scheme for the Departmental Examination at (b) above and obtain the approval of the Ministry of Finance and the Establishment Division. Promotion on accelerated basis through the above examination will, subject to availability of suitable departmental candidates, be limited to a maximum of 25% of the total vacancies. ““[ ]

**[12. The Inter-Departmental Cadre will be administered by the Auditor General and the Departmental Cadres by the respective Heads of Department. The Auditor General will prepare and maintain a gradation list of all officers in Grade 17 and above in the Inter-Departmental Cadre while the Departmental Heads will maintain seniority list of officers and staff in Grade 17 and below in the Departmental Cadres.

* Added vide Est. Division’s O.M.No.2/1/75-ARC, dated 3-3-1976.
“Omitted and added ibid.

“Provided the Auditor General shall not make lateral interventions and transfer/postings in the offices under the control of Controller General of Accounts. For transfer/posting of Inter-Departmental Cadre Officers on posts in Controller General of Accounts Organization, Auditor General will place their services at the disposal of Controller General of Accounts after prior consultations for further posting in the office of CGA and/or in its Organizations.

13. The other existing arrangements with regard to personnel management of the various Accounts Departments and cadres will continue. The Auditor General, in liaison with the Departments concerned, will be responsible for the smooth implementation of the instructions. Any major difficulties which may arise will be resolved in a meeting of the Establishment Secretary, the Finance Secretary and Auditor General].

[Authority.-Estt. Division’s O.M.No.1/2/74-ARC, dated 23-1-1974].

2.13 Police Service of Pakistan (Composition, Cadre & Seniority)

Rules,1985

Consequent on the issue of Establishment Division Notification No. SRO. 1033/I/85, dated 23-10-1985 regarding Police Service of Pakistan (Composition, Cadre & Seniority) Rules,1985 (Annex) the Establishment Division O.M No. 3/2/75-ARC, dated 31-05-1975 constituting the Police Group is rescinded.

.[Authority.-Estt. Division’s O.M. No. 3/1/84-CP.2, dated 05-11-1985].

“ Added vide Estt. Div.’s O.M.No.6/5/2012/CP-II dated 17-02-2014.

ANNEX

S.R.O. 1033(1D/85.—In exercise of the powers conferred by section 25 of the Civil Servants Act, 1973 (LXXI of 1973), the President is pleased to make the following rules, namely:-

1. Short title and commencement.— (1) These rules may be called the Police Service of Pakistan (Composition, Cadre and Seniority) Rules, 1985.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless there is anything repugnant in the subject or context,—

(a) "Cadre post" means a post specified in the Schedule;

(b) "Commission" means the Federal Public Service Commission;

(c) "Schedule" means the schedule to these rules;

(d) "Service" means the Police Service of Pakistan referred to in rule 3.

3. Change in nomenclature and composition.-(1) Notwithstanding anything contained in the All-Pakistan Services (Change in Nomenclature) Rules, 1973, the Police Group is renamed as the Police Service of Pakistan.

(2) The Police Service of Pakistan shall consist of:

(a) persons appointed or deemed to have been appointed to the Police Service of Pakistan in accordance with the Police Service of Pakistan (Composition and Cadre) Rules, 1969;

(b) persons, other than those mentioned in clause (a), appointed to the “Police Group whose names appeared in the gradation list issued on the 28" August, 1980 and persons appointed in the **Police Group after that date but before the commencement of these rules; and

(c) persons appointed to the Service in accordance with these rules.

4. Cadre Strength.— (1) The cadre strength of the service shall be as specified in the Schedule.

(2) The President, or a person authorized by him in this behalf, may, from time to time, and in the case of posts in connection with the affairs of a Province after consultation with the Governor of the Province, remove from or include any post in the Schedule.

* Nomenclature changed from Police Group vide Establishment Division’s Notification No. SRO 1033(1)/8 dated 23-10-1985.

5. Initial appointment.—(1) Initial appointment to the service against cadre posts in basic BPS 17 shall be made on the basis of the results of the competitive examinations held for the purpose by the Commission.

(2) Unless the appointing authority in any case otherwise directs, a person appointed to the Service under sub-rule (1) shall be appointed to the Service as a probationer in accordance with the rules which the Federal Government may make from time to time, including rules and orders relating to training during probation, and shall be required to undergo such departmental training and pass such departmental examinations as may be specified by the Federal Government or the Government of the Province to which he is allocated.

6. Appointment of officers of Armed Forces.— Officers of the Armed Forces of the rank of Captain and Major or equivalent shall be eligible for appointment to the Service in accordance with the procedure laid down by Government and against the cadre posts reserved for them from time to time.

7. Appointment of members of Police cadre of a Province.— Members of the Police cadre of a Province shall be appointed to the Service on the basis of selection made on the recommendation of the Governor:

Provided that appointment of members of the police cadre of a Province under this rule shall not exceed 40% of the senior cadre posts in that Province as specified in the Schedule.

“[7-A. Appointment of members of Pakistan Railway Police— Member of the Pakistan Railway Police shall be appointed to the service on the basis of selection made on the recommendation of the Ministry of Railways:

Provided that the appointment of members of the Police cadre of Railways under this rule shall not exceed 40% of the senior cadre posts of Pakistan Railway Police as specified in the Schedule].

[7-B* — Appointment of members of police cadre of the Islamabad Capital Territory— Members of Police cadre of the Islamabad Capital Territory shall be appointed to the service on the basis of selection made on the recommendations of Ministry of Interior:

Provided that appointment of members of Police cadre under this rule shall not exceed 40% of the senior cadre posts in the Islamabad Capital Territory Police as specified in the schedule].

“Ins. vide Estt. Div.’s Notification No. SRO 258(1)/92, dated 16-04-1992 (E-Wing’s note dated 29-11-2007 No. 1/8/2002-Manuals-PPARC- Review of Estacode).

“[7-C. Appointment of members of police cadre of Gilgit-Baltistan —
Members of police cadre of Gilgit-Baltistan shall be appointed to the service on the basis of selection made on the recommendations of Governor, Gilgit-Baltistan:

Provided that appointment of members of the police cadre of Gilgit-Baltistan under this rule shall not exceed forty percent of the senior cadre posts in Gilgit-Baltistan police as specified in the Schedule.]

8. | Appointment by promotion.- Members of the Service shall be eligible for promotion to higher posts in accordance with the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, and the administrative instructions issued from time to time.

9. | General.—(1) A cadre post shall ordinarily be filled by a member of the Service.

(2) Nothing in sub-rule (1) shall be construed as preventing the posting to a cadre post of a person who is not a member of the Service:

Provided that no such person shall be so posted for a period exceeding twelve months except with the previous sanction of the authority competent to make appointment to the post.

10. Liability to serve—— A member of the Service shall be liable to serve anywhere in Pakistan in any post and to hold, if he is so directed, more than one post at the same time.

11. Seniority— (1) The members of the Service referred to in clauses (a) and (b) of sub-rule (2) of rule 3 shall retain the same seniority as is shown in the gradation list as it stood immediately before the commencement of these rules.

(2) Persons appointed to the Service in accordance with these rules shall count seniority from the date of regular appointment against a post in the Service subject to the following conditions, namely:-

(a) persons selected for initial appointment on the basis of the same competitive examination shall on appointment reckon seniority inter se in accordance with the merit position obtained in that examination;

(b) officers of the Armed Forces selected for appointment to a cadre post on regular basis in a batch shall on appointment retain their seniority inter se:

Provided that officers of the Armed Forces appointed in basic Grade 17 in a year shall be treated as senior to probationers appointed in the same year on the basis of the competitive examination held by Commission.

* Inserted vide Est. Division’s S.R.O No. 716(1)/2020 dated 03-08-2020.

(c) members of the police cadre of a particular Province selected in a year shall on appointment to the Service take seniority inter se as in the Provincial cadre and in keeping with that sequence, each such member shall reckon his date of regular appointment to the Service from the day the respective vacancy arose in the senior cadre posts reserved in that Province for such officers as specified in the schedule:

Provided that, if the date of regular appointment of officers of two or more Provinces be the same, their seniority inter se shall be determined on the basis of their date of regular appointment to the post of Superintendent of Police;

(d) officers selected for promotion in the same batch shall on promotion retain their seniority as in the lower post; and

(ec) *the general principles of seniority set out in the Establishment Division O.M. No. 1/16/69-D. II dated the 31% December, 1970, shall apply in matters not covered by these rules.

12. The Police Service of Pakistan (Composition and Cadre) Rules, 1969, are hereby repealed.

[Authority:— Estab. Div.’s Notification No. SRO 1033(1)/85, dated 23.10.1985 as amended upto 9.10.1988 vide Estt. Div.’s Notification No. SRO No. 1034(1)/98, dated 9.10.1998].

*The principles of seniority stand replaced by Civil Servants (Seniority) Rules, 1993.

SCHEDULE
THE POLICE SERVICE OF PAKISTAN
“CADRE STRENGTH

I. THE FEDERATION

1. Senior posts:

(A) Islamabad Capital Territory:-

Inspector General of Police..... 1
Senior Superintendent of Police.. 1
Superintendent of Police..... 1
Assistant Inspector General of

|) b (1 ee 1

(B) Bureau of Police Research and Development:-

Director General (I.G.) 1
Directors (D.1.G.) 2
Deputy Director (S.P.) 1

(C) Federal Control Room:-
Director, (OSD) Security (D.1.G.) 1
Deputy Directors (S.P.)

(D) Special Security Cell:-

Director (D.L.G.) 1
Deputy Directors (S.P.) 4
(E) Intelligence Bureau:-
Director 1
Joint Directors 4
Deputy Directors 13
Assistant Directors 35
(F) Federal Investigation Agency:-
Director General 1
Additional Director General 1
Directors 8
Deputy Directors 25
(G) _ Pakistan Railway Police:-
Inspector General 1
Deputy Inspector General 1
Assistant Inspector General (S.P.) 7

“ The nomenclature of posts borne on the cadre of PSP is reflected in Schedule attached to PSP (Compo Cadre and Seniority) Rules, 1985. After the issuance of Police Order, 2002 substantial changes have occ the posts tenable by PSP officers.

[Source: E-Wing’s note dated 29-11-2007 on File No. 1/8/2002-Manuals-PPARC, Review of Estacode].

(H) Pakistan Narcotics Control Board:-
Chairman
Directors
Deputy Directors

(D) States and Frontier Regions Division:-
Commandant, Frontier Constabulary (Add1.LG.)
Deputy Commandant, Frontier Constabulary
District Officers,
Frontier Constabulary

*(J) Pakistan Motorway Police (M2)
Islamabad - Lahore:-

Inspector General
Deputy Inspector General
Superintendent of Police

> Total Number of Senior Posts
2. Leave, deputation and training

reserve at 40% of total number of senior posts (143)..

3. * [Junior posts:-
(a) Islamabad Capital Territory
(b) Frontier Constabulary
(c) Pakistan Motorway Police

> Total Numbers of Junior Posts

» Total Authorized Strength at the Centre.....4+.

Il. THE PUNJAB
1. Senior posts:

Inspector General of Police” i
Addl. Inspectors General of Police.....

* Added & Subs vide Estt. Division’s Notification No. S.R.O. No.1034(1)/98 dated 9-10-1998.

The post of IGP in the provinces has been renamed as Provincial Police Officer (PPO).

10
13

32

232

Commandant, Police Training
College, Sihala..... eee 1
Dy. Inspectors General of Police

(Rawalpindi, Gujranwala,
Lahore, Sargodha,
Faisalabad, Multan,
Bahawalpur and Dera
Ghazi Khan).

Telecommunication &
Transport...
Commandant, Punjab Reserve

Assistant Inspectors General of Police..... 5
(Finance, Establishment, Welfare, Legal
and Training)

Senior Superintendents of Police.....4..... 5
(Rawalpindi, Lahore, Faisalabad,
Multan and Gujranwala).

District Superintendents of Police..... 29

(Kasur, Sheikhupura, Attock, Jhelum, Sargodha, Khushab, Mianwali, Bhakhar,
Vehari, Sahiwal, Okara, Muzaffargarh, Bahawalpur, Bahawal Nagar, Rahim Yar Khan,
Khanewal, Sialkot, Gujrat, Chakwal, Toba Tek Sing, Jhang, D.G. Khan, Rajan-pur,
Leyyah and Lahore (Administration, Headquarter, City Cantonment and Traffic).

Superintendents of Police, Special Branch..... 8
Lahore.... 6
Rawalpindi 1
Faisalabad. . 1

Superintendents of Police Prov. Crime (Crimes

Branch)... ceceeeeeseeeeseeeeeeeeeseeeeeeeeees 2

Superintendent of Police, Telecommunication.. 1

Superintendent of Police, Motor Transpott..... 1

Superintendents of Police, Control Room..... 3

Addl. Superintendents of Police.. 7

(Faisalabad, Rawalpindi, Gujranwala,
Multan, Sahiwal, Sargodha and Bahawalpur).

Deputy Commandant, Punjab Reserve Police.... 1
Deputy Commandant, Police Training College,

Sthala.... cece eeesesseseeseeneseseeeeeeeees 1
> Total Number of Senior Posts: 80

No. of posts to be filled by appointment
of Provincial Police officers at 40% of total
number of senior posts(80).....00 32

2. Leave, deputation and training reserve at 40%

of the number of senior posts(80).....4. 32
3. Junior posts for ordinary duties... 50
> Total authorised strength of the Punjab..... 162
lll. SINDH
1. Senior posts:

Inspector General of Police'.....
Addl. Inspector General of Police.....

Deputy Inspectors General of Police.... 8
Ranges... cece 3
(Karachi, Hyderabad & Sukkur)

Headquarters....

Special Branch.
Training & Inspection
Crime..
Traffic.

Assistant Inspectors General..... 4

(Establishment, Telecommunication,
Motor Transport and General).

Senior Superintendents of Police... . 5
(Karachi-3, Hyderabad & Sukkur)
District Superintendents of Police..... 10

(Sanghar, Tharparkar, Badin, Dadu,
Thatta, Nawab Shah, Khairpur,
Larkana, Jacobabad and Shikarpur).

* Renamed as Provincial Police Officer (PPO).

Superintendents of Police, Crime..... 2
(Sukkur and Karachi).
Superintendents of Police, Traffic..... 6

(Karachi-3, Hyderabad,Sukkur &
ADIG, Traffic).

Superintendents of Police, Special Branch..... 6
(Headquarters, Hyderabad, Sukkur,
Survey, Political Security &Asstt.

D.LG.).
Superintendents of Police, Karachi..... 3
(CIA, Security and Adminiatration)
Commandant, Sindh Constabulary.....0..... 1
Principal, Police Training College, Shahdadput... 1
Addl. Superintendents of Police..... 6
(Karachi-4, Hyderabad & Sukkur)
> Total Number of Senior Posts: 54
Number of posts to be filled by
appointment of Provincial Police
Officers at 40% of total number
senior posts(54).....cee 22
2. Leave, deputation and training reserve at 40%
of the total number of senior posts (54)..... 22
3. Junior posts for ordinary duties..... 16
Total authorised strength of Sindh.... 92
IV. THE *N.W.F.P
1. Senior posts:
Inspector General of Police™..... 1
Deputy Inspectors General of Police.. 7
Ranges...
5
(Peshawar, D.I. Khan, Malakand
Hazara, and Kohat).
Headquarters... 1
Special Branch..... 1

“Now K.P.K.
“ Renamed as Provincial Police Officer (PPO)

Assistant Inspectors General of Police..... 3
(Traffic, Crime and Telecommunication)

Senior Superintendents of Police..... 2
(Peshawar and Abbottabad).

District Superintendents of Police..... 13

(H.Q.Peshawar (Rural), Peshawar (Urban), Mardan,
Kohat, D.I. Khan, Bannu, Dir, Swat, Chitral,
Mansehra, Kohistan and Karak).

Superintendents of Police, Special Branch..... 4
(Political, Security, Survey and
Special Cell)

Superintendent of Police, Crime.....
Superintendent of Police, Traffic.....

Addl. Superintendent of Police, Abbottabad...
Principal, Police Training School, Hangu.....
Director, Forensic Science Laboratory (Crime Branch).....
S.P., Joint Investigation Team (JIT).....

S.P.,(Task Force)...

Total Number of Senior Posts 37

Number of posts to be filled by
appointment of Provincial Police
Officers at 40% of total number of
senior posts (37)=15

2. Leave, deputation and training
reserve at 40% of the total number
of senior posts (37)... 15

3. — Junior posts for ordinary duties..... 15

Total authorised strength of the "NWFP 67

V. BALOCHISTAN
1. Senior posts:

Inspector General of Police™”.....
Deputy Inspectors General of Police... 4
Ranges wee 3
(Quetta, Sibi and Kalat)
Special Branch 1

* Now K.P.K.

** Renamed as Provincial Police Officer (PPO).

Assistant Inspectors General of Police.... 2
Senior Superintendent of Police.....
District Superintendents of Police 7

Sibi, Kalat, Mekran, Lasbella,

Loralai Pishin and Nasirabad).
Superintendent of Police, Special Branch.....
Superintendent of Police, Crime Branch.....
Superintendent of Police, Telecommunication.
Superintendent of Police, Motor Transport...
Superintendent of Police, Special
Investigation Cell (SB)... we
Commandant, Balochistan Reserve Police.....
Principal, Police Training School, Quetta.....

Total Number of Senior Posts: 22
Number of posts to be filled by appointment of
Provincial Police Officers at 40% of total number

of senior posts (22)... 9
2. Leave, deputation and training reserve at 40%
of the total number of senior posts (22)... 9
3. Junior posts for ordinary duties 6
Total authorised strength of
Balochistan... 37
TOTAL CADRE STRENGTH *[590]

2.14 Postal Group

In continuation of Establishment Division Office Memorandum No. 6/2/75-
ARC, dated the 8" May , 1975, it has been decided to constitute another Occupational Group to be called the "Postal Group", comprising all posts in the Pakistan Post Office Department (except the Accounts Posts) and such other posts as may be included in the Group from time to time. The administrative control of the group will vest in the Ministry of Communications and will function within the following broad framework of tules and procedure.

2. “Grade 1-16.—The posts in **Grade 1-16 in the Department will be
operated as hithertofore. The existing instructions in regard to direct recruitment and promotion quotas, the composition of Promotion and Selection Committees, the appointing authorities for various scales efc. will continue to apply. All posts to be filled

* Subs. vide Est. Division’s Notification No. S.R.0.1034(1)/98, dated 9-10-1998.
oy

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by direct recruitment will be advertised except posts in *Grade 16 which will be reported to the Federal Public Service Commission.

3. *Grade 17.— Seventy-five percent posts in *Grade 17 will be filled through competitive examination and 25% through promotion. After completion of integrated training at the Academy for Administrative Training, the probationer officers allocated to the Postal Group will undergo departmental training to be followed by an examination, the details of which will be prepared by the Ministry of Communications. Thereafter they will be allocated to various posts in the Postal Group.

4. *Grade 18 and above— The officers in *Grade 18 and above in the Department will be administered as hitherto. The procedure for promotions and other matters as laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 will be observed.

5. Officers of this Group will be eligible for Secretariat posts (Deputy Secretary and above) in accordance with the procedure prescribed for recruitment to these posts from time to time.

6. Lateral Entry.— In order to meet shortages of officers in the Postal Group, or to meet specific requirements, appointments may be made to posts in the Postal Group in any Grade by recruitment through lateral entry of persons engaged in a profession or in the service of a corporation or private organization, who possess such professional qualifications and experience as may be prescribed from time to time.

7. Seniority: (i) *Grade 1-15— Seniority lists for all posts in *Grade 1-15 will be maintained as hithertofore on the basis of continuous regular officiation in the Grade.

(ii) *Grade 16 & 17.— The inter-se-seniority of direct recruits in *Grade 16 will be determined on the basis of the marks obtained at the Federal Public Service Commission examination, whereas the inter-se-seniority of direct recruits in *Grade 17 will be determined on the basis of merit of the probationers determined at the time of final passing out from the Academy for Administrative Training.

The inter-se-seniority of officers promoted to *Grade 16 and 17 will be determined in their respective *Grades with reference to the dates of their regular continuous officiation in the *Grade. As for seniority of direct recruits vis-a-vis promoted officers the direct recruits of a particular year will as a class rank junior to the promoted officers of that year.

(iii) “Grade 18 and above.— Seniority will be determined in each scale from the date of regular continuous officiation in the *Grade.

8. Departmental Examinations The present departmental examinations for direct recruits in various scales and for promotion to posts in higher *Grades will continue to operate.

9. Provision for accelerated promotion to posts in *Grade 17.— To enable bright young persons who have failed to secure through competitive examination

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conducted by Federal Public Service Commission direct entry to *Grade 17 posts to get another opportunity to compete for these posts, or to get accelerated promotion within the Department, the following two provisions are made:—

(a) _ they can appear in the F.P.S.C. competitive examination upto the age of 30 years provided they have put in at least two years service. A maximum of two chances will be allowed after one has entered Government service.

(b) there will also be departmental examination under which departmental candidates can be considered for accelerated promotion in their own department. The upper age limit for this will be 45 years for the first examination, 40 years for the next examination and 35 years for subsequent examinations.

The Director General, Pakistan Post Office will prepare a scheme for the departmental examination at (b) above and obtain the approval of the Ministry of Communications and the Establishment Division. Promotion on accelerated basis through the above examination will, subject to availability of suitable department-tal candidates, be limited to a maximum of 25% of the total vacancies. These promotions will be reckoned against direct recruitment quota.

10. The existing arrangements with regard to personnel management in respect of various posts included in the Postal Group will continue. The Director General, Pakistan Post Office, will be responsible for the smooth implementation of the above instructions. He will prepare a scale-wise seniority list of all officers in *Grade 16 and above, while the respective Post Masters General will prepare, issue and maintain seniority lists of official of *Grade 15 and below as hitherto. The Director General will submit periodical reports to the Establishment Secretary. Any major difficulties which may arise in implementation of these instructions will be resolved in a meeting of the Establishment Secretary, Secretary, Ministry of Communications and the Director General, Pakistan Post Office.

[Authority.- Estt. Division’s O.M.No.7/2/75-ARC, dated 30-5-1975].

2.15 Secretariat Group

In continuation of the Establishment Division Office Memorandum No. 1/2/75-ARC, dated the 27" January, 1975, it has been decided to constitute another occupational group to be called the "Secretariat Group". The Group will comprise posts of Deputy Secretary and above in the Federal Secretariat and such posts in the Provincial Secretariats as are borne on the cadre of “[All Pakistan Unified Grades].

2. The Secretariat Group will be under the administrative control of the Establishment Division and will function in accordance with the rules and procedures outlined below.

3. Deputy Secretary— Appointment to the post of Deputy Secretary will be made in accordance with the following methods:-

“ All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09
have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructions iss
on the subject from time to time were mutatis mutandis amended.

(i) By promotion of Grade 18 officers of the Office Management Group and the Secretariat Group on the recommendations of the Central Selection

Board.
“(ii) By horizontal movement from other Occupational Groups of “Grade 19 Officers who have been recommended by the Ministries/

Divisions/Departments or Provincial Governments and have been found fit by the Central Selection Board.

(iii) By direct appointment on the recommendations of Federal Public Service Commission of persons possessing such qualifications and experience etc., as may be prescribed. *[ ]

4. Joint Secretary.— Appointment to the post of Joint Secretary will be made as under:-

(i) By promotion of officers in the **Grade of Deputy Secretary on the recommendations of the Central Selection Board.

(ii) By horizontal movement of such **Grade 20 Officers of the various occupational groups as are recommended by the Ministries/ Divisions, Departments, Provincial Governments etc. and are found fit by the Central Selection Board.

(iii) By direct appointment on the recommendations of the Federal Public Service Commission of persons possessing such qualifications and experience efc. as may be prescribed. “"[ ]

5. Additional Secretary®.— Appointment to the post of Additional Secretary will be made by selection from amongst Joint Secretaries, officers of Grade 20 and above belonging to the various occupational groups, and professionally qualified persons in the public sector enterprises and the private sector.

6. Secretary **(Grade 22).— Appointment to the post of Secretary will be made by selection from amongst Additional Secretaries, officers of **Grade 21 and above in the various occupational groups and professionally qualified persons from the public sector enterprises and the private sector.

7. Provincial Secretariats.—All posts of Deputy Secretary and above in the Provincial Secretariats borne on the cadre of [All Pakistan Unified Grades] will be filled on All-Pakistan basis. The selection will be made from amongst officers of the Secretariat Group by promotion, on the recommendations of a Selection Board headed by the Establishment Secretary and consisting of all the Chief Secretaries. Officers of the Office Management

. Subs vide Estt. Division’s O.M.No.2/1/79-R.II, dated 12-6-1979.

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“"* Omitted vide Est. Division’s OM No. 2/2/75-ARC, dated 7.5.1976

@ add Sr. JS. (BPS 21).

OO ay Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1/73 dated 14-09-1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructions issued on the subject from time to time were mutatis mutandis amended.

Group of the Provincial Government will also be eligible for appointment by promotion to the post of Deputy Secretary in the Provincial Secretariat.

8. Seniority.— Deputy Secretary.— Seniority would be determined from the date of continuous regular officiation as Deputy Secretary, or in a post in “Grade 19, whichever is earlier.

9. Joint Secretary The seniority of a Joint Secretary which is a post in *Grade 20 will be determined from the date of his continuous regular officiation in *Grade 20.

0. Additional Secretaries and Secretaries— The seniority of Additional Secretaries and Secretaries will be determined from the date of continuous regular officiation in *Grade 21 or 22 as the case may be.

1. Training— Deputy Secretaries and Joint Secretaries appointed on the recommendations of Federal Public Service Commission will undergo a training course of appropriate duration, before their appointment in the Secretariat.

2. In-service training will be an important factor towards determining the fitness for promotion of a Secretariat Officer to the next higher *Grade.

3. General.— Horizontal movement of officers of this Group to posts in equivalent *Grades in the other occupational groups will be permissible.

4. The terms and conditions of government servants belonging to this Group will be governed, as in the case of other government servants, by the provisions of the Civil Servants Act, 1973, and rules and orders issued thereunder from time to time.

5. This supersedes Establishment Division O.M. No. 2/2/75- ARC, dated the 21* February, 1975.

[Authority.- Estt. Division’s O.M. No. 2/2/75-ARC, dated 12-4-1976].

2.16 Railways (Commercial & Transportation) Group

It has been decided to constitute another occupational group to be called “Railways (Commercial & Transportation) Group” which shall comprise of all posts as may be included in the Group from time to time. The Group will be under the administrative control of the Ministry of Railways and will function with the following broad framework of rules and procedure.

2. The existing posts in BS- 17 to BS-21 indicated in the Schedule to this O.M. shall form part of the Railways (Commercial & Transportation) Group. In addition, there will be a deputation, training and leave reserve as may be determined by the Federal Government from time to time.

3. BS-17.— 80% posts of BS 17 will continue to be filled, as at present through competitive examination conducted by Federal Public Service Commission and 20% through promotion from amongst the departmental incumbents in accordance with

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the recruitment rules thereof. After completion of Common Training Programme at the Civil Service Academy, Lahore, the probationer officers will undergo the Departmental training before posting as prescribed by the Ministry of Railways. Officers to be promoted to BS-17 may also be required to undergo any such departmental training before promotion as the Ministry of Railways may prescribe in consultation with Establishment Division.

4. — All the existing officers holding posts in BS-17 and above on regular basis and have been appointed through Competitive examination or through departmental promotion in Ministry of Railways against seats reserved for Transportation & Commercial cadre shall be deemed to have been appointed in the Railways (Commercial & Transportation) Group in their respective grades.

5. BS-18 and above.— The posts will be filled by promotion on the basis of selection from amongst eligible officers of the group in accordance with the procedure laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules,1973 and other instructions issued from time to time, or if no candidate is considered suitable from within the group by horizontal movement of suitably qualified and experience officers from other Occupational Groups/Services. Government instructions regarding minimum length of service for eligibility for promotion to BPS-18,19 and 20 will be observed.

6. Seniority: (i) BS-17. The inter-se-seniority of direct recruits to BS-17 is determined on the basis of Occupational Groups/Services (Probation, Training & Seniority) Rules,1990 and such other rules /instructions as may be issued by the Government from time to time. The inter-se-seniority of the promoted offices to BS-17 shall be determined according to the date of their regular promotion in BS-17 in accordance with Civil Servants (Seniority) Rules,1993.

(ii) Officers appointed to BS-18 and above in the Railways (Commercial & Transportation) Group on regular basis will be governed by Civil Servants (Seniority) Rules,1993.

7. General Cadre Posts—— The officers of the Group will be eligible for posting against general cadre posts in Pakistan Railways in line with the mechanism approved by Railways Board unless specified otherwise by the Government.

8. Secretariat Posts— Officers of this Group will be eligible for Secretariat posts in BS-19 and above in accordance with the policy and criteria, as may be laid down by the Federal Government from time to time, for such posts in Secretariat Group.

9. The recruitment rules for various posts framed with the concurrence of Establishment Division and FPSC shall remain in force.

10. Any difficulty arising in the implementation of this O.M. will be resolved on the recommendations of an Anomaly Committee comprising representatives (not below the rank of BS-21) of the Establishment Division and Ministry of Railways. The decision of Establishment Secretary in this respect shall be final.

[Authority:- Establishment Division’s O.M.No.F.1/13/92-CP-II dated 12-10-2012.]

Cnapter-2

SCHEDULE INDICATING THE POSTS IN BS-17 TO BS-21 FORMING
PART OF RAILWAYS (COMMERCIAL & TRANSPORTATION)
GROUP(PARA.2 OF ESTABLISHMENT DIVISION'S O.M.NO.1/13/92-CP-II

DATED 12™ OCTOBER,2012)

S. No.	Nomenclature	Basic Scale	No. of Posts
1.	Additional General Manager/Freight	21	
2.	Chief Operating Superintendent	20	2
3.	Chief Commercial Manager	20	2
4.	Chief Commercial Marketing Manager	20	2
5.	Director Operations	20	
6.	Deputy Chief Operating Superintendent.	9	4
7.	Deputy Divisional Superintendent	9	2
8.	Deputy Chief Commercial Manager	9	4
9.	Joint Director/Traffic/Walton	9	
0.	Deputy Chief Traffic Manager (Dry Port)	9	
1.	Deputy Chief Commercial & Marketing Manager	19	3
2.	Joint Director/Traffic and Commercial	9	
3.	Divisional Transportation Officer	8	8
4.	Divisional Commercial Officer	8	7
5.	Senior Transportation Officer	8	
6.	Deputy Traffic Manager/Dry Port	8	
7.	Senior Commercial Manager	8	
8.	Divisional Marketing Manager	8	2
9.	Deputy Manager Corporate Plan	8	
20.	Senior Rates Officer	8	
21.	Deputy Director(Traffic)	8	
22.	Deputy Director (Commercial)	8	
23.	Costing Manager (FBU)	8	
24.	Assistant Transportation Officer	7	20
25.	Assistant Commercial Officer	7	3
26.	Joint Transport Officer	7	2
27.	Junior Commercial Officer	7	5
28.	Assistant Director/Traffic	7	1
29.	Assistant Traffic Manager/Dry Port	7	1
30.	Assistant Marketing Manager/Rates	7	1
31.	Assistant Commercial Manager	7	13
32.	Junior Officer/Coaching	7	1
33.	Assistant Costing Manager	7	1
34.	Station Manager	7	1
Total			98

Il. SENIORITY & LENGTH OF SERVICES

3.1. Occupational Groups and Services
(Probation, Training and Seniority)
Rules, 1990

S.R.O. 874(1)90.— In exercise of the powers conferred by section 25 read with Section 6 and 8 of the Civil Servants Act 1973 (LXXI of 1973), the President is pleased to make the following amendments in the Occupational Groups and Services (Probation, Training and Seniority) Rules,1990.

1. Short title and commencement.— (1) These rules may be called the Occupational Groups and Services (Probation, Training and Seniority) Rules,1990.

(2) These rules shall take effect from 1“ October, 1990.

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

(i) | “appointing authority” means the person authorized to make appointment to that post under rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973”;

(ia) “Commission" means the Federal Public Service Commission;

(ii) “Examination" includes any exercise approved by the Government which is intended to test a probationer in a field of training during the training programme;

(iii) “Final Passing Out Examination" means the Final Passing Out Examination conducted by the Commission or the department concerned after conclusion of specialized training;

(iv) “Government" means the Federal Government (in the Establishment Division);
(v) “Head of training institution" means the head of a training institution or

place where members of an occupational group or service are imparted training;

(vi) “Inductee" means a person transferred to any occupational group or service by induction from the Armed Forces;

(vii) “Initial training" means the training prior to specialized training undertaken by the probationers of any one occupational group or service or jointly by combination of any occupational groups or services at a training institution or place that the Government may specify;

(viii) “Occupational Group or Service" means any group or service recruitment to which is made through the competitive examination conducted by the Commission from time to time against BPS 17 posts under the Federal Government or any occupational group or service transfer to which is made from the Armed Forces by induction and includes the following:-

(a) “Pakistan Audit and Accounts Service

(b) Commerce and Trade Group

(c) Pakistan Customs Service

(d) Pakistan Administrative Service

(e) Foreign Service of Pakistan

(f) Inland Revenue Service

(g) Information Group

(h) Military Lands and Cantonment Group

(i) Office Management Group

(j) Police Service of Pakistan

(k) Postal Group

(1) — Railways (Commercial & Transportation) Group and

(m) Any other service or group which may be notified by the Government as such.

(ix) "Probationer" means a person appointed to any occupational group or service on probation and includes an inductee; and

(x) "Specialized training" means training subsequent to the initial training undertaken by the probationers of an occupational group or service at a training institution or place that the Government may specify.

“3. Training Programmes and examinations.—(1)Every probationer shall undergo training in such training institutions and at such places and at such time and for such period and appear in such examinations as the Government may specify. Any probationer who fails to undergo prescribed training and qualify the prescribed examination shall render his appointment liable to termination without notice:

Provided that the Appointing Authority may, on the recommendations of a Special Medical Board and the Federal Public Service Commission allow deferment of training and examination if so justified on the basis of compelling medical grounds *""[:]

“"Provided further that the Prime Minister may allow deferment of training for any cogent reason.

(2) A probationer shall qualify every examination to the satisfaction of the head of the training institution where he is undergoing training.

(3) In addition to 1500 marks of CSS examination, 500 marks shall be allocated for initial training programme, 600 marks for specialized training programme and 1000 marks for the final passing out examination.

(4) Every probationer shall be required to qualify the Final Passing out Examination in the subjects approved by the Government.

(5) The maximum of 1000 marks allocated for Final Passing out Examination shall be distributed among the subjects as approved by the Government.

*“ Accounts Group was renamed as Pakistan Audit and Accounts Service. w.e.f. 10" December, 2002 vide Estt. Division’s O.M No. 1/17/92-CPII, dated 10"" December, 2002.

** added vide $.R.O 258(1)/2001, dated 28-04-2001.
*" Subs. & added vide Notification S.R.O No. 743(1)/2016 dated 11-08-2016.

(6) A probationer who fails to qualify in any subject or subjects in the Final Passing Out Examination shall be allowed two more chances to appear in the examination to be held subsequently in such subject or subjects.

(7) Qualifying the MBA Tax Management Programme will be mandatory for "Income Tax Group and *Customs and Excise Group officers with effect from 31* Common Training Program (CTP). The MBA Tax Management and its evaluation will be considered for all relevant rules and purposes covered under Occupational Groups and Services(Probation, Training and Seniority) Rules,1990.

4. Effect of unsatisfactory completion of training programme:(1) If on the conclusion of a training programme, the performance or conduct of a probationer is determined by the head of the training institution to be unsatisfactory, the Government may require such probationer to undergo such further training as it deems fit.

(2) Ifa probationer is prevented by sickness or any other adequate cause from completing a training programme to the satisfaction of the head of the training institution, the Government may require him to undergo such further training as it deems fit.

"5. Probationer missing the Final Passing Out Examination: If after completing his training to the satisfaction of the head of training institution, a probationer is prevented by ill health from taking in full or in part the Final Passing Out Examination, the Government may arrange for him to be examined specially and if such probationer fails to take the Final Passing Out Examination arranged for him specially, he shall render his appointment liable to termination without notice";

6. Probationer failing to qualifying in the Final Passing Out Examination:(1) A probationer who fails to qualify in the Final Passing Out Examination shall have his increments withheld until such time he qualifies such examination.

(2) A probationer who does not qualify in the Final Passing Out Examination shall:

(a) lose his one increment if he fails in the first attempt.

(b) be relegated in seniority to the bottom of his batch if he fails in the second

attempt;

(c) "be allowed fourth attempt as a matter of grace to qualify the FPOE; and

(d) be discharged from the service under clause (a) of sub-section (2) of section 6 of the Civil Servants Act, 1973 if he fails in the ***fourth attempt:

© «"Pyovided that the Government may, as a matter of grace provide the probationers who could not qualify in their Final Passing Out Examination upto the 31" December, 2002, an additional chance to appear in the Final Passing Out Examination on such date and at such place as it may notify, and if a probationer does not qualify in the examination or fails to avail of the additional chance, he shall be removed from service."

* "Income Tax Group" renamed as "Inland Revenue Service" and "Customs and Excise Group" renamed "Pakistan Customs Service".

“ Added vide $.R.O 771(1)/2006 dated 24-07-2006.

*** Tnserted/Subs. vide S.R.O. No.257(1)/2011 dated 15-03-2011.

© Added vide S.R.O 275(1)/2002 dated 17-05-2002.

(3) Absence from the Final Passing Out Examination, without permission of the Government shall be deemed to be a failure to qualifying in that examination.

“7. Seniority: (1)The seniority of the probationers shall be determined by the appointing authority after Final Passing Out Examination.

(2) Inductees who join the initial training programme shall be given notional marks in a manner that each inductee has the same marks as the senior most probationer of the occupational group in which the inductee has been inducted.

(3) Inductees who join a specialized training programme directly shall be given notional marks equal to the marks obtained by the senior most probationer of the occupational groups including the marks in the initial training programme.

(4) For the purpose of determining the inter-se-seniority of the probationers who commence their training with initial training programme the marks obtained by a probationer in the competitive examination of the Commission or his notional marks, as the case may be, shall be added to the marks obtained by him in the initial training programme, specialized training programme and the marks obtained by qualifying the Final Passing Out Examination in his first attempt.

(5) For the purpose of determining the inter-se-seniority of the inductees who commence their training with the initial training programme or a specialized training programme, the notional marks given to such an inductee and the marks obtained by him in the initial training programme and specialized training programme, as the case may be, shall be added to the marks obtained by him by qualifying the Final Passing Out Examination in the first attempt.

8. Probation: The period of probation of a probationer shall be two years or for such period as the Government may extend for successful completion of training programme.

9. Bond: A probationer shall, before the commencement of the training, execute a Bond, with a surety, to refund in the event of his failing to complete his training or resigning from his service during the period of training or within three years thereafter, all such amounts paid to him or spent in connection with his training.

10. Penalty:—(1)A probationer who fails to comply with the provisions of these rules, or to obey any orders which he may receive from the appointing authority, or from the Provincial Government under which he is serving, or from the head of institution or from any faculty member of the training institution or an officer under whom he may be receiving field training, or who neglects his probationary studies, or is guilty of conduct unbecoming of an officer shall be liable for removal from service or to such other action as the appointing authority may direct.

(2) Before a probationer is removed from service he shall be given an opportunity to show cause.

11. Over-riding effect: The provisions of these rules shall have effect notwithstanding anything contained in any other rule or rules for the time being in force with regard to any occupational group or service.

“ Added vide S.R.O 766(1)/2001 dated 06-11-2001.

12. Repeal: The Civil Service of Pakistan (Probation, Training and Seniority) Rules, 1954, are hereby repealed (and all such other rules relating to the subject are hereby repealed).

3.2. Occupational Groups and Services (Final Passing Out Examination) Rules, 2003

S.R.O 115 (KE)/2003: In exercise of powers conferred by Section 7-A read with Section 10 of the FPSC, Ordinance, 1977, the Chairman, FPSC, with the approval of the Federal Government has made the following rules for regulating the conduct of Final Passing Out Examination of Probation of different Occupational Group and Services.

1. Short Title and Commencement-(1) These rules may be called the Occupational Groups and Services (Final Passing Out Examination) Rules, 2003.

(2) These rules shall come into force at once.

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

(i) | “Government” means the Federal Government in Establishment Division.

(ii) “Commission” means the Federal Public Service Commission.

(iii) “Examination” means to Final Passing Out Examination of Occupational Group and Services.

(iv) “Probationer” means an officer of any of the regularly constituted Occupational Group/Service.

3. The Commission shall conduct Final Passing Out Examination (herein-after to be called as examination) of Probationers of the Occupational Groups and Services of the Federal Government at the end of Specialized Training Programme run by respective controlling departments/training academics of the Occupational Groups and Services.

4. _ This examination shall be held once in a year.

5. Syllabus Subjects of Examination (1000 marks)- The examination shall consist of syllabus/subjects of 1000 marks to be taught at the respective training academics, a copy of which shall be provided to the Commission by the controlling departments/academics for setting of question papers.

6. Passing marks shall be 45% in individual subjects as well as in the aggregate.

7. The controlling departments/academics shall be responsible to provide to the Commission sets of reference books/statutes in papers classified as “open book papers” at least three days prior to the commencement of the examination as per number of probationers. Reference books/statutes shall be updated before supplying to the Commission.

8. The controlling departments/academies shall also be responsible to

provide to the Commission particulars of the Probationers as and when the same are required by the Commission.

9. Number of attempts-A Probationer shall be required to clear the examination in three attempts, failing which the Government shall take action according

to the provisions of Occupational Groups and Services (Probation, Training & Seniority) Rules, 1990.

10. A Probationer unable to appear at the examination due to any reason whatsoever shall take prior permission from the Government and submit a copy thereof to the Commission before commencement of examination.

11. A probationer who misbehave in the examination or uses unfair means or is found guilty of misconduct, his case shall be reported to his controlling department for taking action under the “Removal from Service (Special Powers) Ordinance, 2000, under intimation to the Commission.

12. | Answer papers in all the subjects of the examination shall be treated as secret documents and therefore, shall not be permitted to be seen by the Probationers or their representatives nor shall re-examination of answer books/scripts be allowed under any circumstances. A Probationer desirous of getting his marks awarded by the examiner, re-counted/re-checked may submit his request for the purpose within one month from the dated of announcement of result alongwith a Treasury Challan of Rs. 100/- per paper as fee for re-checking/re-counting of marks. Thereafter, no such request shall be entertained.

4.1 Determination of Seniority/Length of Service of All Occupational Groups and Services

In pursuance of the Islamabad High Court’s Judgment dated 07-12-2017 read with Short Order dated 31-10-2017 in Writ Petition No. 2557 of 2017, Estt. Division’s O.M No. 1/3/2014-T.V dated 26-12-2016 on the above cited subject is withdrawn ab-initio.

2. As per decision of the Islamabad High Court, “on the strength of already competed CTP a repeater with improved score will not be allowed seniority on the basis of the same and seniority has to be fixed amongst new batch in a particular group. However any repeater (candidate) showing his intent to improve score in CTP is allowed to join the same.”

3. As a result of Islamabad High Court Order dated 31-10-2017, the practice prior to issuance of Establishment Division’s O.M mentioned above stands restored. As such, those candidates who change their occupational group as a result of repeating CSS CE will not repeat CTP, continue their posting in their former occupational group/service and join their new occupational group/service on the commencement of their respective STPs only alongwith their batch mates of the new occupational group/service. This will apply to the officers who are presently repeating the ongoing 45" CTP.

4. No officer will be allowed to join STP of their new occupational Group/Service with the senior batch of any previous CTP to ensure comparative merit.

5. This O.M. supersedes all previous O.Ms in conflict with the above stated position to the extent indicated above.

6. Controlling Ministries/Divisions/Departments of various Occupational Groups/Services are advised to follow the above mentioned guidelines.

[Authority.— Establishment Division’s O.M.No.5/6/2017-T.V dated 01-02-2018].

* Removal from Service (Special Powers) Ordinance,2000 has been repealed vide Section 2(1) of the Act No. III of 2010.

4.2 Determination of Inter-se-Seniority of
Officers of All Occupational Groups

Refer to the subject above and to state that in light of Occupational Groups and Services (Probation, Training and Seniority) Rules,1990, a number of queries have been received by this Division regarding determination of inter-se-seniority. According to sub-tule 4 of Rule 7 of Occupational Groups and Services (Probation, Training and Seniority) Rules, 1990 inter-se-seniority of probationers is determined on the basis of aggregate of following marks obtained by the probationers.

i) Marks obtained in the competitive examination of FPSC or notional marks (in case of inductees as per Rules 7(2);

ii) Marks obtained in the initial training program (CTP) or notional marks (in case of inductees as per Rules 7(3);

iii) Marks obtained in the specialized training program (STP);

iv) Marks obtained by qualifying in Final Passing Out Examination in the 'first attempt'.

2. A question has arisen as to how the seniority of those probationers should be fixed who are not able to qualify the Final Passing Out Examination in the first and second attempt. Matter is considered in Establishment Division and clarified as under:—

(a) A probationer failing to qualify FPOE in first attempt will only have increments withheld while his/her seniority will not be affected so long as he/she passes in second attempt. To determine inter-se-seniority aggregate marks obtained (as stated in sub paras i-iv above) will be used to calculate the probationer's placement in the seniority list.

(b) A probationer who fails to qualify FPOE in second attempt but does it in third attempt will be relegated to the bottom of the seniority list irrespective of aggregate marks obtained.

3. Ministries/Divisions/Departments concerned of all Occupational Groups and Services should follow the above mentioned guidelines to determine inter-se-seniority of the probationers in future.

[Authority:— Establishment Division's O.M.No.1/3/2014-T.V dated 21-04-2014].

43 Determination of Inter-se-Seniority of Officers of
All Occupational Groups and Services

Refer to the subject cited above and to state that in continuation to this Division's O.M. No.1/3/2014-T.V dated 21-04-2014, it is clarified that inter-se-seniority of probationers within a batch will be determined as per para 2 of the O.M. ibid from the date of insertion of Rule 6(2) in Occupational Groups and Services (Probation, Training and Seniority) Rules,1990 vide SRO 257(1)/2011 dated 15-03-2011.

2. With regard to queries received by this Division on determination of inter-se-seniority of probationers who are allowed deferment from Common Training Program, the Competent Authority is pleased to inform that in such cases inter-se-seniority of

probationers, henceforth, will be fixed at the bottom of the batch with which the probationer undergoes CTP. It is further stated that while granting deferment a note to this effect should be clearly communicated to the probationary officer to bring it to his/her notice.

3. Any O.M. in conflict with the above stated rule position is hereby superseded.

[Authority:- Establishment Division's O.M.No.1/3/2014-T-V dated 05-03-2015].

4.4 Determination of Length of Service in Case of Repeaters

Refer to the subject cited above and to state that following a number of queries received, the matter of length of service in case of CSS Competitive Examination repeaters, already serving in the various Occupational Groups and Services (Probation, Training and Seniority) Rules,1990 was considered in this Division.

2. It has been decided that in order to bridge anomalies in the length of service between repeaters and their newly recruited batch mates, any officer-probationary or otherwise-who repeats CSS Competitive Examination and as a result changes his/her Occupational Group/Service, will also repeat Common Training Program with the batch the change has been effected. Further, length of service in the previous Group/Service will not be considered for the purpose of promotion in the new Occupational Group/Service being non-cadre service in light of Section 9 of Civil Servants Act,1973.

"[3. For the purpose of determining inter-se-seniority in the light of Rule 7(4) of Occupational Groups and Services (Probation, Training and Seniority) Rules,1990 marks obtained by a probationer in the latest/repeated CTP will be considered.]

4. Controlling Ministries/Divisions/Departments of the various Occupational Groups/Services should follow the abovementioned guidelines for consideration in case of repeaters.

[Authority:- Establishment Division's O.M. No.2/3/2015-T-V dated 17-03-2015].

4.5 Determination of Inter-se-Seniority of Officers of All Occupational Groups and Services

Refer to the subject cited above and to convey the following decisions taken by the competent authority:—

a. "TAIL cases pending or future of probationers / officers received for determination of seniority due to deferment will have seniority fixed with the batch, these probationers/officers undergo CTP and not their original CSS batch. Accordingly, all past cases that have been decided otherwise i.e., seniority fixed with original CSS batch will be reverted to bring these at par with the new policy issued vide Establishment Division's O.M No. 1/3/2014-.T-V dated 05-03-2015.

b. Ifa probationer is granted deferment after joining CTP with original CSS batch, his/her seniority will be fixed with the batch he/she undergoes/ complete the CTP.]

{Subs vide Establishment Division's O.M No. 2/3/2015-T-V dated 15-03-2016.
Not
Paras a & b of Establishment Division's O.M No. 1/3/2014-T.V dated 23-09-2015 were substituted vide Establishment Division's O.M No. 1/3/2014-T.V dated 26-12-2016 from ab-initio. On the directions of

Islamabad High Court vide Writ Petition No. 2557 of 2017 dated 07-12-2017 which was withdrawn and stands restored to original status vide Establishment Division’s O.M No. 5/6/2017-T.V dated 01-02-2018.

c. Marks of first attempt of FPOE minus marks of failed subject will be considered for the purpose of inter-se-seniority. The same principle is adopted in the CSS optional papers result. The illustration below explains the issue further.

Let us assume:—

(i) Total Marks of FPOE - 1000
(ii) | Passing Marks - 50%

Paper	Total Marks	Marks Obtained	Remarks
A.	00	60	Passed
B.	00	60	Passed
Cc.	00	60	Passed
D.	00	60	Passed
E.	00	60	Passed
F.	00	60	Passed
G.	00	60	Passed
H.	00	60.	Passed
L	00	60	Passed
J.	00	30	Passed
Total	1000	570	Passed

(iii) Total marks including marks of failed subject i.e. J = 570
(iv) Total marks excluding marks of failed subject i.e. J= 540

(v) Inorder to determine inter-se-seniority, 540 marks will be added to the CSS,CTP and STP marks. Hence, as already explained and as further illustrated in the column below, 1900 marks will determine

an individual’s seniority:—

Exams	Total Marks	Marks Obtained	Remarks
CSS	1400	800	Passed
CTP	500	300	Passed
STP	600	350	Passed
FPOE	1000	540	Failed in one subject in first attempt
Total	3500	1990	

2. Any O.M/O.Ms in conflict with the above stated position is/are hereby superseded to this extent.

[Authority:- Establishment Division’s O.M.No.1/3/2014-T-V dated 23-09-2015].

4.6 Determination of Inter-se-Seniority of Probationers of All Occupational Groups and Services who Repeat Their CTP Due to Unsatisfactory Performance

Refer to the subject cited above and to convey the following decisions taken by the Competent Authority:—

a. If a probationer is asked to repeat his CTP due to unsatisfactory performance his seniority will be fixed with the batch he successfully completes his CTP. However, for the purpose of pay fixation his length of service will be considered from date of joining of original (first) CTP.

b. In case of un-satisfactory performance even during the second CTP, his service will be liable to be terminated.

[Authority.— Establishment Division's O.M.No.2/3/2015-T.V dated 22-10-2015].

4.7 Determination of Length of Service in Case of Repeaters

Refer to Establishment Division's O.M.No.2/3/2015-T-V dated 17-03-2015 on the subject above. In compliance with the order of Lahore High Court direction dated 22-05-2015 in a Writ Petition No.9837 of 2012, the Secretary Establishment Division is pleased to issue following order:—

In the past cases of repeaters of CSS and re-allocation to another Occupational Group the length of service of an officer for all future appointments/promotions will be considered from the date of commencement of CTP of that particular batch.

2. All Ministries/Divisions/Departments/Services controlling the Occupational Groups/Services are requested to extend benefit of above order to all those officers who repeated CSS and as a consequence directly joined STP of the group/service to which he/she is re-allocated.

[Authority:- Establishment Division's O.M. No.2/3/2015-T-V dated 14-01-2016].

4.8 Determination of Length of Service in case of Repeaters

Refer to Establishment Division's O.M No. 2/3/2015-T-V dated 17-03-2015 and even number dated 14-01-2016 on the subject cited above.

2. It is explained that in order to bridge anomalies in the length of service between repeater of CSS and their newly recruited batch mates, it was decided vide O.M dated 17-03-2015 that any officer probationary or otherwise, who repeaters CSS and as a result changes his/her Occupational Group/Service will also repeat CTP with the batch the change has been affected. Further, length of service in previous group will not be considered for the purpose of promotion in new occupational group being non-cadre service.

3.

In the past cases, whereby, a probationer who repeated CSS but not

repeated CTP and directly joined the STP of his/her Occupation Group/Service, the length of service will be counted from date of start of CTP of batch with which he/she repeated the CSS and not his/her previous CSS/CTP. The illustration below will further explain the issue:—

4.

Let us assume:—

Mr. A was previously allocated to PSP on the basis of CSS CE-2013.
His CTP started on 01-10-2013.

Mr. A repeated CSS CE in 2014 and was allocated to PAS. CTP of

his new batch mates started on 01-10-2014.

Mr. A did not join the CTP of PAS started on 01-10-2014 and directly joined the STP of PAS started on 15-04-2015.

Length of Service of Mr. A in PAS for promotion/future appointments will be counted from 01-10-2014 (date of start of CTP of his new batch mates).

Length of service of Mr. A in PSP (previous group) will not be

considered for the purpose of promotion in new occupational group being non-cadre service.

[Authority:- Establishment Division’s O.M. No.2/3/2015-T-V dated 15-03-2016].

4.9

Determination of Inter-se-Seniority when
Specialized Training Programme (STP) is
Deferred/Repeated

Refer to subject cited above and to convey the following decision taken by the competent authority:—

i)
ii)

iii)

Deferment of STP shall be granted only on compelling medical grounds.

There shall be no change in inter-se-seniority of the probationary

officer(s) in case of deferment of STP other than change due to marks/evaluation in STP contributing towards seniority alongwith other determinants. It will be fixed with the same batch the probationary officer(s) completed the CTP.

All training institutes should be informed that:

a) No probationer will be allowed to repeat the entire STP, except in the case of deferment on compelling medical grounds.

b) In case of performance below desired level a probationary officer(s) may be asked to attend extra classes; detained for a specified period and in extreme negligence/misconduct a case may be moved for removal from service. In such cases, the report on the conduct and performance of a probationary officer(s) should be periodically shared with the Establishment Division prior to sending the case for termination from service.

c) Instances of bad conduct may be elaborated in the pen picture provided by the training institute.

In case of not qualifying the examination(s) of STP the probationary officer may be retained for such period so as to qualify the failed subjects but without any effect to the inter-se-seniority, other than change due to marks/evaluation in STP contributing towards seniority alongwith other determinants.

A probationary officer shall be allowed:
a) Seven days casual leave during STP.

b) In addition to these casual leave he/she may be entitled to a cumulative maximum of 30 days medical leave but on the recommendation of a Special Medical Board.

[Authority:— Establishment Division’s O.M No. 4/11/2014 T-III dated 01-12-2015.

4.10 Section Officers' (Probation, Training

and Seniority) Rules,1964

In exercise of the powers conferred by paragraph (a) of clause (2) of Article 178 of the Constitution’, the President is pleased to make the following rules, namely:—

1.

4.

These Rules may be called the Section Officers' (Probation, Training and Seniority) Rules, 1964.

These Rules shall apply to persons recruited as Section Officers on the basis of a competitive examination held by the Commission.

In these rules, unless there is anything repugnant in the subject or context:-
(a) "Commission" means the “Central Public Service Commission;
(b) "the Government" means the **Central Government;

(c) "Probationer" means a person appointed as Section Officer on probation until the period of his probation ends.

(1) Every person selected for appointment as Section Officer on the basis

of a competitive examination held by the Commission shall be appointed on probation.

(2)

Subject to the provisions of sub-rule (4) of rule 8 and rule 9, the period of

probation of a probationer shall be two years unless the Government, in any case, extends

it by a further period or periods not exceeding one year in the aggregate.

* Constitution of 1962.

* Federal.

(3) The services of a probationer may at any time be terminated without assigning any reason therefor, and shall be terminated if he does not successfully complete his period of probation.

5. (1) Every Probationer shall undergo training at such institutions, at such places, and for such periods as the Government may decide, in consultation with the Commission.

(2) The curricula for training shall be such as may be prescribed by the Government in consultation with the Commission.

6. The officers under whom a probationer is trained or works for any period shall prepare and submit to the Government a confidential report in respect of such probationer on his work, conduct and performance during such period.

7. (1) The annual increment of a probationer may be withheld for such period as the Government may direct if he fails to qualify in any of the examinations referred to in rules 8 and 10, or if the Government considers his work, conduct, or performance unsatisfactory.

(2) The withholding of increments under this rule shall not affect a probationer's future increments.

8. (1) Every probationer shall, after the conclusion of his institutional training, be required to qualify at an examination to be held by the Commission.

(2) The examination shall be in such subjects, carrying, in the aggregate, a maximum of one thousand marks as the *Central Government may prescribe specifying the distribution of marks among the various subjects.

*“(3) A probationer who fails to qualify in any subject or subjects in an examination referred to in sub-rule (1) shall be allowed two more chances to appear at the examinations to be held subsequently by the Commission in such subject or subjects.

*(4) Ifa probationer fails to qualify in all the subjects of the examination referred to in sub-rule (2) even after having been allowed the subsequent chances as provided in sub-rule (3), his services shall be terminated except in the case of a probationer who has failed to qualify in one subject only, in which case he will be reduced in seniority and placed at the bottom of the batch with which he appears in the examination in his third chance and forfeit one increment for a period of one year.

(5) If any probationer is prevented by sickness or any other adequate cause from appearing in the whole or part of the examinations referred to in sub-rule (1) or (3) the Government may arrange for him to be specially examined in any or all of the subjects prescribed for such examinations after such interval as it may, after consulting the Commission and having regard to the circumstances of the case, consider suitable.

9. (1) The period of probation of a probationer shall not end until he has fully qualified in the examinations referred to in rules 8 and 10 has earned satisfactory confidential reports under rule 6.

* Subs. vide Estt. Division’s Notification No.9/2/66-C.III(B), dated 28-12-1972.

(2) Every probationer shall, before commencement of his training, execute a bond in the form prescribed by the Government with one surety to refund all moneys paid to him or spent in connection with his training, as may be determined by the President, in the event of his resigning the service during the period of probation or within 3 years thereafter.

10. After he has completed his institutional training, a probationer shall be posted to such Ministry, Division or other office as the Government may direct, and shall there perform the duties allotted to him, and pass such departmental examinations by such standards as the Government may prescribe in this behalf.

11. (1) All persons to whom these rules apply and who have been appointed on the basis of the same examination shall rank in seniority amongst themselves in the descending order of the sum of the marks obtained by them in (i) the competitive examination on the basis of which they were selected for appointment; and (ii) the first attempt in the examination held under sub-rule (1) of rule 8.

(2) For the purposes of the fixation of the seniority of a probationer whose case falls within sub-rule (5) of rule 8, the Government may, in consultation with the Commission, pass such orders as it may consider equitable.

12. The service of a probationer shall count for leave and pension from the date of his first joining an institution for training under rule 5.

[Authority.- Estt. Division’s Notification No. $.R.O.90(R), dated 2-9-1964].

4.11 Fixation of ‘Inter-se-Seniority’ of Section Officers Appointed by Direct Recruitment

Principles regarding the fixation of inter-se-seniority of Section Officers appointed by direct recruitment on the basis of competitive examinations conducted by the Federal Public Service Commission are contained in the Section Officers (Probation, Training and Seniority) Rules, 1964.

2. A question has arisen whether the inter-se-seniority of Section Officers appointed on the basis of competitive examinations held in 1960, 1961 and 1962 should also be fixed in accordance with the principles mentioned above or it should be fixed according to the positions obtained by them in the competitive examination.

3. It was mentioned in the notice issued by the Federal Public Service Commission for the 1960 examination that the seniority of candidates in question would be according to their order of merit in the competitive examination. Furthermore, no mention about the fixation of inter-se-seniority, or about Seniority Rules which were then to be framed, was made in the notices for the 1961 and 1962 examinations and the Section Officers (Probation, Training and Seniority) Rules, 1964, did not prescribe the principles of seniority, with retrospective effect, for Section Officers appointed on the basis of those examinations.

4. It has therefore, been decided that the inter-se-seniority of candidates appointed on the basis of 1960, 1961 and 1962 examinations should be fixed according to their order of merit in the competitive examinations.

[Authority.- Estt. Division’s O.M. No. 1/21/64-C.III, dated 20-8-1965].

4.12 Seniority of Joint Secretaries and Holders of Former Senior Administrative Grade

According to para 10 of the Establishment Division Office Memorandum No. 2/2/75-ARC, dated 21* February, 1975, the seniority of Joint Secretary which is a post in BPS 20 will be determined from the date of his continuous regular officiation in BPS 20. Some doubt seems to exist about the correct interpretation of this provision. The provision is explained below.

2. Posts in which was formerly Senior Administrative Grade were placed in National Pay Scale No.20 with effect from 1“ March, 1972. Therefore, the holders of Senior Administrative Grade could not be said to be in Grade 20 earlier than 1“ March, 1972. Consequently, the seniority of an officer who had been holding a post in Senior Administrative Grade and was later appointed as Joint Secretary would be reckoned from 1* March, 1972, or the date of appointment as Joint Secretary, whichever is earlier.

[Authority.-Estt. Division’s O.M.No.1/1/75-ARC-II, dated 4-4-1973].

lll. CHANGE OF OCCUPATIONAL GROUPS/SERVICES

5.1 Change of Occupational Groups/Services

Allocation to various occupational groups/services are made on the basis of competitive examinations conducted annually by the Federal Public Service Commission (FPSC). While recommending candidates for allocations to different groups/services, the FPSC takes into consideration the merit position, number of vacancies available, regional/provincial quota, suitability and preferences of candidates.

2. Although change of occupational group is not admissible under the rules, a number of applications/representations are being received in the Establishment Division requesting for change from one occupational group to another after the allocation has been made in accordance with the laid down procedure.

3. It has, therefore, been decided with the approval of the competent authority that Ministries/Divisions/Provincial Governments should not forward applications/ representations relating to change of occupational groups to the Establishment Division.

4. — All Ministries/Divisions/Provincial Governments are requested to comply with these instructions so as to reduce the problems arising out of numerous requests for change of groups and in keeping with the principles of sound personnel management.

[Authority.- Estt. Division’s O.M.No. 1/4/88-T.V(Pt.XII]), dated 24-4-1990].

5.2 Change of Occupational Group Prohibition Against Mutual Exchange

The Prime Minister has been pleased to direct that any request(s)/ application(s) for mutual exchange of officers from one Occupational Group/Service to another shall not be entertained. It has also been decided that Government Servants (Applications for Services and Posts) Rules, 1966 be strictly observed, without exception.

[Authority:—Estt. Div.’s O.M. No. 1/4/98-T.V. dated 19-11-1998]

5.3 Initial Training of the Probationers Appointed to various Groups/Services on the Results of the Annual Competitive Examination held by the FPSC

In partial modification of Establishment Division's Office Memoranda (listed at Serial No. 1-11 at Annex) the government has decided that, notwithstanding the provisions relating to the training of probationers of occupational groups/services contained in the said office memoranda, the probationers of one or more groups/services may henceforth be required to undergo and successfully complete their initial training separately or collectively, as the case may be at one or more training institutions and places, as may be specified by government from time to time. It may be further stated that

initial training shall be followed by respective departmental specialized or on the job training as the case may be for these occupational groups/services.

2. The probationer who fails to comply with the provisions of these rules or to obey any order which he/she obtains from government or from Director/Head of the training institution or from any other duly constituted authority or who neglects his probationary studies, or is guilty of conduct unbecoming an officer of an occupational group/service shall be liable to removal from group/service or to such other action as the competent authority may direct as provided for under the “[Government Servants (Efficiency and Discipline) Rules, 1973.]

3. This Office Memorandum shall also apply to probationers appointed to other groups not specified in the Annex to this O.M. including Railway (Commercial & Trade) Group, who are appointed on the results of the annual competitive examination held by the FPSC.

[Authority.—Estt. Division’s O.M. No. 1/36/82-T.V, dated 8-4-1990].

* Now Civil Servants (Efficiency & Discipline) Rules,2020.

Cnapter-2

(ANNEX)

PROVISIONS RELATING TO THE
TRAINING OF PROBATIONERS

Name of the Group/Service	Reference to the paragraph and the Estab. Division O.M. containing the provisions.
1. *Accounts Group	
2. Commerce & Trade Group	
3. “Customs & Excise Group	
4. “District Management constituting the Group.	
5. Foreign Service of Pakistan	
6. @Income Tax Group	
7. Information	
8. Military Lands and Cantonment Group	
9. Office Management Group	
10. ©@Police Group	
11. Postal Group	
	Paragraph 4(e) of O.M.No.1/2/74-ARC, dated 23-1-1974 constituting the Group*.
	Paragraph 4 of O.M. No. 6/2/75-ARC, dated 8-5-1975 constituting the Group.
	Paragraph 3 of O.M. No.5/2/75-ARC, dated 9-5-1975 constituting the Group.
	Paragraph 3 of O.M.No.2/2/74-ARC, dated 23-2-1974 Group

Paragraph 3 of O.M.No.3/2/74-ARC, dated 8-4-1974
constituting the service/Group.

Paragraph 3 of O.M. No.4/2/75-ARC,dated9-5-1975
constituting the Group.

Paragraph 4 of O.M. No. 2/8/75-ARC, dated 17-6-1977 Group
constituting the Group.

Paragraph 4 of O.M. No.9/2/75-ARC, dated 11-5-1975
constituting the Group.

Paragraph 8(a) of O.M.No.1/2/75-ARC, dated 27.1.1975
constituting the Group.

Paragraph 3 of 3/2/75-ARC, dated 31.5.1975
constituting the Group/Service.

Paragraph 3 of O.M. No. 3/2/75-ARC, dated 30.5.1975
constituting the Group.

*Pakistan Audit and Accounts Service.

“Renamed as “Pakistan Customs Service” vide Estt. Div.’s O.M.No.6/2/2009 CP-II dated 12-09-2009.

“Renamed as “Pakistan Administrative Service” vide Estt. Div.’s O.M.No.6/3/2012 CP-II dated 21-05-2012

@ Now “Inland Revenue Service” vide Estt. Div.’s O.M.No.6/2/2009 CP-II dated 12-09-2009.

@@ Fstablishment Division’s O.M No. 3/2/75-ARC dated 31-05-1975 constituting the Police Group is rescinded vide Establishment Division’s O.M No. 3/1//84-CP.2 dated 05-11-1985.

CHAPTER 3

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CHAPTER 3
RECRUITMENT & INDUCTION
RECRUITMENT

I. RECRUITMENT POLICY

1.1. Recruitment Policy for the Federal Services/ Autonomous Bodies/Corporations-2014

Refer to Establishment Division's O.M.No.4/1/93-R-I dated 25-09-2014 regarding lifting of ban on recruitment under the Federal Government and to state that Ministries/Divisions/Attached Departments/Subordinate Offices/Autonomous Bodies/ Semi-Autonomous Bodies/Corporations/Companies/Authorities etc. are required to follow the recruitment policy as under:—

(i) Recruitment to posts in BPS-16 and above shall continue to be made through the Federal Public Service Commission as hithertofore.

(ii) Initial appointment to posts which are required to be made on All Pakistan basis shall be made under rule-14 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973.

(iii) "[Initial appointment to posts in BPS-6 to BPS-15 and equivalent in offices which are required to serve only in a particular Province/Region shall be filled by appointment of persons domiciled in the Province/Region concerned under Rule-15 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973].

(iv) [Vacancies in posts in BPS-01 to ""BPS-05 & equivalent shall ordinarily be filled on local basis under Rule-16 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973].

(v) Initial appointment shall be made strictly in accordance with the provisions contained in the Recruitment Rules of the post concerned. In the absence of Recruitment Rules, Ministries / Divisions/Attached Departments / Subordinate Offices / Autonomous Bodies/Semi-Autonomous Bodies/ Corporations/ Companies/ Authorities etc. are first required to frame the Recruitment Rules and lay down the eligibility conditions for such appointments. No recruitment shall be made in the absence of approved Recruitment Rules.

(vi) @[NOC from the Surplus Pool of Establishment Division shall continue to be obtained for recruitments in Ministries Divisions/ Attached

* amended vides Establishment Division's O.M No. 53/1/2008-SP dated 25-06-2019.
" amended vides Establishment Division's O.M No. 53/1/2008-SP dated 13-03-2020
** Subs. vide S.R.O No. 634(1)/2019 dated 17-06-2019.

e Amended vide Establishment Division O.M No. 53/1/2019-SP(Pt) dated 04-03-2019.

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Departments/ Sub-Ordinate Offices:

Provided that if No Objection Certificate (NOC) is not issued by the Establishment Division within (07) working days to the Ministries/ Divisions for fresh recruitment, it will be deemed to have been issued.

All other recruitments including:

(i) Contract/Contingent Paid/Project/Specialized (including MP Scales) Posts; and

(ii) For Autonomous Bodies/Semi-Autonomous Bodies/ Corporations/companies/Authorities shall be exempted from seeking NOC from Establishment Division.]

The vacancies in each Ministry/Division/Department/Autonomous Body/ Corporation, as per the Provincial/Regional quota efc., shall be advertised through widely published National/ Provincial/ Regional newspapers.

Minimum of 15 days' time limit may be given for receipt of applications.

Applicants may be required to apply on a prescribed format without being asked for copies of educational qualification ete. However, at the time of written test/interview, the candidates may be asked to bring with them original certificates/documents for satisfaction of the authority.

Regional/Provincial quota, Women quota, Minorities (Non-Muslim) quota and Disabled Persons quota, or any other quota prescribed from time to time, should expressly and clearly be indicated against the vacant post(s) advertised.

Required qualification and age limit as provided in the recruitment Rules, including general age relaxation, should also be clearly laid down in the

advertisement.

Vacancies in posts should be filled only against the approved sanctioned strength of the said category.

“[Ministries/ Divisions/ Departments/ Attached Departments/ Sub-ordinate Offices/ Autonomous Bodies/ Semi- Autonomous Bodies/ Corporations/ Authorities efc. are required to finalize the recruitment within 120 days from the date of advertisement.]

Deficiency in the existing Provincial/Regional representation, if any, in

the Federal Services including Autonomous/Semi-Autonomous Bodies may be adjusted.

Administrative Ministries/Divisions shall ensure merit and transparency in the recruitment process at all levels.

. Amended vide Establishment Division O.M No. 53/1/2019-SP(Pt) dated 04-03-2019.

(xvi) The candidates using or attempting to use any extraneous influence at any level shall be liable to be disqualified.

(xvii) “[The advertisement to be published for recruitment may be forwarded by the concerned Méinistry/Division directly to Press Information Department, Information & Broadcasting Division. However, the appointing authority of the concerned Ministry/Division/ Department/ Organization shall ensure completion of all procedural and codal requirements in letter & spirit in line with the Recruitment Policy while making recruitment and will be held responsible for illegality if any.]

[Authority:- Establishment Division’s O.M.No.F.53/1/2008-SP dated 22™ October, 2014]

1.2. Mechanism to Ensure Merit Based Recruitment in the Ministries/Divisions/Sub-ordinate Offices/Autonomous/ Semi-Autonomous Bodies/Corporations/Companies/ Authorities

Refer to Establishment Division’s O.M of even number dated 22" October,2014 regarding recruitment policy for the Federal Services, Autonomous Bodies/Corporations and to say that “[the Federal Government] is pleased to devise following mechanism, to ensure transparency and merit based recruitment in the Ministries / Divisions / Attached Departments/Autonomous/Semi-Autonomous Bodies / Corporations/Companies/ Authorities:—

a) al laialeiniatel|

“

The Initial screening of the applicants may be conducted by the concerned = Ministries/Divisions/Sub-ordinate | Offices/Autonomous/

Semi-Autonomous Bodies/Corporations/Companies/Authorities themselves till Cabinet Committee give its final decision on the subject.]

@[b) Interview

The short listed applicants, as a result of screening test, would be interviewed after verification of academic/professional credentials and testimonial. The Departmental Selection Committee (DSC) constituted vide Rule 2(e) of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973 would adjudge the applicant on the following criteria for selection:—

* Subs. vide Establishment Division’s O.M No. 53/1/2008-SP dated 07-08-2019.
The words “the Federal Government” may be read as “the Prime Minister” vide Establishment Division’s O.M No. F.53/1/2008-SP dated 21-09-2021.
Deleted & added vide Establishment Division’s O.M No. 53/1/2008-SP dated 06-05-2020.

© Subs. & amended vide Establishment Division’s O.M No. 53/1/2008-SP dated 03-03-2015.

- Score in the test may have 70% weightage whereas the weightage of interview will be upto 30%. However, it will be upto the concerned Ministry/Division etc. to assign more weightage to the written test by reducing the weightage assigned to the interview.

- The weightage for interview would be allocated by the members of the DSC as under:—

- Chairman 40%
- | Two Members 30% each

Further the DSC would assess the applicants as under:—

d)

Relevant qualification/experience 30%
Knowledge/Skill relevancy 40% and
Personality/Interpersonal 30%

Communication skills

Type of Test

There shall be no screening test for the posts in BS-1 to BS-5 whereas the candidates shall only have to qualify particular skill test required for the said post.

However, while considering suitability for the posts in BS-6 and above, an objective type test shall be designed giving 20% weightage each to Islamic Studies, Pakistan Studies, English, General Knowledge and the subject relevant to job. Further, for skilled jobs in BS-6 and above, the candidates shall have to qualify particular skill test required for the posts in addition to the screening test stated above].

Autonomous Bodies/Corporations/Companies/Authorities

The present system of recruitment to MP Scales and Management Grades MI to M3 or equivalent will continue. However, for recruitment to other Executive as well as non-Executive grades equitable with government BPS, the selection criteria given above be adopted.

Appointment on Regular Basis of Contract/Contingent Paid/Daily Wage/Project Employees

For the purpose of appointment on regular basis of Contract/ Contingent Paid/Daily Wage/Project employees the following criteria shall be observed:—

* Inserted vide Establishment Division’s O.M. No. 53/1/2008-SP dated 11-05-2017.

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All Contract/Contingent Paid/Daily Wage/Project employees who have rendered a minimum Of one year of service, in continuity, as on 1-1-2017 (hereinafter referred to as eligible employees) may apply for appointment on regular basis in the manner prescribed hereinafter provided that the condition of continuity shall not be applicable in case of person(s) employed on daily wages who have completed at least 365 days service.

For initial appointment to posts in BS-16 and above, the employees shall apply direct to FPSC against relevant/suitable vacancies as and when arising for which they are eligible.

For initial appointment to posts in BS-1 to BS-15, the eligible employees may apply as per criteria given vide Establishment Division's O.M.No.53/1/2008-SP dated 16-1-2015 and 3-3-2015 shall be adopted.

The eligible employees shall be awarded extra marks in interview at the rate of one (01) mark for each year of service rendered upto a maximum of five (05) marks, on the recommendations of the respective selection authorities.

The period served as contract/contingent paid/daily wage/ project employee, shall be excluded for the purpose of determination of upper age limit in addition to relaxation of upper age limit as per existing rules.

Qualifications prescribed for a post shall be strictly followed. In case, a person does not possess the prescribed qualifications/ experience for the post he/she is applying for, he/she shall not be considered for the same.

The employee must be in good mental and bodily health and free

from any physical defect likely to interfere with the discharge of his duties unless appointed against disability quota.

The advantage of para l(e) is a one-time dispensation for all

contract/ contingent paid/ daily wage/ project employees for their eligibility to regular employment.]

In order to oversee and monitor the implementation of above mentioned

mechanism of recruitment in the Ministries/Divisions/ Departments/ Sub-ordinate Offices/ Autonomous/Semi-Autonomous Bodies/Corporations/ Companies/Authorities, the following monitoring committee shall be constituted in the Establishment Division:—

a)
b)
¢)
d)

Additional Secretary (BS-21)or equivalent Chairman

JS(BS-20) or equivalent Member
DS (BS-19) or equivalent Member
SO (BS-17) or equivalent Member/Secretary

[Authority:- Establishment Division’s O.M. No.F.53/1/2008-SP dated 16-01-2015].

1.3. Updation/Revision of Recruitment Rules of Various Posts of Ministries/Divisions/Departments under the Federal Government

Refer to Federal Public Service Commission's d.o letter F.No.17-20/2017-RR, dated 15" April,2019 (Annexed) wherein it has been stated that commission has observed that each year a significant number of posts remain vacant/unfilled due to non-availability of suitable candidates from respective quotas and fields of education. The Commission has further noticed that during the personal hearings of the candidates, who file representation against rejection of their candidature on account of not meeting the advertised qualifications, that the recruitment rules of various Ministries/Divisions/ Departments were either outdated or were not aligned with the new qualification/ titles/nomenclature of closely related disciplines/degrees available in the market. The Commission feels that we lose good talent available in the market due to the weaknesses in existing recruitment rules.

2. Further, Commission has also informed that to facilitate the process of aligning Recruitment Rules with the latest national qualifications/titles/ standards, FPSC has prepared a "Booklet on Qualifications/Titles/Nomenclatures of Academic Degrees as offered by HEC recognized Universities in Pakistan". This information is based on the Higher Education Commission's 'Pakistan Qualification Register'. The purpose of this initiative is to consolidate all available degrees at various academic levels (PhD, M.Phil, MS. M.Sc, M.A. BS, B.Sc, B.A etc) in all disciplines/fields of education being offered by HEC recognized universities. Besides this, it is also important to consult HEC "National Qualifications Framework of Pakistan 2015," which specifies criteria for the use of Titles/Nomenclatures for different academic and professional degrees. Both the documents are available/accessible on FPSC website www.fpsc.gov.pk and also attached for ready reference for preparation/revision of recruitment rules.

3. In view of the above, all Ministries/Divisions/Departments are advised to revisit/update their respective Recruitment Rules by including the latest qualifications/nomenclature/ disciplines and fields of experience required to perform the job relating to the posts of their Ministry/Division/Department in light of above mentioned documents preferably before 30" June,2019 and to process for concurrence of the Commission through Establishment Division.

[Authority:— Establishment Division's O.M. No. 1/4/2019-R-V dated 02-05-2019.]

ANNEXURE
(See SI.No. 1.3)

F.NO.17-20/2017-RR
FEDERAL PUBLIC SERVICE COMMISSION
AGA KHAN ROAD, F-S/1

SECRETARY

Subject: UPDATION/REVISION__OF__ RECRUITMENT___ RULES __ OF VARIOUS POSTS OF MINISTRIES/DIVISIONS/ DEPARTMENTS UNDER THE FEDERAL GOVERNMENT.

Federal Public Service Commission is the apex statutory body responsible for recruitment of persons to all Pakistan Services, the Civil Services of the Federation and Civil posts in connection with the affairs of the Federation in BS-16 and above or equivalent. The Commission has observed that each year a significant number of posts remain vacant/unfilled due to non-availability of suitable candidates from respective quotas and fields of education. The Commission has further noticed during the personal hearings of the candidates, who file representation against rejection of their candidature on account of not meeting the advertised qualifications, that the recruitment rules of various Ministries/Divisions/Departments were either outdated or were not aligned with the new qualifications/titles/nomenclature of closely related disciplines/degrees available in the market. The Commission feels that we lose good talent available in the market due to the weaknesses in existing recruitment rules.

2. To facilitate the process of aligning Recruitment Rules with the latest national qualifications/titles/standards, FPSC has prepared a “Booklet on Qualifications/ Titles/Nomenclatures of Academic Degrees as Offered by HEC Recognized Universities in Pakistan”. This information is based on the Higher Education Commission’s ‘Pakistan Qualification Register’. The purpose of this initiative is to consolidate all available degree at various academic levels (PhD, MPhil, MS, M.Sc, M.A. BS, B.Sc, B.A etc) in all disciplines/fields of education being offered by HEC recognized universities. Besides this, it is also important to consult HEC “National Qualifications Framework of Pakistan 2015,” which specifies criteria for the use of Titles/Nomenclatures for different academic and professional degrees. Both the documents are available/accessible on FPSC website www.fpsc.gov.pk and also attached for ready reference for preparation/revision of recruitment rules.

3. All Ministries/Divisions/Departments may be directed to revisit their respective Recruitment Rules and to include the latest qualifications/nomenclature/ disciplines and fields of experience required to perform the job relating to the posts of their Ministry/Division/Department in light of the above two documents preferably before 30" June 2019 and to process for concurrence of the Commission through Establishment Division.

(Dr. Muhammad Iqbal)
Secretary
Dr. Ijaz Munir
Secretary,
Establishment Division
Government of Pakistan

1.4 Checking the Genuineness of Educational Certificates/Qualifications etc.

Instances have come to the notice of the Federal Government wherein forged educational certificates have been submitted by certain persons seeking employment under government. It is, therefore, necessary to check thoroughly the genuineness of certificates where the bonafides of persons employed after the 15" August, 1947 are in doubt. One method of checking is to make a reference to the universities which issued the certificates. If this method does not prove successful, cross examination (and other suitable methods which may be possible according to the merits of the case) of the individuals concerned by the appointing authorities themselves may be resorted to. The candidates concerned may also be required to produce two certificates from Gazetted officers in support of their claim to educational qualifications.

2. There may also be cases where the certificates produced are genuine but there is a reasonable doubt that they do not relate to the persons producing them. In such cases, the matter will have to be referred to the District Police authorities for investigation and report.

3. In so far as the competitive examinations conducted by the Federal Public Service Commission are concerned, the original age and educational certificates submitted by the candidates with their applications are fully checked, and necessary enquiries made in all doubtful cases. But, as regards recruitment by selection, the candidates are not generally required to submit their original certificates with their applications. Only attested copies are called for. In these cases, it is essential for the appointing authorities to verify the claims of the candidates as regards age and educational qualifications in the same manner in which their antecedents are verified before appointment. If it is found that a forged certificate has been produced or that the individual, producing a certificate, is not the one to whom it was issued, suitable disciplinary action must be taken against the person concerned, including dismissal from government service, (if the persons are in government service) and a ban on future employment. In specific cases the matter should be reported to the Police for criminal prosecution.

4. Generally, candidates for recruitment made by selection are required to send passport size copies of their photographs with their applications. But this is not compulsory. It is considered desirable to ask all candidates to submit such photographs with their applications.

[Authority:— Estt. Div.’s Letter No. F.40/650-S.E.1. dated 21-6-1950 to all Provincial Governments].
Endorsement:-

Copy to all Ministries/Divisions with the request that the genuineness of

educational certificates produced by persons in the ministerial service of the Federal

Secretariat and its Attached Departments, who have been declared fit for retention

in government service in pursuance of the instructions contained in the

Establishment Division O.M. No. 33/l/48-Ests. (ME), dated the 15" March, 1948

should also be checked and, in case of doubt, verified in accordance with the

procedure laid down above.

1.5

Selection Procedure of Chief Executives
in Key Public Sector Enterprises

Refer to the subject cited above and to state that the selection process of Chief Executives/Administrative Heads of Statutory Bodies, Autonomous/Semi-Autonomous Bodies, Corporations, Public Sector Companies and Banks governed by Banking Nationalization Act shall be processed in accordance with the following guidelines, approved by the Federal Government. These guidelines shall apply on the entities listed at Annex in the first phase.

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(i)

(iii)

(iv)

There shall be a Selection Committee constituted for the purpose of selecting Chief Executives/Administrative Heads of the entities mentioned supra. The Selection Committee shall be a recommending body for proposing a short list of suitable candidates. The composition of the Committee would vary with the nature of the organization and the job. The selection committee shall consist of:

(a) Minister Incharge of the Administrative Division under which the institution falls as per Rules of Business, 1973 as Chairman. (Where the charge of a Ministry/Division is held by Prime Minister, the selection committee shall be headed by a Minister incharge/Minister of Sate/Adviser/Special Assistant to the Prime Minister, as nominated by the Prime Minister).

(b) Secretary of the Administrative Division under which the institution falls as per Rules of Business,1973 as member.

(c) | One to three experts having domain knowledge to be nominated as Member by the concerned Minister Incharge.

(d) | The non-executive Chairman of the Board of Directors or a senior member of the Board of Directors of the institution in cases where such Board exists; and where such Board does not exist, a person to be nominated by the Minister Incharge as member.

The concerned Ministry/Division will carry out the Secretariat functions including preparation of the record of all the candidates eligible for interview, recording and circulating the minutes of the Committee meeting and preparing the short list approved by the Committee.

Each requisitioning Ministry/Division shall furnish job description,

eligibility. criteria and skills required for the job. The Selection Committee will decide the evaluation parameters for the job. The concerned Division will place a public advertisement in the leading newspapers and post advertisement on the relevant websites of the Government.

The concerned Division will submit the list of eligible candidates to the Selection Committee for initial review. After this initial review, the concermed Division will arrange interviews for the shortlisted candidates. The Chairman of the selection committee will forward a list of 3 to 5 candidates to the appointing authority.

(v) The appointing authority can select any one of the candidates recommended by the Selection Committee. The appointing authority, if not satisfied with the recommended candidates, shall ask for a fresh panel. The Chief Executive thus selected will be appointed on contract for a fixed tenure as prescribed in the relevant law or as advertised.

(vi) Incase an officer working in the Government or Armed Forces is selected for the job of Chief Executive and he/she decides to opt for the associated compensation package he/she would have to seek premature retirement or resign from the Government.

2. The appointments in the Public Sector Companies (PSCs), which have been identified for transfer to Sarmya-e-Pakistan Ltd (SPL) shall be made by the SPL Board. However, until such time these PSCs are transferred to SPL, the procedure mentioned above may be followed.

3. Amendment in Rule 5(2) of the Public Sector Companies (Corporate Governance) Rules,2013 and other consequential/ancillary amendments will be made by the Securities & Exchange Commission of Pakistan and until amendment in Rule 5(2) is notified the existing provisions of rules 5(2) shall prevail.

4. While applying the above guidelines for appointment of Chief Executive Officers of banks and development financial institutions, the Fit and Proper Test Criteria (FPTC) and the relevant provisions of Banks Nationalization Act 1974 shall also be followed by the Committee.

5. Appointments in Statutory/Regulatory Bodies shall continue to be governed under the rules, if framed, made under the relevant statutes and if there are no rules and until such rules are framed, the appointments shall be regulated as provided in these guidelines.

[Authority:- Establishment Division’s O.M. No.F.1/29/2018-E-6 dated 28-03-2019].

ANNEXURE

Aviation Division

Pakistan International Airlines (PIA)

2. Civil Aviation Authority (Regulatory part only)
Cabinet Division
3. National College of Arts (NCA)
4. Oil and Gas Regulatory Authority (OGRA)
Commerce Division

5. National Tariff Commission (NTC)

6. Trading Corporation of Pakistan (TCP)

7. Trade Development Authority of Pakistan (TDAP)

8. National Insurance Company Ltd. (NICL)

9. Pakistan Reinsurance Company Ltd. (PRCL)

Climate Change Division
0. Pakistan Environmental Protection Agency (PEPA)
Federal Education and Professional Training Division
1. Higher Education Commission (HEC)
2. National Vocational and Technical Education Commission (NAVTEC)
Finance Division

3. Competition Commission

4. Securities Exchange Commission of Pakistan (SECP)

5. Central Directorate of National Saving (CDNS)

6. House Building Finance Corporation (HBFC)

7. Pakistan Brunei Investment

8. Kushali Bank of Pakistan (KPB)

9. Pakistan Kuwait Investment Company (PKIC)
20. Pakistan Libyan Holding Company (PLHC)
21. Pakistan Oman Investment Company Ltd. (POIC)
22. Saudi Pak. Agriculture and Industries Company (SAPAIC)
23. Zari Taraqiati Bank Limited (ZTBL)
24. First Women Bank Limited (FWBL).
25. National Bank of Pakistan (NBP)
26. Pak-Iran Joint Investment Company Ltd.
27. Public Procurement Regulatory Authority (PPRA)

Food Security & Research Division
28. Pakistan Agriculture Research Council (PARC)

National Health Services, Regulation & Coordination Division
29. National Institute of Health (NIH), Islamabad
30. Pakistan Institute of Medical Science (PIMS), Islamabad
31. Drug Regulatory Authority of Pakistan (DRAP)
Industries and Production Division
32. Export Processing Zone Authority (EPZA)
Information and Broadcasting Division
33. Pakistan Television Corporation (PTV)
34. Pakistan Electronic Media Regulatory Authority (PEMRA)
Inter-Provincial Coordination Division
35. Pakistan Sports Board (PSB)
Information Technology and Telecommunication Division

36. Universal Service Fund (USF)
37. Pakistan Telecommunication Authority (PTA)

Cuaprer-3

Interior Division

38. National Data Registration Authority (NADRA)

Maritime Affairs Division
39. Pakistan National Shipping Corporation (PNSC), Karachi
40. Karachi Ports Trust (KPT), Karachi
41. Ports Qasim Authority (PQA), Karachi
42. Gwadar Ports Authority (GPA), Karachi

Petroleum Division
43. Pakistan State Oil (PSO)
44. Sui Southern Gas Co.
45. Sui Northern Gas Co.
46 Pakistan Petroleum Ltd.
47. Oil and Gas Development Corporation
Prime Minister’s Office
48. Board of Investment (BOD
Privatization Division
49. Privatization Commission
Power Division
50. Jamshoro Power Generation Co.
51. Central Power Generation Co.
52. Northern Power Generation Co.
53. Lakhra Power Generation Co.
54. TESCO, Islamabad
55. LESCO, Lahore
56. GEPCO, Gujranwala
57. MEPCO, Multan
58. FESCO, Faisalabad
59. HESCO, Hyderabad
60. QESCO, Quetta
61. PESCO, Peshawar
62. TESCO, Tribal Areas
Science & Technology Division
63. Pakistan Standard Quality Control Authority (PSQCA)
Statistics Division

64. Pakistan Bureau of Statistics (PBS)

Water Resources Division
65. Water and Power Development Authority (WAPDA)

1.6 Procedure for Making Recruitment from Abroad

The question of the procedure which should be adopted when it becomes necessary to resort to recruitment from abroad to civil posts under the *Central Government has been engaging the attention of the Establishment Division for some time. It has now been decided by the Government of Pakistan that recruitment from abroad should be made in the manner indicated in the following paragraphs.

2. If a Ministry considers that it is necessary to make recruitment to civil posts from abroad, it should make a reference to the Federal Public Service Commission, asking them to agree to such recruitment and if they agree, to proceed without delay to take all the steps necessary to make such recruitment. The Federal Public Service Commission will themselves advertise the post or posts abroad and make necessary arrangements for the candidates to be interviewed by Special Selection Committee. Thereafter, the Federal Public Service Commission will make recommendations for the filling of the post or posts in question. In no case should the Ministry itself take steps to advertise the post.

3. There may, however, be exceptional cases in which the Ministries concerned are of the view that recruitment from abroad through the Federal Public Service Commission will prove infructuous, e.g., in the case of appointments to highly technical posts or other posts of considerable importance in connection with which persons of high standing abroad are not likely to respond to advertisements and appear for interviews. In such cases, which should be very rare, the prior approval of the Prime Minister will be necessary for recruitment to be made by the Ministry concerned without the assistance of the Federal Public Service Commission. The procedure to be adopted in such cases will be that the matter should be referred to the Establishment Division so that the orders of the Prime Minister can be obtained. Such reference to the Establishment Division should be made only after the Federal Public Service Commission have first agreed to recruitment to the post in question being made from abroad, and it should be accompanied by a Summary for the Prime Minister, explaining why it is necessary for recruitment to be made otherwise than through the Federal Public Service Commission and showing what steps the Ministry have in mind for filling the post or posts in question.

[Authority:— Estt. Division’s O.M.No.11/18/49-SE-II, dated 17-1-1951].

* ‘Federal’.

II. FRAMING OF RECRUITMENT RULES
2.1 Framing of Recruitment Rules

The methods of appointment of Federal civil posts are regulated under the provisions of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 framed under Section 25 of the Civil Servants Act, 1973. As these rules provide the basic framework for appointment to Federal civil posts, instructions were issued vide Establishment Division O.M.No. 9/1/73-D.V., dated 29.11.73 laying down a simplified format for notifying recruitment rules since the earlier pattern of detailed recruitment rules for various posts/cadres was no longer considered necessary. The system has its advantages but over the years, the framing of recruitment rules has become an increasingly mechanical exercise and is now reduced to simply inserting uniform standards (of educational requirements, experience, age limits, etc) for equivalent posts in various departments. As a result, the recruitment rules are no more viewed as important and essential instruments of career planning nor do they properly reflect the job requirements particularly in technical posts/cadres. This trend should be reversed and recruitment rules for various posts/cadres should be framed with greater care to serve, on the one hand, as instruments of career planning for the officials concerned and on the other, be tailored around the job requirements particularly in technical cadres.

2. It is, therefore, requested that, while framing recruitment rules, due consideration should be given to job descriptions for laying down the qualifications/ experience for posts and the composition of cadre for prescribing percentage, for direct recruitment and promotions. Efforts should be made to safeguard both the department's interest in raising a fully-qualified and experienced cadre and the career interests of its members whose promotions are governed under the provisions of recruitment rules.

3. Establishment Division has also noticed that some Divisions/ Departments have framed recruitment rules for isolated posts or very small cadres (comprising 3-4 posts) like telephone operators, lady health visitors, teachers of departmental schools, etc. This is not a satisfactory arrangement because such isolated posts or tiny cadres do not offer adequate prospects of promotion to the incumbents. In such cases, it would be advisable to fill the posts by having officials on deputation from departments which have large cadres operating in the relevant field, such as T&T Department’ in the case of telephone operators, Federal/ Provincial Health/Education Departments in the case of lady health visitors and teachers, etc. The Divisions/Departments are, therefore, advised not to frame separate recruitment rules for their isolated posts or very small cadres where officials with requisite skills are available in other federal/provincial departments. The posts of the type under reference may be filled by deputation on tenure basis.

4. Asa matter of general policy, a person below the age of 18 years cannot be employed as a government servant. Other than this limitation, prescribing minimum age limits for each post is not only unnecessary but leaves the possibility of denying opportunity

*

T&T Department “was converted into Pakistan Telecommunication Corporation Ltd. (PTCL) which has be privatized as Pakistan Telecommunication Company Ltd. (PTCL) by the Government of Pakistan. Howev there is now National Telecommunication Corporation (NTC) for the telecommunication needs of government.” [Erstwhile] Telephone and Telegraph Department.

to some otherwise qualified and capable candidates on a mere technicality. It has, therefore, been decided that, while framing recruitment rules, no conditions regarding minimum age be mentioned. In the existing cases, Ministries/Divisions may consider the matter and take steps to amend the rules, wherever necessary.

[Authority:— Estt. Div.'s O.M. No. 9/1/73-R.5, dated 22-8-1984].

2.2 Provisions of Supporting Information/Documents with Draft Recruitment Rules for Obtaining Concurrence of Establishment Division or Framing/ Amendment of Recruitment Rules and Upgradation/ Re-designation of Posts

It has been observed that most of the Ministries/Divisions/Departments do not append supporting documents at the time of submission of cases for framing/amendment of Recruitment Rules and the proposal regarding up-gradation/ re-designation of posts. This results in delay in the process of analysis of the case as well as approval. Therefore, all Ministries/Divisions/Departments are requested to ensure enclosure of following information/documents while forwarding of proposals regarding:

a. Framing or Amendment of Recruitment Rules

(i) Sanction to the creation/continuation/up-gradation of posts duly endorsed by Finance Division.

(ii) A statement showing total number of post(s) with designation, BPS and the total number of their feeding posts.

(iii) Whether post(s) is/are filled-up what method was adopted and full particulars of the incumbents.

(iv) Job description of the concerned post(s).

(v) Comparative statement showing job description of promotional posts and feeding posts.

(vi) Full justifications in case of revision of Recruitment Rules/Amendment thereto.

(vii) Comparative Statement showing the provisions of Recruitment Rules corresponding provisions of draft Recruitment Rules, in case Recruitment Rules of posts already exists.

(viii) Organizational chart showing the concerned posts.

(ix) A certificate that subject matter is not pending in any court of law.

(x) Draft Recruitment Rules on the prescribed format (printed in Estacode and available on official website of Establishment Division).

(xi) Clear status of the Department/Organization and its employees.

(xii) Soft copy of draft Recruitment Rules or amendment.

(xiii) Clarify whether qualification of posts in BPS-16 and above are proposed in draft Rules is in line with this Division's O.M No. of even number, dated 02-05-2019 or otherwise.

b. _Up-gradation of posts

(i) The rationale for up-gradation after analyzing/examining the case on the basis of provision contained in the policy of up-gradation/re-designation of posts issued by Establish-ment Division.

(ii) Justifications for up-gradation/re-designation of posts, as the case may be, indicating specific point of policy under which proposals is found covered.

(iii) Re-structuring study conducted by Management Services Wing of Establishment Division.

(iv) Recruitment Rules of the subject posts.

(v) Job description of the post.

(vi) Comparative Statement showing the qualification, experience, age limit of post which is proposed to be up-graded corresponding qualification, experience, age limit of identical/same post available in higher pay scale in other Ministry/Division.

(vii) Certificate that structure of the Department have been examined strictly in line with policy for up-gradation/re-designation of posts issued by Establishment and no other reference for up-gradation/re-designation of posts will be made to Establishment Division till 05 years.

(viii) A certificate that subject matter is not pending in any court of law.

c. Re-Designation of Posts

(i)

(ii)
(iii)

(iv)

In case designation already exists, Recruitment Rules of existing and proposed post for re-designation which is available.

Job description of the both posts.

Comparative statement showing qualification, experience
and age limit of both posts.

A certificate that upon re-designation there will be no seniority or
other administrative conflict/anomaly and in case of any

administrative/seniority anomaly/conflict or court case,
administrative Ministry/Division will defend the same
independently at every forum.

(v) Acertificate that subject matter is not pending in any court of law.
(vi) Full justifications for re-designation of posts by referring the same
designation in hierarchy of Federal Government.
d. Autonomous, Semi-Autonomous Organizations/Corporations etc.
(i) Copy of Act of Parliament/Ordinance containing the enabling
provisions regarding framing of Service Rules/ Service Regulations/
By Laws etc.
(ii) | Approval of Board of Governor/Board of Directors/ Governing body
etc who is empowered to frame the service rules/regulations.
(iii) Clear status of the organizations and its employees.
(iv) Duly signed and stamped Draft Service Rules/Regulations.
(v) Soft copy should be in the following pattern:
Draft Service Rules Views/Comments of
Establishment Division
1GM.....%
2..... emg
(vi) Schedules of Recruitment Rules should be on the prescribed format

given in the ESTACODE.

(vii) For amendment in existing Rules/Regulations, information may be

furnished in the following pattern:—

Existing Proposed Justification |Views/comments of
provisions provisions Establishment Division

2. Ministries/Divisions are also advised to ensure framing of only two sets of Recruitment Rules one for posts in BPS-15 and below and other for posts in BPS-16 and above. Therefore, hereafter, the cases of Recruitment Rules in piece meal form will not be entertained in the Establishment Division.

3. It is also observed that Ministries/Divisions/Departments use to forward their proposal pertaining to those cases which are sub-judice in a court of law without intimating the fact to this Division. Resultantly, this division unnecessarily becomes a party in that case. It is, therefore, decided that in future such cases will not be entertained by the Establishment Division before final outcome of the case from court of law.

4. In view of above, all Ministries/Divisions/Departments are requested to comply with the instructions narrated above for timely disposal of the case by the Establishment Division. All previous instructions issued by this division on the subject matter stand modified.

[Authority:— Establishment Division's O.M No. 1/4/201-R-5 dated 08-06-2020].

2.3 Detailed Recruitment Rules Not Necessary:
only Method of Appointment, Qualifications,
Experience etc. to be Notified

Reference Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. It is stated that in view of these rules, it is no longer necessary to frame detailed recruitment rules on the pattern of model recruitment rules. It would suffice if only matters specified in sub-rule (2) of rule 3 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 i.e. method of appointment, qualifications/ experience etc., are laid down in a notification (specimen at Annex).

2. The Ministries/Divisions are therefore advised to take action accordingly in respect of the posts under them for which recruitment rules have not been framed so far and inform all concerned under them.

[Authority.— Estt. Division's O.M.No.9/1/73-DV., dated 29-11-1973].

ANNEX
(See para 1, 2.4)
GOVERNMENT OF PAKISTAN
MINISTRY OF
(DIVISION)

NOTIFICATION

In pursuance of sub-rule (2) of rule 3 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, the following method, qualifications and other conditions are laid down for appointment to the posts of (Designation and Basic Pay Scale of the posts under the Ministry/Division 4

METHOD OF APPOINTMENT

2. Specify method of appointment to the posts i.e. whether by promotion or direct recruitment. Where posts are required to be filled partly by promotion and partly by direct recruitment, the percentage for promotion/direct recruitment may also be mentioned.

For example:

S. Designation and BPS of the Post By Promotion By Initial
No. Appointment
@) B) 4

1. Name of Post % %

“[Provided that if no suitable person is available for promotion, the post or posts reserved for promotion shall be filled by initial appointment and failing that by transfer.

Provided further that if no suitable person is available for promotion to a post, it may be filled, in the public interest, by temporary transfer/ posting of a civil servant, or by deputation of an employee of a public sector corporation in consultation with his appointing authority.]

CONDITIONS FOR PROMOTION

3. Promotion to posts in column | below shall be made by selection from amongst the persons who hold the posts specified in column 2 on a regular basis and possess the qualifications and experience prescribed in column 3.

Name of the post Persons eligible Condition of eligibility

QUALIFICATIONS/CONDITIONS FOR TRANSFER

4. Appointments by transfer shall be made from amongst the persons holding appointment on a regular basis in the same grade“ in which the post to be filled exists, provided the person concerned possesses the qualifications/experience prescribed for direct recruitment or promotion to the post concerned.

“added in pursuance of Estt. Div.’s OM No. 9/2/2002-R.5, dated 28-10-2002.

aod

BPS.

QUALIFICATIONS, EXPERIENCE AND AGE LIMITS
FOR DIRECT RECRUITMENT

5. A candidate must possess the educational qualifications and experience and must be within the age limits as mentioned against the post concerned in the schedule to this notification. "[Unless otherwise provided, the experience prescribed for initial appointment will be the post qualification]:

Provided that the maximum age limits will be relaxed by 3 years in the case of candidates belonging to Scheduled Castes, Budhist Community, recognized tribes of the Tribal Areas, Azad Kashmir and Gilgit-Baltistan (Districts of Gilgit, Skardu and Diamir), in accordance with the instructions issued by the Establishment Division:

Provided further that for government servants who have completed at least 2 years service, maximum age limit may be relaxed by not more than 10 years upto the age of 55 years.

PROBATION

“[6.(1) Persons appointed by initial appointment, promotion or transfer shall be on probation for a period of one year.

(2) The period of probation may be curtailed for good and sufficient reasons, to be recorded, or, if considered necessary, it may be extended for a period not exceeding one year, as may be specified at the time of appointment.

(3) On the successful completion of probation period, the appointing authority shall, by specific order, terminate the probation.

(4) If no order is issued under sub-rule (3), on the expiry of the first year of probation period, the period of probation shall be deemed to have been extended under sub-tule (2):

Provided that, subject to the provisions of proviso to sub-section(2) of section 6 of the Civil Servants Act, 1973. in the absence of an order under sub-rule (3), the period of probation shall, on the expiry of the extended period under sub-rule (2), be deemed to have successfully been completed].

7. This notification issues with the concurrence of the Establishment Division.

SCHEDULE
(See para 5)

Designation and Qualifications and Age Limit
grade of the post experience Maximum Minimum

Deputy Secretary

. Added vide Estt. Div.’s Notification No. F.9/3/92-R.5, dated 31-10-1992.
Subs, vide Estt. Division’s Notification No. S.R.O. 968(1)/82, dated 21-9-1982.

2.4 Consultation with F.P.S.C. in
Respect of Recruitment Rules

F-P.S.C. not to be consulted in respect of posts in BPS 15 and below.— It has been brought to the notice of this Division by the FPSC that the Commission are receiving references in respect of recruitment rules for posts in BPS 15 and below from various Ministries/Divisions.

2. — In this connection attention is invited to para-3 of this Division O.M. of even No. dated 27" August, 1978 wherein it has been mentioned that the Commission will advise the President on matters relating to qualifications for and methods of appointment to, the services and posts recruitment to which is required to be made through the Commission.

3. The Ministries/Divisions are, therefore, advised that the recruitment rules for posts in BPS 15 and below (which do not fall within the purview of the FPSC) may not be referred to the Commission.

[Authority:— Estt. Division’s O.M.No.11/2/78-DV., dated 19-2-1979].
2.5 Framing of Recruitment Rules:
Consultation With FPSC

Recruitment rules for various posts are required to be framed by the Ministries/Divisions concerned in consultation with the Establishment Division in pursuance of rule 3(2) of Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Concurrence of the Federal Public Service Commission is also required with regard to qualifications for, and methods of recruitment to posts in BPS 16 and above, in the light of Section 7(b) Federal Public Service Commission Ordinance, 1977 read with FPSC (Functions) Rules, 1978.

2. The question of finding ways to cut down the inordinate delay often involved in the finalization of the recruitment rules due to protracted correspondence between the Ministry/Division concerned, the Federal Public Service Commission and the Establishment Division has been receiving the attention of the Establishment Division for some time past. It has now been decided on the recommendation of the Committee for Decentralization of Powers recently appointed by the President to appoint a standing committee comprising one representative of the Ministry/Division concerned and one representative of the Establishment Division to finalize the recruitment rules by discussion whenever their finalization is delayed due to difference of opinion between the Ministry or Division concerned and the Establishment Division or between any of the above two and the Federal Public Service Commission will also be invited to the meeting of the Committee where there is a difference of opinion with F.P.S.C.

[Authority.— Estt. Division’s O.M.No.7/6/87-R.5, dated 10-7-1988].
2.6 Recruitment Rules for the Posts of Private Secretary (BPS 17) to the

Secretaries/ Additional Secretaries and Other Officers in BPS 21/22
Provided with the Services of P.S in the Federal Government

It may be noted that only those officers in BPS 21/22, other than the Federal Secretaries/Additional Secretaries, are entitled to a Private Secretary who have either been

specifically allowed ex-officio secretariat status or have been allowed, with the approval of Establishment and Finance Divisions, to have a Private Secretary (BPS 17) on their personal staff.

[Authority.— Estt. Div.'s O.M. No.9/2/74-R.6(Pt.2), dated 21-1-1988].

2.7 Recruitment to the Posts of Private Secretaries
to the Federal Ministers and Ministers of State

In supersession of the Cabinet Division's O.M.No.112/2/80-Min.I, dated 10" November, 1980 and No.112/18/81-Min.I, dated 123" March, 1982, it is stated that the Federal Ministers and Ministers of State shall appoint their Private Secretaries from the normal source (not from outside), provided it does not involve out of turn/accelerated promotion for the Private Secretary, as follows:—

Federal Ministers:

ABPS 16, 17, 18 officer or a Deputy Secretary in his own pay and allowances with

a special pay.

Ministers of State:

A BPS 16, 17, 18 officer in his own pay and allowances with a special pay or a

government servant in lower pay scale in his own pay and allowances with a

special pay.

2. Finance Division's O.M. No.F.1(1)-Imp/83, dated the 18"" August, 1983 and No. F. 26(1)R-1/80(ii), dated 30" June, 1981 and No.F.1(1)-Imp/83-Pt(iii), dated 15" September, 1983 are modified to the above extent in respect of rates of special pays admissible to the Private Secretaries to the Ministers.

3. This issues with the concurrence of Establishment and the Finance Division conveyed vide their O.M.No.12/1/88-OMG-I, dated 7 April, 1988, and No.F.2(55)R.3/88-615, dated 1* August, 1988 respectively.

[Authority:— Cabinet Division O.M.No.112/6/87-Min.I, dated 20-11-1988.]

2.8 Framing of Recruitment Rules —- Making
Ad-Hoc Appointments

It has been observed that the Ministries/Divisions resort to making ad-hoc appointments either in the absence of recruitment rules or during the course of finalization of these rules. It has also been observed that the finalization of recruitment rules take considerable time and the F.P.S.C. do not entertain requisitions for regular appointments or proposals for first extension in ad-hoc appointments unless the rules have been notified. This leads to avoidable administrative complications besides causing financial hardship to the ad-hoc appointees. Ministries/Divisions are, therefore, advised to invariably draft their recruitment rules in the light of model rules already circulated and follow up their finalization/notification on top priority basis so that the time-lag is reduced to the barest minimum. Wherever necessary, Ministries/ Divisions may hold

joint meetings with the Establishment Division/FPSC so as to eliminate delay in the finalization of the recruitment rules.

[Authority.— Estt. Division's O.M.No.2/7/85-CP.5 dated 10-6-1987].

IH. FRAMING OF RECRUITMENT RULES OF PROJECT POSTS

3.1

Waiver of Framing of Recruitment Rules
for Project Posts in Ministries/Divisions

Refer to the subject cited above and to state that on the recommendations of a committee on Salary Package for Development Projects headed by the Secretary, Planning & Development Division, the following decisions have been taken with the approval of the Prime Minister, for timely appointment of project staff and implementation of development

projects:—

@)

(i)

(iii)

(iv)

(v)

i)

(vii)

2.

Where posts with the similar designation/BPS already exist in a Ministry/Division/Attached | Department/Subordinate Office, the qualifications, experience and age limits as laid down for civil posts may be followed by Ministry/Division/Attached Department/ Sub-ordinate Office concerned for contract appointment to project posts.

In other cases, the Ministries/Divisions/Attached Departments/ Subordinate Office should preferably incorporate the required qualifications and experience on an objective basis in the project PC-I document and where such stipulation has not been made in the PC-I document, the qualification, experience and age limits shall be laid down by the Ministry/Division concerned.

The project posts shall be advertised and selection shall be made on the recommendations of the appropriate Departmental Selection Committee except where a Selection Committee has been separately constituted by the Planning and Development Division.

Appointment to project posts sanctioned in basic pay scales shall be made with the approval of appointing authorities as prescribed for civil posts in Rule-6 of the Civil Servant (Appointment, Promotion and Transfer)

Rules, 1973.

The Secretary of the Division concerned may approve the appointment of Project Director whose salary package is equivalent or upto maximum of MP-III.

The cases of appointment to project posts carrying emoluments beyond MP-III shall be submitted for approval of the Prime Minster.

Initially, contract appointment to project posts shall be made for two years and extension of contract appointment to posts carrying emoluments equivalent to MP-III and above shall be made, on year to year basis, on the recommendations of the Evaluation Committee, constituted under Finance Division O.M No. F.3(7)/R.4/98-Vol.1/2007 (B) dated 11" April,2007.

Establishment Division’s O.M No. 7/8/2000.R-6 dated 27" July, 2002

may be treated as withdrawn.

[Authority:— Establishment Division’s O.M No. 9/4/91.R-5 dated 28-01-2008.]

3.2. Bar Against Revising Qualifications Prescribed for the Posts in the Recruitment Rules

The Federal Public Service Commission have brought to notice that the Ministries/Divisions, while placing requisitions for recruitment to posts under them, deviate from the qualifications and other conditions prescribed for the posts in the recruitment rules. In some cases, requests were received by the Commission for modification of the qualifications after the posts had been advertised.

2. Ministries/Divisions are requested to ensure that qualifications and other conditions prescribed for various posts in the recruitment rules are strictly adhered to. If for any reasons these qualifications and conditions are required to be modified, the revised qualifications should be settled in consultation with the Establishment Division before requisitions are placed with the Commission. Once a requisition has been placed for recruitment and the post has been advertised by the Commission, the qualifications etc., should not be revised.

[Authority:— Estt. Division’s O.M.No.9/3/73-D.V., dated 26-11-1973].

IV. PROVINCIAL / REGIONAL QUOTAS FOR RECRUITMENT

4.1 Provincial/Regional Quotas for Recruitment to the Civil Posts under the Federal Government

Provincial and Regional quotas prescribed in 2007 for direct recruitment to civil posts under the Federal Government vide Establishment Division's OM No. 4/10/2006-R-I, dated 12.02.2007 have been reviewed and it has been decided by the Federal Government that with immediate effect, the following merit and provincial/regional quotas shall be observed in filling vacancies reserved for direct recruitment to posts under the Federal Government which are filled on All-Pakistan basis:—

Merit 7.5%
Punjab (including Federal Area of Islamabad) 50%
Sindh 19%

The share of Sindh will be further
Sub-allocated in the following ratio:

Urban areas namely Karachi, Hyderabad 40% of 19%
and Sukkar or 7.6%
Rural areas i.e. rest of Sindh excluding Karachi 60% of 19%
Hyderabad and Sukkar. or 11.4%
Khyber Pakhtunkhwa 11.5%
Balochistan 6%
Newly merged Districts of Khyber Pakhtunkhwa (Ex-FATA) 3%

(This share shall not be merged into Khyber Pakhtunkhwa and be observed independently for next 10 years in conjunction with the ten-year Development Plan devised to bring the Ex-FATA at par with the Khyber Pakhtunkhwa socially and economically).

Gilgit-Baltistan 1%

Azad Kashmir 2%
[Authority:— Estt. Div.'s OM No. 4/10/2006-R-2, dated 14" February, 2020]

4.2 Clarification Regarding Provincial/Regional Quotas for Recruitment to the Civil Posts under the Federal Government

Administrative instructions regarding provincial/regional quotas prescribed vide O.M._ of even number dated 12-02-2007 have been revised in the light of Cabinet Decision to the extent of bifurcation of 4% combined quota of Gilgit-Baltistan/ FATA vide O.M of even number dated 14-02-2020.

2. It is to clarify that the bifurcated provincial/regional quota shall be applicable prospectively and shall be effective from the date of its issue. The said O.M shall have no effect on recruitment process which has been initiated prior to 14-02-2020.

[Authority:— Establishment Division's O.M No.4/10/2006-R-2 dated 18-03-2020].

4.3 Provincial Representation in Islamabad Capital Territory Administration

In compliance with the judgment of Islamabad High Court, Islamabad in Writ Petition No.1648 of 2015 dated 03-09-2015 under which the Secretary Establishment Division and Secretary Ministry of Interior have been directed to issue a fresh Office Memorandum for allocation quota for residents of Islamabad Capital Territory, and directed to state that with the approval of Prime Minister the following regional/provincial allocation has been prescribed in filling vacancies reserved for direct recruitment to posts under the Federal Government which are filled on All Pakistan basis to the extent of offices of Islamabad Capital Territory whose functional jurisdiction is restricted to Islamabad Capital Territory:—

Merit 6%

Punjab 40%
Islamabad Capital Territory 20%
Sindh: 15%

The share of Sindh will be further sub-allocated in the following ratio:—

Urban Areas namely Karachi, Hyderabad & Sukkar 6%

Rural Areas i.e. rest of Sindh excluding Karachi. Hyderabad & Sukkar 9%

Khyber Pakhtunkhwa 9%
Balochistan 5%
Gilgit-Baltistan/FATA 3%
AJ&K 2%

[Authority:— Establishment Division’s O.M No. 4/3/93-R-II dated 26-01-2016].

4.4 Observance of Provincial/Regional Quota While Making Contract Appointments

It is clarified that as the contract appointments are initial appointments within the meaning of Section 2(1) (c) of the Civil Servants Act, 1973, the instructions relating to Provincial Regional Quota are applicable to such appointments

[Authority:- Establishment Division’s O.M. No.2/38/2002-CP-I dated 15-08-2002].

4.5 Reservation of 10% Quota for Employment of Women Across-the-Board in Federal Government Services

It has been decided by the Federal Government to reserve with immediate effect, 10% quota for employment of women to all posts across-the-board in Federal Government Services including CSS to be filled by direct recruitment, in addition to their participation in the open merit.

2. This reservation will count as part of overall provincial allocation as contained in the Establishment Division's OM No. 4/10/2006-R-2, dated 12-2-2007 and will be calculated against the quota of the province of origin of women candidates concerned.

3. The above reservation will not apply to:-

(i) the percentage of vacancies reserved for recruitment on the basis of merit;

(ii) recruitment made by promotion or transfer in accordance with the relevant rules;

(iii) short term vacancies likely to last for less than six months; and

(iv) isolated posts in which vacancies occur only occasionally.

4. The vacancies reserved for women for which qualified women candidates are not available shall be carried forward and filled by women.

5. These orders shall also apply to initial appointments in all autonomous/semi-autonomous bodies/corporations etc. which are administratively controlled by the Federal Government.

6. Ministries/Divisions are requested to kindly bring the above instructions to the notice of all concerned for information and compliance while making future recruitment.

7. The instructions contained in Establishment Division's OM No. 4/2/89-R-2, dated 26.9.1989 and 3/17/2005-R-2, dated 26.9.2006 stand modified to the above extent.

[Authority:— Establishment Division's OM No. 4/15/2006-R-2, dated 22"! May, 2007].

4.6 Reservation of 05% Quota for Employment of Minorities (Non-Muslims) Across-the-Board in Federal Government Services/Jobs

It has been decided by the Federal Government to reserve, with immediate effect, 05% quota for employment of Minorities (Non-Muslims), as defined in Article 260(3)(b) of the Constitution of the Islamic Republic of Pakistan 1973, to all posts across the board in the Federal Government Services/jobs to be filled by direct recruitment including CSS, in addition to their participation in the open merit.

2. This reservation will have the same parameters as were prescribed for reservation of quota for women vide Establishment Division's O.M.No.4/15/2006-R.2 dated 22-05-2007 and will count as part of overall provincial allocation as contained in the Establishment Division's O.M. No.4/10/2006 R-2, dated 12-02-2007 (as reviewed vide O.M No. 4/10/2006-R-2 dated 14-02-2020) and will be calculated against the quota of the province of origin of the Minority (Non-Muslim) candidate concerned.

3. The above reservation will not apply to:-
i) the percentage of vacancies reserved for recruitment on the basis of merit;

ii) Recruitment made by promotion or transfer in accordance with the relevant rules.

iii) Short terms vacancies likely to last for less than six months; and
iv) Isolated posts in which vacancies occur only occasionally;

4. The vacancies reserved for Minorities (Non-Muslims) for which qualified candidates are not available shall be carried forward and filled by Minority (Non-Muslim) candidates.

5. | These orders shall also apply to initial appointments in all attached departments / autonomous / semi-autonomous bodies / corporations/Public corporations and Companies etc. Administratively controlled by the Federal Government.

6. | For removal of any difficulty the interpretation of the Establishment Division shall be final.

[Authority:- Estt. Div.'s O.M.No.4/15/94-R-2 dated 26-05-2009]

4.7 Regulation of Provincial/Regional Quotas

Reference Establishment Division's O.M. No. 8/9/72-TRV, dated August 31, 1973 provincial/regional quotas in respect of posts filled in a particular year are to be worked out to 1000" fraction. A province/region, having larger fraction in accordance with the prescribed quotas, is allocated the vacant post for recruitment whereas the province/region not allocated the post due to smaller fraction, gets those fractions carried forward and added to its share in the subsequent year. The procedure for calculating and carrying forward the share of province/region, is indicated in Annex.

2. Ministries/Divisions/Departments etc. are requested to regulate the Provincial/Regional allocations in respect of posts in grade-17 and above filled by direct recruitment after August 31, 1973. A copy of the up-dated statement should invariably be forwarded alongwith summaries sent to the Establishment Division for seeking approval of the competent authority for initial appointment to posts in grade 17 and above.

[Authority:— Estt. Division's O.M. No.9/7/80-A IIL, dated 23-9-1980].

ANNEX

Province! Region	Quota (%)	No. of Vacancies to be allotted	Share CIF	Last Year's Total Vacancies to be carried forward	Balance
1	2	3	4	5	6 7 8
1° YEAR:					
Merit	7.5%	3	0.225 -	+0.225 -	+0.225
Punjab	50%	3	1.500 -	+1.500	2 - 0.500
Sindh	19%	3	0.570 -	+0.570	1 -0.430
Sindh (U)	7.6% of 19%	3	0.228 -	+0.228 -	+0.228
Sindh(R)	11.4% of 19%	3	0.342 -	+0.342	1 -0.658
K.P.K	11.5%	3	0.345 -	+0.345 -	+ 0.345
Balochistan	6%	3	0.180 -	+0.180 -	+0.180
“GB/FATA	4%	3	0.120	2 +0.120 -	+0.120
AJ&K	2%	3	0.060 -	+0.060 -	+0.060
2°7 YEAR:					
Merit	7.5%	5	0.375	0.225 0.600	1 -0.400
Punjab	50%	5	2.500 -	0.500 2.000	2 -
Sindh	19%	5	0.950	-0.430 0.520	1 -0.480
Sindh (U)	7.6% of 19%	5	0.380 +	0.228 0.608	1 - 0.392
Sindh(R)	11.4% of 19%	5	0.570 -	0.658 -0.088 -	- 0.088
K.P.K	11.5%	5	0.575 +	0.345 +0.920	1 -0.080
Balochistan	6%	5	0.300	+0.180 0.480 -	+0.480
*GB/FATA	4%	5	0.200 +	0.120 0.320 -	+0.320
AJ&K	2%	5	0.010 +	0.060 +0.160 -	+0.160
3°" YEAR:					
Merit	7.5%	2	0.150 -	0.400 -0.250 =	- 0.250
Punjab	50%	2	1.000	1.000	1 -
Sindh	19%	2	0.380	-0.480 -0.100 -	-0.100
Sindh (U)	7.6% of 19%	2	0.152 -	0.392 - 0.240 -	- 0.240
Sindh(R)	11.4% of 19% -	2	0.228	-0.088 +0.140 -	+0.140
K.P.K	11.5%	2	0.230	-0.080 +0.150 -	+0.150
Balochistan	6%	2	0.120	+0.480 +0.600	1 -0.400
*GB/FATA	4%	2	0.080	+0.320 +0.400 -	+ 0.400
AJ&K	2%	2	0.040 +	0.160 +0.200 -	+0.200

“For bifurcation of quota of GB/FATA please see S1.No.4.1 & 4.2 vide O.M No.4/10/2006-R-2 dated 14-0
2020 & 18-03-2020.

4.8 Clarifications Regarding Application
of Revised Provincial/Regional Quotas

Reference.-Establishment Division O.M.No.F. 8/9/72-TRV, dated the 31* August, 1973.

2. The following clarifications are issued:—

(1) Posts in each grade should be considered separately for purposes of allocation of the prescribed merit and provincial/ regional quotas.

(2) The provincial/regional quotas do not apply to posts filled by promotion. These are applicable to direct, including lateral entry, appointments.

(3) Vacancies which cannot be filled by candidates belonging to the province or region to which the vacancy is allocated should be carried over and re-advertised at a later date.

(4) Posts in the Ministry/Division should be allocated separately from posts in Attached Departments and Subordinate Offices. In other words, the allocation should be made separately for each department, office or institution.

(5) Provincial/regional quotas do not apply to posts filled by transfer of government servants to posts in equivalent grades whether on deputation or on secondment as in the case of military officers.

[Authority:— Estt. Div.'s O.M. No.8/15/73-TRV, dated 28-11-1973].

4.9 Isolated Posts - Application of
Provincial/Regional Quotas

Refer to the Establishment Division's O.M.No.8/1/77-W.C., dated 18-04-1977 on the above subject and to say that it is laid down in that office Memorandum that an isolated post should be filled on the basis of merit. The matter has been considered again and it has been held that observance of merit and provincial quota in filling vacancies on all-Pakistan basis is a statutory requirement vide Rule 14 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. It is not, therefore, permissible to fill in an isolated post on merit only. Such a post will also have to be filled in, in accordance with the Rule-14 and the instructions explaining the procedure to be adopted in allocating vacancies to the merit and provincial quotas vide Establishment Division's O.M.No.9/7/80-A.IIL., dated the 23" September, 1980.

[Authority:- Establishment Division's O.M.No.8/1/77-W.C./R.2 dated 3rd October, 1981].

4.10 Recruitment to Civil Posts in the Administration of Gilgit Baltistan

Except appointment in grade 17 in Revenue and Police, recruitment to civil posts in Gilgit Baltistan shall, in future, be made only from amongst the local population of those areas provided they possess the requisite academic qualifications. Persons other than the local residents of Gilgit Baltistan shall not be entitled to apply for appointment to such posts.

2. | However, technical posts requiring specialization may be filled, with the prior approval of the Establishment Division from amongst non-residents provided that local candidates with the requisite technical qualifications are not available.

3. The Gilgit Baltistan shall continue to be excluded in respect of the posts in these areas from the purview of the provincial/regional quotas fixed by the government. The Establishment Division's O.M.No.F. 8/9/72-TRV dated the 31st August, 1973 whereby Gilgit Baltistan have been allocated quota for recruitment to civil posts under the Federal Government, shall apply to All Pakistan posts only.

4. This supersedes the Establishment Division's O.M. No. 8/9/72-TRV/ R.II dated 25" June, 1978.

[Authority:— Estt Division’s O.M.No.4/I/83-R.2, dated 24-7-1983].

4.11 ICT Rights of Persons with Disability Act, 2020

Introduction

This Act is to promote, protect and effectively ensure the rights and inclusion of persons with disabilities in the communities in line with the Islamic Injunctions and provisions of the Constitution of the Islamic Republic of Pakistan to advance efforts for recognition of their respect and dignity in the society;

WHEREAS it is expedient to put in place legal and institutional framework to protect the rights of persons with disabilities in general and women, children and the elderly in particular, as called for by the United Nations Convention on the Rights of Persons with Disabilities, as well as other human rights treaties and conventions to which Pakistan is a state party;

It is hereby enacted as follows:-

PARTI
PRELIMINARY

1. Short title, extent and commencement.- (1) This Act may be called the ICT Rights of Persons with Disability Act, 2020.

(2)
(3)

2.
or contest,-

(a)

(b)

(c)

(d)

(ec)

(fp)

(g)

(h)

G)
(k)

It shall extend to the whole of the Islamabad Capital Territory (ICT).
It shall come into force at once.

Definition:- In this Act, unless there is anything repugnant in the subject

“access” means meaningful and effective access to various physical and intangible means made suitable to fulfill special needs of persons with disabilities;

“barriers” means physical, social, psychological, communication,

information, legal or attitudinal hurdles in the way to access to infrastructure and services meant for general public;

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

“Council” means the Council on Rights of Persons with Disabilities constituted under this Act;

“Court” means the Council on Rights of Persons with Disabilities constituted under this Act;

“Disability” means a long term physical or mental condition that limits a person’s movements, senses or activities and shall include physical, mental, intellectual and developmental disorders or sensory impairments

which in interaction with participate fully and effectively in day to day performance and interaction with others on an equal basis;

“discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social denial of reasonable accommodation;

“equality before law” includes principles of quality on equitable basis that persons with disability shall have in line with the Constitution and international covenants in which Pakistan is a party;

“freedom of movement” shall have the same meaning as expressed in Article 15 of the Constitution;

“Fund” means the fund established under section 28;

“Independent living” means environment to live with freedom, self-control, choice and self-determination in everyday life;

(ld) “misconduct” shall have the same meaning as defined in the “[Government Servants (Efficiency and Discipline) Rules, 1973.]

(m) “mobility” means the possible independent for persons with disabilities with access to quality mobility aids, devices, assistive technologies and forms of assistance intermediaries, including by making them available at affordable cost; and

(n) “reasonable accommodation” means necessary and appropriate modification where needed in a particular case, to ensure that the persons with disabilities enjoy or exercise on an equal basis with others of all human rights and fundamental freedoms at home, workplace and in social life.

PART IL
RIGHTS OF PERSONS WITHDISABLITIES

3. Equality and non-discrimination of persons with disability.- (1) The government shall ensure that every person with disability shall have a right to be respected for his individual dignity and lead a decent life with equal opportunity to participate in educational, social, economic, cultural and all other activities in the society without any discrimination.

(2) No person or institution, whether public or private, shall discriminate against persons with disabilities or violate their rights or restrict benefits in any manner.

(3) The government shall take all necessary legal and administrative steps including appropriate changes in the existing laws, to ensure that every person with disabilities enjoy a life inclusive of the right of equality guaranteed under the Constitution and that such person’s disability shall not be used by any person or institution to restrain or restrict him from enjoying his rights unless there is a reasonable cause that not restricting such person may cause him harm or letting him perform something may be out of his physical or mental capacity.

(4). In view of restricted access of the persons with disabilities to means of earning their livelihood independently, the government shall take extraordinary steps to ensure their effective inclusiveness in the society through suitable education, skill development, training and placement against appropriate positions in the government departments and entities in the private sector according to the allocated quota.

(5) No person with disability shall be a subject of any research without his willingness or consent without any pressure and such research shall be through using accessible modes, means and formats of communication.

* Now Civil Servants (Efficiency & Discipline) Rules,2020.

4. Equality before law.-(1) The government shall ensure that the persons with disabilities are treated equally like persons without such disabilities and that they are not discriminated in exercise of their rights.

(2) It shall be ensured that such persons have legal capacity to enjoy their rights and if they need support to exercise legal capacity such support is provided to them free of cost.

5. Right to privacy.- (1) Every person with disabilities shall have right to privacy as available to all citizens regardless of his living in a private home, rehabilitation Centre, hostel or any private or public accommodation.

(2) No person with disabilities regardless of place of residence or living arrangements shall be subjected to arbitrary or unlawful interference with his privacy of person, family, home and communication or correspondence. Such persons shall have the right to the protection of the law against any illegal interference and attack against their person, family, property and reputation.

6. Women, children, elderly people and transgender with disabilities.-
(1) In view of the extraordinary vulnerability of women, children, senior citizens and transgender with disabilities, the government shall in prescribed manner take special measures to ensure that such women, children, seniors citizens and transgenders with disabilities are given full protection under law in enjoying their rights.

(2) The government as well as the private sector shall in the prescribed manners take necessary measures to ensure development, advancement and empowerment of women, children, senior citizens and transgender with disabilities.

7. Ease of access and mobility.- (1) The government as well as the private sector shall take necessary measures towards allowing ease of access to the persons with disabilities to public buildings, hospital, recreational facilities, public transport, streets and roads for which the old buildings and vehicles shall be appropriately modified and new buildings and vehicles shall be built conforming to appropriate standards in conformity with guidelines developed by the Council:

Provided that the government shall ensure accessible washrooms, toilets and bathrooms with all the facilities and necessary accessories.

(2) | The council shall develop a guideline on removing barriers and obstacles to access in buildings, roads, mode of transportation, housing, hospitals, schools, workplaces, communication and information related services, recreational spaces, parks and also public washrooms and get those implemented by the concerned authorities and persons both in public and private sectors.

(3) The Council shall develop a set of minimum standards and scope of access and related signage that each department, authority, entity and major enterprise shall put in place to ensure necessary access of persons with disabilities.

(4) | The government shall implement policies and programs to promote the personal mobility of persons with disabilities at affordable cost or free.

(5) | The government shall ensure special seats in all means of transport for persons with disabilities and allot parking space exclusively for persons with disabilities at all public and private places.

(6) The Council shall develop and enforce guidelines allowing persons with disabilities to have full and appropriate access to all forms of mass communication including information technology to enjoy freedom of speech and freedom of information. A national relay system may be established to standardize mechanism understandable consistently across the country.

8. Protection from abusive, violent and intolerant discriminatory behavior.- (1) The government shall take all possible steps to protect persons with disabilities from all forms of abuse, violence and exploitation at the hands of any person, institution or authority.

(2) Whenever an act of abuse, violence and intolerant discriminatory behavior is committed against any person with disability and the information of such act is communicated to the Council or any law enforcement agency, the concerned on receipt of such information shall immediately take necessary action to investigate and curb such act and to take appropriate measures under law to lodge the victim of abuse, violence or intolerance, to a safe place for protected housing. No cost shall be recovered from such victim for lodging in safe place in such situation.

(3) Notwithstanding the provisions of any law for the time being in force, an act of physical violence against a person with disability causing even a minor injury shall be deemed as grievous injury and shall be treated as an act of violence under section 335 of the Pakistan Penal Code, 1860 (Act XLV of 1860) and shall attract punishment accordingly, other situation of aggravated abuse and violence shall also be deemed to have more gravity than in case of a person without disabilities.

(4) In case of need for legal aid such aid shall be made available to such affected person at public expense or prevent its occurrence, as the case may be, or pass such order as deemed fit for the protection of such person with disability.

9. Equity in education.- (1) The government shall take all necessary measures to ensure that persons with disabilities are afforded equal rights to access government as well as private educational institutions and shall be provided with appropriate facilities for their education without any discrimination.

(2) The government shall provide free pre-primary to higher education to persons with disabilities.

(3) The government shall take necessary measures to establish special educational institutions for persons with moderate to severe disabilities to cater to their special needs, in addition to making other institutions reasonably equipped and staffed to provide appropriate facilities for inclusive education to such persons in those general educational institutions.

(4) Persons with disabilities shall not be denied admission into any educational institution, whether state owned or private, on ground of their disabilities.

(5) It shall be illegal for an institution and its staff members to discriminate against or abuse or otherwise violate rights of a person with disability at his place of education for which both the institution and such violating person shall be punished.

(6) The government shall ensure inclusive education focusing on personality, development, creativity and strengthening of physical and mental capabilities of persons with disabilities.

(7) Reasonable and appropriate accommodation shall be provided to persons with disabilities in educational institutions including hostels, where applicable.

(8) The government shall establish adequate dedicated and general facilities for teacher training with a view to train adequate number of specially trained teachers equipped with skills to teach students with various disabilities.

(9) The government shall ensure that all persons with disabilities are given full access to all modes and means of education including but not limited to vocational training, online education distance learning and adult education.

10 Equity in the employment. - (1) No person, institution, organization or entity, whether public or private, shall discriminate against a person on the ground of disability in the matters of employment, promotion, career development and enjoying fruits of his employment.

(2) The employer shall ensure the provision of reasonable accommodation including necessary assistive aid and equipment which a person with disabilities would reasonably require to perform his duties.

(3) | The government shall reserve an employment quota as prescribed by the Federal Government to be periodically reviewed, at various levels for persons with disabilities in government departments, institutions, entities and corporate entities owned and managed by the government and the concerned department shall implement the allocated quota.

(4) The government shall take necessary steps to encourage private enterprises to employ persons with disabilities through incentives for which the government shall prepare long term inclusion plans and allocate necessary resources.

(5) | The terms and conditions of employment shall not be less favorable for persons with disabilities as compared with those offered to other persons appointed against same or similar positions.

(6) An establishment which does not employ persons with disabilities as required by sub-section (3) shall pay into the Fund each month the sum of money it would have paid as salary or wages to a person with disabilities had he been employed. In the event of non-payment or non-compliance, the matter shall be brought before an arbitration council to be established for the purpose by the by the Council.

11 Equity in health and medical rehabilitation services.- (1) The government shall ensure barrier free access to necessary public health services and infrastructure to persons with disabilities without any discrimination and without any cast to such persons.

(2) The council shall devise plans to provide special health insurance to persons with disabilities to ensure free medical coverage to such persons.

(3) The government shall encourage private sector health services providers through appropriate incentives to provide quality services to persons with disabilities at affordable rates or free.

(4) Special health service for early identification and intervention of disabilities and medical service especially designed to prevent disability shall be implemented.

(5) The government shall initiate with the help of medical and scientific community, reach to identify causes of various disabilities and make efforts to create awareness in public to adopt practices that help prevent disabilities from happening.

(6) The government shall in respect of person with disabilities undertake initiatives to promote support and implement community based rehabilitation and research initiative at the community level.

12 Right to live independently in community.- (1) The persons with disabilities shall have equal right to alive independently in the community. Such persons shall be provided with all necessary facilities by the government without discrimination to enable them to live independently.

(2) The government shall take necessary preventive measures to ensure that persons with disabilities are not excluded or segregated from the community on basis of their disability and that their access to communal facilities and services is restriction free.

(3) |The government may also take necessary measures to enable the person with disabilities to have access to a range of in-house, residential and other community support services including personal assistance service necessary to support living and inclusion in community.

13. Right of living.-(1) Every person with disability shall have right to a decent place of living of his choice and no person shall discriminate against a person with disability by way of refusing to rent him or sell to a place of living because of him being a person with disability.

(2) The government shall evolve a policy towards fair and affordable housing for persons with disabilities in government owned, sponsored or assisted projects and also in the private housing schemes. The authorities approving establishment of new housing schemes and plans shall ensure that appropriate number of affordable housing units are included in each such scheme or plan.

(3) The government may set up maintain decent housing facilities for the persons with disabilities who do not have a place to live and need a decent temporary shelter. The Council shall with the help from the authorities of the Federal Capital, civil society organizations and society at large assist to arrange temporary shelter for such persons.

14. Right to home and family- (1) No person with disability especially a child or adult or senior citizen shall be separated from his family on the grounds of disability unless a court of law requires him to be so separated in his best interest.

(2) Where the immediate family of person with disability is unable to cater a person with disability, especially a child with disabilities, the Court shall make effort to place such person at a setup suitable for his safe living.

(3) All persons with disabilities shall have the right to marry a person of their own choice and raise their family without any discrimination.

(4) No person with disability shall be subjected to any medical procedure leading to infertility and forced sterilization shall be a non-compoundable offence.

(5) | The government shall provide free services regarding reproductive health especially to women with disabilities.

15. Freedom of expression and information.-(1) The | government shall ensure that persons with disabilities have full and equitable rights regarding freedom of

speech, right to expression and information and effective measures shall be taken for their such rights to be enjoyed.

(2) | The Council shall take necessary measures to convey the voice of persons with disabilities and their organizations across the governments, civil society and international community.

(3) | The Council shall encourage the state and private run electronic and print media to promote awareness on the rights of persons with disabilities through public service messages and programming inclusive for all types of disabilities.

(4) The government may provide advertisements to publications dedicated for persons with disabilities.

(5) | The government shall ensure that all websites hosted by Pakistani website service providers are accessible for persons with disabilities.

16. Right of political participation.- (1) Persons with disabilities shall have full right to participate in the political activity in the country including exercising right of vote and right to be elected to an elected body.

(2) The election Commission of Pakistan shall ensure that each polling station is accessible to persons with disabilities and necessary arrangements are made for them to case their Votes confidentially and without any difficulty. Any act by any person to cause restriction on exercise of right of vote by a person with disability shall be deemed as forceful obstruction as defined in the Election Act, 2017 (XXXIII of 2017) and shall be prosecuted and punished accordingly.

(3) The Council shall, with the help of the Election Commission of Pakistan, educate political parties on the issues and problems of the persons with disabilities.

(4) The Election Commission of Pakistan shall be mandated to develop voter’s accessibility mechanism for persons with disabilities such as brail voting paper etc.

17. Access to Justice:- The government shall ensure that persons with disabilities are provided with assistance, including sign language interpreters and attendants to access to the justice system.

18. Right to own property.- Persons with disabilities shall not be denied the right to own, sell or inherit property.

19. Participation in Sports, cultural and recreational activities.- (1) The government shall ensure that no person is discriminated against in participation of any sports, games, cultural and recreational activities on ground of his disability. Assistive devices, equipment and latest technology shall be made available for their inclusion in sports, culture, recreational and leisure activities. One seat for persons with disabilities in

the sports board shall be ensured and the government shall ensure linkages of the monitoring mechanism for para Olympics and special Olympics sports association.

(2) Access to cultural materials, programs and activities shall be provided in accessible and appropriate formats to person with disabilities.

(3) Barrier-free and discrimination-free access to media programs, films, theaters, parks, stadiums, play grounds, beaches and other places of leisure, recreation, sports and cultural activities shall be provided to such persons with disabilities.

(4) The government shall facilitate participation of persons with disabilities in scouting, art classes, outdoor camps, hunting, tourism and adventure activities and shall also help to develop and utilize their artistic, creative and intellectual capabilities.

(5) | The government shall ensure that talent-enhancing abilities in both public and private schools including sports activities are developed.

(6) The government shall ensure that courses and activities are designed to promote arts and culture to enhance talent of persons with disabilities.

(7) The government shall take steps so that access to cultural materials, programs and activities in accessible and appropriate formats to persons with disabilities are ensured.

20. Protection of persons with disabilities in risk and disaster situation.-
(1) All persons with disabilities shall be given top priority in providing suitable protection and safety in situations of risk and natural disaster and shall immediately be removed from such areas and moved to a safe place on priority.

(2) In situations of armed conflict, the police, civil armed forces and the armed forces shall take appropriate measures on priority to ensure safety, protection and removal of such persons.

(3) All authorities engaged in reconstruction activity subsequent to any situation of armed conflict, humanitarian emergencies or natural disaster shall ensure that persons with disabilities are accorded priority in reconstructing their institutions, homes and other facilities and restoring services.

(4) The Council shall keep a close coordination with the disaster management authorities for protection and removal to safety and keep record of such persons caught in such situation and ensure early rehabilitation.

(5) Needs and concerns of persons with disabilities should be included in disaster risk reduction.

PART III
ADMINISTRATION OF RIGHTS

21. Strengthening and reconstitution of the National Council for the Rehabilitation of Disabled Persons.- (1) The National Council for the Rehabilitation of Disabled Persons constituted under the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981) shall stand reconstituted as the Council on Rights of Persons with Disabilities and shall consist of-

(a)	Minister-in-Charge; Chairperson	
(b)	Secretary of the Division allocated with business of this Act;	Vice Chairperson
(c)	Two members from the Senate, one each from government and the opposition;	Members
(d)	Two members from the National Assembly one each from government and the opposition;	Members
(e)	One representative from Ministry of Information, Broadcasting, National History and Literary Heritage not below the rank of Joint Secretary;	Member
(f)	One representative from Ministry of Finance, Revenue and Economic Affairs not below the rank of Joint Secretary;	Member
(g)	One representative from the Division allocated with business of education not below the level of Joint Secretary;	Member
(h)	One representative from the Division allocated with the business of poverty alleviation and social safety not below the rank of Joint Secretary;	Member
(i)	An officer not below the rank of a Joint Secretary of the Division to which business of this Act stands allocated;	Member
(j)_	Chairman, Capital Development Authority (CDA); _	Member
(k)	Chief Executive or Head of National Institute of Rehabilitation Medicine (NIRM)	) Member
(1)	Three persons with disability	Members

(2) Member at clause (i) of sub-section (1) shall also act as Secretary of the Council.

(3) The Council may co-opt any person as a member.

(4) The government functionaries represented in the Council shall hold their memberships on ex officio basis. The tenure of the members shall be three years.

(5) | The Council shall meet at-least quarterly and the quorum of each meeting shall be one-fourth of the total number of the composition of the Council.

22. Function of the Council.- (1) The Council shall have the responsibility to achieve and implement objectives of this Act and to assist the government in developing legal and institutional frame work.

(2) The Council shall be the executive authority to implement this Act, to develop a legal and social environment and to help persons with disabilities to have the protection of law in enjoying their fundamental rights.

(3) | The Council shall, with the help of other authorities and persons, take all possible measures to protect persons with disabilities from discrimination, exploitation, torture, inhuman or degrading treatment on the hands of any one including their families and caregivers.

(4) | The Council shall coordinate implementation of the principles of relevant convention at provincial and lower administrative levels through providing technical assistance to various organs of the provincial legislatures and governments in developing appropriate legal and institutional frameworks in their jurisdictions and making them achieve the objective of protection and enforcement of rights.

(5) The Council shall evaluate the effectiveness of laws and policies and assess the implementation of laws and policies at the national level and recommend to the government any changes required in the policies, laws and practices.

(6) The Council shall conduct or cause to conduct research on the status of persons with disabilities and matters related to the promotion and protection of their rights.

(7) | The Council shall put into place an institutional mechanism to regularly monitor performance of various departments and organizations in the government and issue a performance score card to each such entity and organization at least once in every three years. Similarly, the Council shall devise and maintain score cards for private entities that seek such evaluation and assessment. Such performance audits shall be conducted by third party professionals and the employees of the Council.

(8) | The Council shall assess its own performance in creating legal and social environment in the country and issue an annual status report at the end of every calendar year to present its report to the Parliament through Minister-in-charge.

(9) | The Council shall be responsible to monitor the activities of private and community bases organizations to ensure that required standards of service are maintained. The Council may enforce and institutional mechanism for effective, efficacious and transparent functions of such organizations and may impose restrictions on organizations not meeting the objective criteria laid down by it.

(10) The Council shall have the powers to address individual and collective complaints of violations of human rights of persons with disabilities.

23. Registration of persons with disabilities.-(1) Any person with disability desirous of being employed or otherwise rehabilitated may have his name registered in the register maintained by the Council or its designated office in such form and in such manner as may be prescribed by the Council.

(2) The Council shall, if it thinks necessary, cause each person with the disability registered under sub-section(1) to be assessed as to the nature of his functional disability and also as to his aptitude and the nature of work he is fit to do by a medical officer authorized by it or by such assessing board as it may appoint having at least one medical officer and the medical officer or, as the case may be, the assessing board shall submit its report to the Council in such form as may be prescribed by the Council.

(3) If the person with disability is considered by the Council fit to work, he shall be informed indicating the nature of work for which he may be employed or the trade or vocation in which he may be trained and an endorsement to that effect shall be made against his name in the register.

(4) If the person with disability is not considered by the Council fit to work, he shall be informed accordingly for an endorsement to that effect being made against his name in the register and the Council shall take such measures for his rehabilitation as it thinks fit.

(5) Ifa person is declared by the Council not to be a disabled person, his name shall be struck off from the register.

24. Establishment to employ persons with disabilities.- (1) Not less than one percent of the total number of persons employed by and establishment at any time shall be persons whose names have been registered with the Council or its designated office of the area in which such establishment is located and against whose names in the register maintained under section 23 an-endorsement exists to the effect that they are fit to work.

(2) The persons with disabilities employed against any post in pursuance of sub-section(1) shall be entitled to the terms and conditions which are not less favourable than those of the other persons employed by the establishment against similar posts.

(3) | When calculating the percentage of the posts in an establishment for the purposes of employment of persons with disabilities, the fraction of 0.5 and above shall count as a whole-number.

25. Establishment to pay to the Fund.- An establishment which does not employ a person with disability as required by section 24 shall pay in the Fund each

month the sum of money it would have paid as salary or wages to a disabled person had he been employed.

26. Dissolution of the Council.- On the commencement of this Act, the council formed under the Disable Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981) shall stand dissolved and on such dissolution all assets, rights, powers, authorities and privileges and property, movable and immovable, cash and bank balance, reserve funds, investments and all other interests and rights in, or arising out of such property and all debts, liabilities and obligations of whatever kind of the dissolved council subsisting immediately before its dissolution shall stand transferred to and vest in the Council.

27. Government authorities and other persons to assist the Council.- (1) All the functionaries of the government shall extend full and effective cooperation to the Council in ensuring the enforcement of this Act and other laws for protecting the rights of the persons with disabilities.

(2) Any person in the governmental position not effectively cooperating with the Council shall be deemed to have committed misconduct and shall be proceeded against accordingly.

28. Funds for rehabilitation.- (1) The government may establish non-lapsable endowment fund for sustainably financing projects and activities related to ensuring effective rights protection and inclusion in society of persons with disabilities.

(2) The Fund established under sub-section (1) shall be called as ICT Disability Fund which shall be managed by the Council.

(3) The following shall be the sources of the Fund, namely:-

(a) annual allocation and grants of funds from Federal Government;
(b) grants from international organizations, governments and other such bodies;
(c) _ levies and other charges that government imposes for rehabilitation;
(d) — fines and penalties under this Act;
(e) donations and bequests by private persons; and
(f) any other source.
(4) The Fund established under the Disabled Persons (Employment and

Rehabilitation) Ordinance, 1981 (XL of 1981) shall stand transferred alongwith all sums and moneys to the Fund established under sub-section (2).

29. Creating public awareness.- (1) The Council shall take immediate, appropriate and result oriented measures to raise awareness amongst the society as whole with regards to recognition and respect for persons with disabilities and their rights.

(2) | The Council shall recommend to the Federal and Provincial Governments measures to include topics on disability in educational curriculum and to create awareness among young students about persons with disabilities.

(3) The government shall include topics on addressing problems of persons with disabilities in training programs of institutions responsible for imparting trainings to officers and officials of the government, including judges and court officials.

30. Rehabilitation.- (1) The government shall take all possible measures to ensure that persons with disabilities attain maximum independence and ability to participate in activities of life including getting education, doing business, getting employed and participating in sports and cultural activities.

(2) The government shall promote continuing skill development and training in existing advance skills and technologies to persons with disabilities for effective participation and integration in the community.

(3) The government shall undertake initiatives to promote, support and implement community bases rehabilitation and research initiatives of its own.

31. Insurance cover.-(1) the Council may devise and put in place comprehensive group medical and accident insurance for persons with disabilities and may also facilitate such persons in getting affordable life and other forms of insurance.

(2) The Council may pay the premium for persons with disabilities who cannot pay the premium from their own sources.

32. Special disability courts.- (1) For speedy justice, the government may designate and may encourage provincial governments to designate, courts to hear cases under this Act or other laws in which one or more parties are persons with disabilities.

(2) There shall be an effective institutionalized mechanism to monitor cases in courts under sub-section (1) by appropriate judicial forums as devised by the respective High Court.

33. Power to make rules.- (1) The Council may, in consultation with the Federal Government and by notification in the official Gazette, make rules to carry out purposes of this Act.

(2) The rules made under the Disabled Persons (Employment and rehabilitation) Ordinance, 1981 (XL of 1981) so far as they are not inconsistent with the provisions of this Act shall continue to be in force until altered, amended or repealed.

34. Power to make regulation.- The Council may, by notification in the official Gazette, make regulations for its own efficient and professional working and for effective achievement of objectives of this Act.

PART IV
MISCELLANEOUS

35. Removal of difficulties.- If any difficulty arises in giving effect to any of the provisions of this Act, the Federal Government may make such order, not inconsistent with the provisions of this Act, as may appear to be necessary for the purpose of removing the difficulty.

36. Repeal.- The Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981) is, to the extent of Islamabad Capital Territory, hereby repealed.

4.12 Uniform Instructions on 2% Disability Quota

Refer to the subject cited above and to say that at present the quota reserved for "Person with Disability" (PWD's) is reserved at 2% in the Federal Government. The Prime Minister has been pleased to direct that the said quota of 2% is to be implemented against total strength of Ministries/Divisions/Departments. It is further stated:—

a. Disabled Persons (Employment and Rehabilitation) Ordinance,1981 and now "ICT Rights of Person with Disabilities Act,2020", promulgated on 23" September,2020 provides reservation of quota on the total number of persons employed by an establishment (on the overall strength of the organization concerned and not against each basic scale).

b. — The total number of persons employed means the total sanctioned posts of the establishment, that is, an Organization, Authority, Department or Ministry. This should apply such that 2% of the total sanctioned posts or workforce of the establishment becomes the Disability Quota for that establishment.

2. All the instructions, issued by the Establishment Division on the subject from time to time, may be deemed to have been superseded.

[Authority:= Estt Division's O.M.No.34/3/86-R-V, dated 18-06-2021].

V. DETERMINATION OF DOMICILE

5.1 Determination of Domicile

Reference Establishment Division's O.M. No. 2/2/67-D.V., dated the 26" August, 1968. It has been observed that the instructions contained therein for determining the domicile of candidates while making appointment to posts are not being complied with faithfully in some cases. These instructions clearly provide that a candidate belonging to Pakistan by origin should be considered for appointment on the basis of domicile of his father. Similarly, a migrant candidate should be considered only against the quota of the province/region where his parents are domiciled and where they have resided for at least three years. In case the parents of a migrant candidate have not migrated to Pakistan, he should be considered for appointment on the basis of his own domicile. All the Ministries/Divisions are requested that, while making ad-hoc appointments against the posts required to be filled through FPSC, they should carefully examine the domicile of the candidates in the light of the above instructions. This may also kindly be brought to the notice of all the departments/organizations under their administrative control for strict compliance.

[Authority:— Estt. Division’s O.M.No.2/2/77-W.C/R.2 dated 13-10-1987].

5.2 Determination of Domicile for the Purpose of Appointments Against Provincial/Regional Quotas

According to the decisions contained in the Establishment Division Office Memorandum No.25/113/ 54-SE I, dated the 4" January, 1956 (Annex-I) and Office Memorandum No. 1/12/56-R, dated the 14 February, 1958 (Annex-II), while a candidate belonging to Pakistan by origin can claim appointment only against the quota of the province/ region to which the father of such a candidate belongs, the candidates who have migrated to Pakistan have different options for claiming appointment against provincial/regional quotas. The matter has, therefore, been reconsidered with a view to rationalizing the policy regarding determination of domicile of the candidates for government service, and the following revised orders are issued, in partial modification of the existing instructions:—

(i) | There should be no change in the policy regarding the persons belonging to Pakistan by origin, i.e., they should continue to be considered for appointment only against the quota of the province/region to which the father of such a candidate belongs.

(ii) A migrant candidate, whether residing in Pakistan or abroad, should be considered for appointment only against the quota of the province/region where his parents are domiciled and where they have resided for at least 3 years. However, the condition of 3 years' residence should be deemed to be fulfilled if the parents are officially domiciled in a particular province/region but have been living in some other areas for a number of years due to exigencies of service. For this purpose, the candidate will be required to produce a domicile certificate from a competent authority that his parents are domiciled in the province/region concerned.

(iii) In case the parents of a migrant candidate have not been considered for appointment against the quota of the province/region where he himself is domiciled and has resided or has been educated for a continuous period of

three years immediately before applying for appointment and consideration against the quota of a province/region.

2. The decisions above may please be brought to the notice of all concerned for guidance in future.

[Authority:— Estt. Div.'s O.M. No.2/2/67-DV, dated 26-8-1968].

(ANNEX I)
(See 5.2 para 1)

[Copy of Estt. Div.'s O.M.No.25/113/54-SEI, dated the 4" January, 1956].

Provincial Quotas on the Basis of Domicile Certificates: The recruitment policy of government, according to which recruitment to the "Central Services is made, is based on a system of Provincial quotas. These quotas were meant for candidates who belonged by origin to the provinces of Pakistan, or who, on migration from Indian provinces had permanently settled down in one of the Pakistan Provinces. However, by means of domicile certificates, a large number of candidates who had come over from India but had not permanently settled in any Pakistan Province were able to enter the *Central Services, thus shutting out candidates belonging by origin to Pakistan provinces from their due share in the administration of the country. What these candidates did was to file declarations before District Magistrates, to the effect that they had renounced their previous domicile and that they had resided for over a year in such provinces as (East Bengal), Sindh and the "N.W.F.P., where competitive conditions were comparatively easier. Having obtained such certificates of domicile on the strength of these declarations, the veracity of which could seldom be properly checked, these candidates would leave that particular province and have no further connection with it. They would then prepare themselves for examinations in areas where educational facilities were better but, by virtue of their domicile certificates, they demanded to be considered for appointment against the quota of one of the above provinces in which they claimed to be domiciled, provided, of course, that they had qualified in the examinations. In actual fact, the Domicile Certificate merely made a refugee candidate eligible for appearing in an examination for appointment to a post in Pakistan and did not confer any right on him to be appointed against the quota of a particular province.

2. In order to ensure that government's recruitment policy is properly carried out and that no candidate enters the *Central Services against the quota of a province who does not belong to that province either by origin or through settling down permanently there, government consider it necessary to provide a check against the entry into the Central* Services of candidates who claim to be considered against provincial quotas on spurious grounds. It has, therefore, been decided that, in the case of candidates who qualify for appointment to the *Central Services, but who do not belong, by origin, to any Pakistan province, they should be admitted against the quota of the province in which they claim to have settled permanently, provided there is proof of three years' residence/ education in the province against whose quota they claim to be considered.

* Federal Services/Groups'.
aod
Now Khyber Pakhtunkhwa.

This can be established in most cases from educational certificates which the candidates will file with their application. In other cases, where a candidate has been educated in a province for a shorter period although he claims to have resided there for 3 years, other evidence must be produced by the candidate to support his claim. In the case, however, of a refugee candidate studying abroad, or in some parts of Pakistan other than the province against whose quota he claims to be considered, the condition of three years' residence in that Province should be deemed to be satisfied, if the parents of such a candidate have resided in the Province in question for three years.

3. | The decision outlined in the preceding paragraph does not mean that refugee candidates, who fail to prove their claim that they belong to a particular area, are shut out from appointments to the *Central Services. As Ministries are aware, the recruitment policy provides a 20% merit quota and a refugee candidate, who does not satisfy the above requirements, can take his chance in that quota. Finally, it may be added that, in the case of a candidate whose father belongs by birth or by origin to a Pakistan province, it is immaterial where he has received his education or has resided. Such a candidate will be considered, for appointment against the quota of vacancies reserved for that province without any check.

4. The above decision will not be affected by the coming into existence of one province in West Pakistan as no change in the existing recruitment policy is contemplated. The recruitment policy in respect of services and posts under the “Central Government will continue to operate in those areas which constitute the previous Provinces and which will now be expressed in terms of districts comprising those areas.

(ANNEX I)
(See 5.2, para 1)

[Copy of Establishment Division Office Memorandum No. 1/12/56-R, dated the 14th February, 1958].

Attention is invited to the Establishment Division Office Memorandum No. 25/113/54-SEI, dated the 4" J anuary, 1956 in which instructions were issued that in the case of a refugee candidate studying abroad or in some parts of Pakistan other than the province against whose quota he claims to be considered, the conditions of three years' residence in that province should be deemed to be satisfied, if the parents of such a candidate have resided in the province in question for three years. It, therefore, follows by implication that in the case of those candidates, whose parents have acquired the domicile in a province/zone, but who, due to the exigencies of service, have been serving outside that province/zone, for a number of years, the conditions of 3 years residence for that province (for the candidate) will be deemed to have been fulfilled for the purpose of being considered against the quota of that province/zone.

5.3. Married Female Candidates -
Determination of Domicile

According to the decisions contained in the Estt. Division’s O.M No. 2/2/67-DV, dated the 26" August, 1968, the domicile of a candidate is to be determined

. Federal.

on the basis of the domicile of his or her parents and if the parents of a migrant candidate have not migrated to Pakistan, on the basis of his or her own residence and education in the province in which he or she is domiciled. A question has arisen whether a female married candidate can be considered to have the same domicile as that of her husband. The matter has been considered and it has been decided that the domicile of a married female candidate may be accepted to be the same as that of her husband for the purposes of direct recruitment.

[Authority:— Estt. Division's O.M.No.F.8/5/75-WC, dated 12-8-1975].

5.4 Candidates Not Required to Show Place of Birth
of their Fathers for Purposes of Domicile

As the Ministries/ Divisions are aware, the government observes provincial/ regional quotas in filling vacancies reserved for direct recruitment to posts under the Federal Government. It has been brought to the notice of the government that candidates for appointment to federal posts are sometimes required to state the place of birth of their father. This information is not relevant to the determination of domicile of a candidate. The government have, therefore, decided that, in future, no candidate will be asked to state the place of birth of his father. However, the requirement of stating the domicile of father and other particulars like name, address etc., will continue to be observed as before.

2. The Ministries/Divisions are requested to give wide publicity to these instructions.

[Authority:— Estt. Div.'s O.M.No.2/5/77/WC/R-IX, dated 1 1-1-1978].

5.5 Change of Domicile After Entry
into Government Service

A question has arisen whether a person who entered (into) government service on the basis of domicile of a particular province/ region of Pakistan can subsequently change his domicile during his service. As a citizen of Pakistan, a government servant can change his domicile according to the law and the rules made thereunder. It has, however, been decided that the domicile of a government servant as declared by him and accepted by government at the time of entry into government service should be treated as final throughout his service career and no subsequent change in his domicile should be recognized for the purpose of terms and conditions of his service including his allocation and liability to transfer.

[Authority:— Estt. Div.'s O.M. No.1/14/71-TRV, dated 20-9-1971].

VI. COMPETITIVE EXAMINATIONS

6.1 CSS-Competitive Examination Rules,2019

S.R.O. No. 1452(1)/2018.— In exercise of the powers conferred by sections 7A and 10 of the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), the Chairman of the Federal Public Service Commission, with the approval of the Federal Government, is pleased to make the following rules, namely:—

1. Short title and commencement.— (1) These rules shall be called the CSS-Competitive Examination Rules, 2019.

(2) These rules shall come into force at once for competitive examination for the years 2019 and onwards.

2. Definitions.— Unless there is anything repugnant in the subject or context,—

(i) “Act” means the Civil Servant‘s Act 1973(LXXI of 1973);

(ii) “Annexure” means an annexure to these rules;

(iii) “Appendix” means an appendix to these rules;

(iv) “candidate” means a person who opts by making application in soft or written form, as the case may be, to appear for competitive examination under these rules;

(v) “competitive examination” means the competitive examination conducted under these rules in respect of the occupational groups and services;

(vi) “Occupational Groups or Services” means the Occupational Groups and Services as specified in the Occupational Groups and Services (Probation, Training and Seniority) Rules, 1990; and

(vii) “Ordinance” means the Federal Public Service Commission Ordinance, 1977 (XLV of 1977);

3. Competitive examination.— (1) The competitive examination shall be conducted by the Commission in respect of the Occupational Groups and Services consisting of-

(a) | Commerce and Trade Group;

(b) Foreign Service of Pakistan;

(c) Information Group;

(d) Inland Revenue Service;

(e) Military Lands and Cantonments Group;
(f) Office Management Group;

(g) Pakistan Administrative Service;

(h) Pakistan Audit and Accounts Service;
(i) | Pakistan Customs Service;

Gj) Police Service of Pakistan;

(k) Postal Group; and

(1) — Railways (Commercial and Transportation) Group.

(2) The competitive examination shall comprise the following, namely:-

(a) written examination;

(b) medical examination:

(c) psychological assessment; and
(d) viva voce.

(3) Written examination shall be conducted annually by the Commission simultaneously at Abbottabad, Bahawalpur, Dera Ghazi Khan, Dera Ismail Khan, Faisalabad, Gilgit, Gujranwala, Hyderabad, Islamabad, Karachi, Lahore, Larkana, Multan, Muzaffarabad, Peshawar, Quetta, Rawalpindi, Sargodha and Sukkur and any other place as the Commission may determine depending on the number of applicants for each centre.

(4) Written examination under sub-rule (2) shall be held after schedule thereof is advertised by the Commission in leading newspapers and uploaded at its website.

(5) Depending on the number of applicants, the viva voce shall be held at Islamabad, Karachi, Lahore, Multan, Peshawar, Quetta and such other place as the Commission may determine.

4. Change of centre— Written examination‘s centre once selected by the candidate shall not be changed, unless allowed by the Commission or a committee thereof on an application made in this behalf by the candidate.

5. Cut-off date for determination of eligibility— The cutoff date for determining the eligibility of the candidate in terms of age, qualifications, domicile shall be the 31st day of December of the year preceding the year of competitive examination.

Explanation— For competitive examination 2019 the cut-off date thereof shall be the 31st day of December, 2018.

6. Age-limits— (1) No candidate shall be eligible for admission to the competitive examination unless he is neither below the age of twenty-one years nor above the age of thirty years on the cut-off date.

Explanation— A candidate born on or before the 31st day of December, 1988 and on or after the 2 day of January, 1998 shall not be eligible for the competitive examination of the year 2019.

(2) Two years relaxation in upper-age limit of a candidate shall be admissible in respect of the following categories, namely:—

(a) the candidates belonging to the scheduled caste and Buddhist community subject to production of a certificate, in support of their claim, as set out in the application form prescribed by the Commission from time to time and issued by Deputy Commissioner, District Magistrate or such other person by whatever name called and authorized in this behalf;

(b) the candidates belonging to the recognized Tribes who are permanent residents of the areas mentioned-below and whose families have been living in these areas, subject to production of a certificate, in support of their claim, as set out in the application form prescribed by the

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Commission from time to time and issued by Deputy Commissioner, District Magistrate or such other person by whatever name called and authorized in this behalf:—

(i) Baluchistan;

(ii) Tribal Areas of D.LKhan and Peshawar Divisions (including former Frontier States of Dir, Swat, Chitral and Amb);

(iii) former excluded (Baloch) area forming part of the Dera Ghazi Khan and Rajanpur Districts;

(iv) former Tribal Areas of Mardan and Hazara Divisions; and

(v) Upper Tanawal Area of Hazara Division;

the candidates who are permanent residents of Azad Kashmir Territory, subject to production of a certificate in support of their claim, as set out in the application form prescribed by the Commission from time to time and issued by the Division to which business of Azad Jammu and Kashmir stands allocated;

the candidates who are permanent residents of Gilgit-Baltistan including Gilgit, Diamir, Baltistan, Ghizer and Guanche, subject to production of a certificate in support of their claim, as set out in the application form prescribed by the Commission from time to time and issued by the Deputy Commissioner, District Magistrate or such other person by whatever name called and authorized in this behalf;

the special candidates, namely, physically impaired, hearing or speech impaired and visually impaired, subject to production of certificate of disability in support of their claim issued by an officer of the Federal Government or, as the case may be, Provincial Government duly authorized in this behalf;

in-service Government servants, armed forces personnel, contract employees, including the Government servants of Azad Jammu and Kashmir, who possess a minimum of two years continuous Government service as on the cut-off date subject to production of departmental permission certificate from the competent authority as set out by the Commission from time to time. Employees of nationalized banks, State Bank of Pakistan, Water and Power Development Authority, regulatory authorities, autonomous bodies and other semi-autonomous bodies are

not entitled to the age-relaxation under these rules:

Provided that period of extraordinary leave (EOL) shall not be considered as period spent on duty under Fundamental Rule-9(6) for grant of age-relaxation under these rules.

(3) The relaxation in upper age-limits prescribed in these rules shall be permitted upto the maximum period of an individual concession and not by the total period of the concessions taken together, if admissible in any case.

(4) Except as provided in these rules, a candidate shall not be entitled to further relaxation in age-limit under any other rule for the time being in force or on any other ground.

7. Date of birth— (1) The date of birth entered in the following documents shall be accepted by the Commission:—

(a) matriculation certificate;

(b) secondary or higher secondary school leaving certificate;

(c) certificate of birth from the principal or headmaster of the school from where a candidate has passed his general certificate of education (GCE), ‘O° level or equivalent examination, showing the date of birth in the school admission register;

(d) in case of Christian candidates, Baptismal or birth registration certificate.

(2) The decision as to which certificate may be accepted for the purpose of date of birth rests with the Commission.

(3) Once a date of birth has been claimed by a candidate and accepted by the Commission for the purpose of admission to a competitive examination, no change shall be allowed at a subsequent examination or selection.

8. Educational qualifications— (1) A candidate for competitive examination must hold at least a second division or grade —Cl bachelor‘s degree in any faculty of one of the Pakistani universities or an equivalent degree or comparable educational qualifications of a foreign university recognized by the Higher Education Commission (HEC), subject to production of equivalence certificate issued by HEC.

(2) Where a candidate does not hold the required degree on or before the cut-off date, he shall be required to produce a certificate from the duly authorized officer of the concerned degree awarding institution, to the effect that the candidate has fulfilled all the requirements of the said degree and has cleared and passed the examination for the said degree on or before the cut-off date. The candidate however would be required to produce the said degree before the final result is declared by the Commission.

(3) A candidate who has obtained a third division or _D‘ grade in his bachelor‘s degree shall be eligible for the competitive examination in cases where he has obtained a higher division or grade in master‘s degree.

9. | Nationality.— (1) Candidates for competitive examination must be a citizen of Pakistan or a person deriving his nationality from the State of Jammu and Kashmir.

(2) A candidate who has married a person who is not a citizen of Pakistan shall not be eligible for appointment provided that a person who marries a foreign national of any country recognized by Federal Government with the prior permission of Government may be regarded as eligible for appointment.

10. Domicile— (1) Seats in respect of the Occupational Groups and Services shall be allocated in accordance with the policy as may be prescribed by the Federal Government

before finalizing the appointments and for that purpose the candidates shall produce domicile certificate issued by the competent authority in accordance with the law and the rules.

(2) <A candidate who has acquired the citizenship of Pakistan by registration under the Pakistan Citizenship Act, 1951 (II of 1951) and the rules made thereunder shall produce along with the application an attested copy of the certificate of citizenship. A candidate who has not been registered as a citizen of Pakistan but claims that he should be deemed to be citizen of Pakistan under the Pakistan Citizenship Act, 1951 (II of 1951) shall produce proof to the effect that he fulfills the conditions on the basis of which he claims to be deemed as a citizen of Pakistan. A candidate who derives his nationality from the State of Jammu and Kashmir shall produce along with the application a certificate issued by the Division to which business of the Azad Jammu and Kashmir stands allocated duly signed by an officer not below the rank of Deputy Secretary in support of his claim.

(3) Candidates of Azad Jammu and Kashmir shall produce domicile certificate alongwith permanent residence certificate along with the application forms issued by the Division to which business of the Azad Jammu and Kashmir stands allocated duly signed by an officer not below the rank of Deputy Secretary in support of his claim. No such certificates shall be accepted at any later stage.

(4) Domicile once claimed by a candidate and accepted by the Commission for the purpose of admission to competitive examination shall be final. No change will be allowed at a subsequent examination or selection.

(5) Domicile claimed by a candidate and accepted at the time of his first entry into Government service shall be treated as final for the purpose of candidature and allocation and no subsequent change in his domicile shall be accepted.

11. Application for and admission to the competitive examination— (1) All applications for the competitive examination must be made online through the Commission‘s website www.fpsc.gov.pk.

(2) Online applications under sub-rule (1) must be made on or before the closing date as advertised by the Commission.

(3) Printed copy of duly filled online application form (i.e. hardcopy) may be obtained and after signing it, copies of all documents and certificates as mentioned in application form alongwith original treasury receipt may be attached with it and dispatched to the Secretary of the Commission, so as to reach the Commission‘s headquarters within ten days of the closing date.

(4) An online application received incomplete, wrongly filled in or its hardcopy not accompanied with any one of the documents mentioned in the application form, shall be rejected.

(5) Hardcopy of the online application, if reached to the Commission after the stipulated period of ten days from the closing date, it shall not be accepted and online form already submitted to the Commission shall stand rejected.

(6) Any correction in the printed hard copy of online form may be made by hand and initialled before dispatch or submission to the Commission, whereafter no request for change in any entry of online application or its hard copy shall be accepted.

(7) No plea that hardcopy of online application form or any document attached therewith has been lost or delayed in the post shall be entertained.

(8) The candidate shall have to pay or deposit two hundred and fifty Rupees in the Commission‘s head of account as fine, if hard copy of online application is received without signature, subject to no other deficiency in application or attached documents, otherwise his application shall stand rejected.

(9) Hardcopy of the online application must be dispatched in a separate envelope. Two or more applications in one envelope shall not be acceptable.

(10) Candidate shall pay two thousand two hundred Rupees, or such other fee as the Commission may determine from time to time, as application fee for competitive examination as per procedure prescribed in Appendix-II and deposited in the nearest Government's treasury or in State Bank or National Bank of Pakistan under the head of account —C02101-Organs of State Exam Fee (FPSC Receipt). Cash, postal orders, bank drafts and cheques shall not be accepted by the Commission.

(11) Original treasury receipt for written examination must be attached with the application form to be deposited to the Commission. Without providing original treasury receipt, the application of the candidate shall be rejected.

(12) Subjects for the competitive examination shall comprise compulsory papers of 600 marks and optional papers of 600 marks as specified in Appendix-I.

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3) Optional subjects must be selected carefully, as wrong selection of subjects shall lead to rejection of candidature.

(14) Combination of optional subjects once chosen before closing date for submission of online application or corrected in hard copy of online application shall be treated as final and no request for change in subjects shall be allowed thereafter.

(15) A candidate who misses any compulsory or optional subject of written examination for medical or any other reasons shall neither be allowed to appear in the remaining subjects nor separate examination for re-appearing in that missed paper shall be allowed.

(16) No candidate shall be eligible to avail more than three chances of the competitive examination within prescribed age-limits. Explanation.- A candidate shall be deemed to have attempted the examination and his chance stand consumed, if he actually appeared in any one or more papers of the competitive examination and even if he tendered blank answer book or sheet and even if rejected subsequently.

(17) A candidate who conceals the number of previous attempts, shall be liable to prosecution leading to his disqualification under these rules.

(18) No candidate shall be admitted to the examination hall who does not hold original Computerized National Identity Card (CNIC) and admission certificate generated or downloaded from the Commission‘s website i.e. www.fpsc.gov.pk as admission certificate shall not be sent through post.

(19) A candidate who arrives at examination hall or centre late, than the time mentioned in admission certificate and date sheet, he shall not be allowed to sit in the examination.

(20) Candidates shall be admitted to the examination provisionally at their own risk subject to their being found eligible in all respects. On detailed scrutiny of the applications after the announcement of result of the written examination, if any candidate is found ineligible in any respect under these rules his candidature shall be cancelled and rejected regardless of the fact whether he has appeared in the examination or qualified therein. (21) To avoid inconvenience, candidates shall ensure before appearing at the examination that they fulfill all requirements of the rules, relating to the examination.

12. Qualifying marks in written examination.- (1) A candidate who fails to secure at least 40% marks in any of the compulsory subjects, 33% marks in any of the optional subjects and 50% marks in the aggregate shall be considered to have failed in written examination and shall not be eligible for medical examination, psychological assessment and viva voce.

(2) Only the candidates declared qualified in the written examination and found eligible shall be called for subsequent medical examination, psychological assessment and viva voce.

13. Medical examination.- (1) All candidates must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of their duties. The candidates who after such medical examination which the Commission and the appointing authority may prescribe are found not to satisfy these requirements shall not be appointed except special candidates as mentioned in sub-rule (2).

(2) Special candidates in the categories of physically impaired, hearing or speech impaired and visually impaired shall be eligible to compete for competitive examination against all Occupational Groups and Services according to his choice.

(3) Special candidates who are visually impaired or physically impaired shall be provided helper (writer), if they have been, by any Federal or a Provincial Council for Rehabilitation of Disabled Persons, declared permanently incapacitated with respect to writing and a disability certificate in that regard has been attached by them with application form and also requested for provision of helper in their application form. The Commission shall arrange the helper from within the available staff of the Commission deputed at the examination centre. The role of the helper would merely be to reproduce in writing the words so uttered by the special candidate. No intellectual contribution by the helper shall be permissible. The educational level of the helper would be graduation, intermediate or matriculation as per availability at the examination centre. No request for helper of choice or venue of the examination shall be entertained. The special candidate alongwith helper shall remain within the examination hall till conclusion of the paper.

(4) Extra time of 15 minutes per hour shall only be allowed to visually impaired candidates. The other categories of special candidates shall not be allowed extra time.

(5) The special candidate referred to in sub-rules (3) and (4) may attempt the question paper on computer, as the case may be, for which facility shall only be provided at the Commission‘s headquarters and its provincial offices, however, no TA/DA shall be admissible. Such computer literate candidates shall fill the relevant entries in the online application form, else they shall not be allowed to attempt the paper on computer.

(6) No application or medical certificate regarding claim for disability or request for provision of helper or computer on medical grounds or sudden accident, shall be accepted after the closing date, except where the claim has been made in the application form before the closing date and certificate of disability as aforesaid attached as an evidence.

(7) Candidates who qualify the written examination shall be medically examined by the medical board constituted for the purpose. If any candidate remains absent twice in his medical examination, his candidature shall automatically stand rejected and no appeal in this regard shall be entertained and his chance shall be considered as consumed.

(8) In order to prevent disappointment, candidates may get themselves examined by a Government‘s medical officer of the standing of a civil surgeon before applying for admission to the examination, however, they shall abide by the instructions set out in Annex-A.

14. Psychological assessment.- (1) All candidates called for viva voce shall be required to undergo psychological assessment, comprising written tests and group tasks, designed to assess abilities, attitude and personality characteristics of the candidates with special regard to their aptitude for the civil services. Separate marks are not awarded for the psychological assessment. However, 300 marks assigned to viva voce also reflect the performance on psychological assessment. Candidates must bring their CNIC and two recent photographs when summoned for psychological assessment. If a candidate remains absent in the psychological assessment, he shall not be allowed to appear for viva voce.

15. Viva voce.- (1) A candidate who is declared qualified in written examination shall be interviewed by a board who shall have before them a record of his career, both academic and extramural and he shall be asked questions on matters of general interest. The object of the interview is to assess his suitability for the services for which he is entered and in framing their assessment the board shall attach particular importance to the moral and ethical qualities of the candidates, his intelligence and alertness of mind, his vigour and strength of character and his potential qualities of leadership. The board shall take into consideration his extramural activities such as sports, debates, hobbies, etc., and their effect on his physique and character, in assessing his merit.

(2) All candidates are expected to have basic knowledge regarding Islam and Pakistan. Questions may be asked in the viva voce on these subjects. Persons securing less than pass marks in these subjects shall not be considered for appointment, irrespective of their proficiency in other fields. However, the non-Muslim candidates shall not be asked any question regarding Islam.

(3) Viva voce shall be of 300 marks. A candidate who fails to secure at least 100 marks in viva voce shall be considered to have failed and shall not be eligible for appointment.

(4) The result of viva voce shall be intimated to all candidates in due course of time.

16 General provisions regarding competitive examination.- (1) A candidate must satisfy the Commission that he is suitable in all respects for employment under the Government.

(2) The candidates who pass the written examination shall be intimated individually as well as through website but the candidates who fail in written examination shall not be informed individually, they may download detailed marks sheet from website.

(3) Decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall, subject to the provisions of the Ordinance and rules made there under, be final.

(4) A candidate who knowingly furnishes particulars which are false or suppresses material information or attempts to influence the Commission or officers or members of the staff of the Commission or tries to obtain support for his candidature by improper means or deliberately submits forged certificates or tampers with the entries in his age, educational and other certificates or misbehaves in the examination hall or uses unfair means including possession of cellular phone or other electronic device for use or attempted use for copying or is found guilty of misconduct during examination or medical or viva voce tests and uses filthy and unethical language in the answer book during written examination, shall be liable to disqualification for this and subsequent examinations or selections held by the Commission including debarring him from employment under the Federal Government and shall, however, not absolve him from prosecution for a criminal offence if any in accordance with the law in force.

(5) If during the conduct of examination at an examination centre or hall, any candidate is found in possession of cellular phone or likewise devices, he shall be disqualified for the instant examination.

(6) The result of any candidate whose candidature is rejected on any ground shall not be declared, irrespective whether he failed or passed the examination.

(7) A candidate who even after his appointment is found to have knowingly furnished particulars which are false or to have suppressed material information shall be liable to dismissal from government service.

(8) Certificates of age and educational qualifications in which any entry is overwritten, altered, erased, mutilated or tampered with in any way or the genuineness of which is otherwise doubted shall be liable to be impounded till such time as the Commission considers it necessary.

(9) All communication to the Commission should be addressed to the Secretary thereof by each candidate separately quoting his roll number and CNIC number. If roll number has not yet been allotted, serial number of the application may be quoted. Candidates

must make their own arrangements for communications addressed to them at the addresses stated in their applications to be redirected to their new addresses, when necessary. However, any change of address should be communicated at once to the Secretary of the Commission. Candidates should not write their postal addresses care of post box number etc. as postal authorities do not accept registered letters at such address.

(10) As provided in Article 260 (3)(b) of the Constitution of the Islamic Republic of Pakistan, non-Muslim means a person who is not Muslim and includes a person belonging to the Christian, Hindu, Sikh, Budhist or Parci community, a person of the Quadiani group or the Lahori group (who call themselves “Ahmadis” or by any other name), or a Bahai and a person belonging to any of the scheduled castes. Only those candidates shall be considered for vacancies reserved for non-Muslims whose application forms for the competitive examination are accompanied by certificate to this effect issued by the Deputy Commissioner or District Magistrate. No such certificate shall be accepted at any later stage.

(11) Subject to the maximum three chances under these rules, applications of Government servants shall be governed by the Government Servants (Application for Services and Posts) Rules, 1966.

(12) Government servants who fulfill conditions laid down in these rules shall be eligible for admission to the examination if permitted by the competent authority in their departments or offices. However, an advance copy of the application may be submitted before the closing date to avoid rejection. Candidates who join Government service after submitting their applications for admission to the examination shall submit the departmental permission certificate immediately thereafter.

(13) Armed forces’ candidates should route their applications through proper channel. Applications not routed through proper channel shall be rejected. Released or retired personnel should produce a clearance certificate from Military Secretary Branch for employment in civil services of Pakistan. However, an advance copy of the application may be submitted before the closing date to avoid rejection.

(14) A candidate who after submitting such departmental permission, joins Civil Services Academy or is transferred to another department, should obtain the permission of that department and submit it to the Commission as soon as possible.

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5) A candidate who has left Government service should submit with his application an attested copy of his discharge or service certificate. A candidate who has been dismissed from Government or semi Government service shall not be eligible for admission to the examination.

(16) If marks of a candidate are less than 40% in any of the compulsory subjects, less than 33% marks in any of the optional subjects and less than 100 marks out of 300 in viva voce, these shall not be counted and credited in the total marks.

(17) The marking of answers shall be in order of consecutive answers and over attempted question shall not be evaluated and credited.

(18) Writing on question paper shall be considered as cheating and delinquent candidate shall be prosecuted under these rules.

(19) Ifany candidate writes his roll number, except in the space provided for this purpose on the cover of the answer book, or writes his name or makes any distinguishing mark at any place in his answer book or additional answer book he shall be awarded zero marks in that paper, besides any other punishment which the Commission may decide to award.

(20) A candidate who rips the pages or does not cross out empty pages of answer book or additional answer book or does not hand over his answer books or additional answer book to the supervisory staff, he shall be proceeded against for disciplinary action under these rules as the Commission may deem appropriate.

(21) A candidate who has received and read the question paper shall not be allowed to leave his seat or examination hall without marking his attendance and until half the time is over. However, the candidate will not be allowed to take question paper with him until conclusion of the examination in that paper.

(22) Use of calculators shall only be allowed in applied mathematics, pure mathematics, accountancy, statistics, business administration, physics and chemistry. Use of calculator shall not be allowed in the paper of general science and ability.

(23) Paper containing multiple choice questions (MCQs) shall be attempted on optical mark reader (OMR) sheet provided separately for the purpose. Both MCQs paper and OMR sheet shall be collected back after the allotted time. The number of MCQs in each paper may be attempted in the same sequence at the space reserved on OMR sheet. Any answer given beyond the reserved space or not corresponding with question number of MCQ paper shall not be marked or taken into account.

(24) The question papers in Urdu or other Pakistani regional languages (Punjabi, Sindhi, Pushto and Balochi), Persian and Arabic should be answered in the respective languages. However, question relating with translation from respective language into English or vice versa, may be answered as directed in the question paper.

(25) The question paper in Islamic studies or comparative study of major religions is to be answered in English or Urdu only.

(26) The non-Muslim candidates shall have the option either to take Islamic studies or comparative study of major religions.

(27) Candidates must use blue or black ink only in their answer books otherwise zero marks may be awarded.

(28) Answer books in all subjects of examination are confidential documents and cannot, therefore, be permitted to be seen by candidates or their representatives nor re-examination of answer books and scripts shall be allowed under any circumstances. A candidate desirous of getting his marks, awarded by the examiners, re-counted may submit his request for the purpose, within one month from the date of issue of result card or marks sheet alongwith a treasury challan of five hundred Rupees per paper as fee for re-counting of marks only. Thereafter, no such request shall be entertained.

(29) Re-evaluation of marks awarded by the viva voce board shall not be allowed under any circumstances.

(30) Grace marks shall not be allowed.

(31) Answer books of candidates shall be retained in the office of the Commission for one year only and thereafter destroyed. Any query relating to answer books should be made within the specified period, thereafter, no request in this regard shall be entertained.

(32) No claim for refund of any fee shall be entertained nor can the fees paid be held in reserve for another examination or selection.

(33) Ifa candidate who appeared in previous competitive examination, wishes to apply in the next competitive examination, he must submit an application by the prescribed date without waiting for the result of the previous competitive examination. If subsequently it is not necessary for him to appear in the next examination, his examination fee shall not be refunded.

(34) The Commission reserves the right to change the schedule of the examination as well as to cancel any paper or papers or the entire competitive examination without assigning any reason.

17. Representation and review petition- (1) A candidate aggrieved by any decision of the Commission shall be entitled to make a representation or, as the case may be, a review petition in accordance with the provisions of the Ordinance and the rules made thereunder and no such representation or review petition shall be entertained unless accompanied with an original treasury receipt evidencing payment of fee of five hundred Rupees or such other fee as the Commission may determine from time to time.

18. Determination of final merit and announcement of result.- (1) The candidates who qualify in written examination and viva voce, their final merit shall be determined by adding marks obtained in the written examination and viva voce.

(2) When total marks of written examination and viva voce of more than one candidate are equal, the one who gets more marks in viva voce shall be treated as higher in merit. If marks in viva voce are also equal, the one who gets more marks in compulsory subjects shall be treated as higher in merit. If marks in compulsory subjects are also equal the one who is older in age shall be treated as higher in merit.

(3) No authority, accept the Commission shall be authorized to announce the result.

19. Vacancies.- Actual number of vacancies in BS-17 to be filled on the results of competitive examination shall be announced with the approval of the Establishment Division.

20. Appointments.- (1) Subject to Rule 10 (1), candidates securing the highest

places on the combined results of the written examination, psychological assessment and viva voce and eligible for appointment shall be recommended by the Commission in order of

merit up to the number of vacancies available. However, appointments shall be made by the respective appointing authorities. No candidate shall be considered for appointment to any of the Occupational Groups and Services for which he has been declared not suitable by the Commission at the time of viva voce.

(2) Success in the examination confers no right to appointment. Appointments shall be made only after the appointing authority is satisfied, after such enquiry as may be necessary, that the candidate is suitable in all respects for appointment to the public service and subject to the availability of vacancies.

(3) Candidates shall be considered for those Occupational Groups and Services only which they indicate in the application form. No candidate shall be considered for the Occupational Groups and Services which he will not mention in the form. Candidates shall be given a chance to revise their choice of Occupational Groups and Services at the time of the viva voce. Preferences so revised at the time of viva-voce shall be treated as final and no subsequent change shall be allowed under any circumstances. Candidates may opt for an Occupational Group and Service irrespective of the fact whether there is a vacancy therein or not.

(4) The Commission reserves the right to allocate a candidate against any Occupational Group and Service irrespective of his preferences, in the public interest and decision of the Commission in this respect shall be final.

21. Unfilled vacancies and waiting merit list.- (1) Once the process of allocation has been accomplished, the vacancies remained unfilled due to non-availability of qualified candidates shall be carried over to next competitive examination in accordance with the quota policy as may be prescribed by the Federal Government.

(2) The Commission shall maintain the waiting merit list till commencement of Common Training Programme (CTP). Therefore, if any nominee of the Commission does not join and intimation in this regard reaches to the Commission through Establishment Division prior to commencement of CTP, the Commission shall nominate the next candidate on merit against an Occupational Group or Service according to his merit position, preferred choice and in accordance with the quota policy as may be prescribed by the Federal Government.

(3) The vacancies of non-joiner, reported to the Commission after commencement of CTP shall be carried over to next competitive examination.

(4) Once the process of allocation or re-allocation according to time lines given in these rules is over, the waiting merit list shall no longer be valid and the process of that competitive examination shall stand completed and closed.

APPENDIX-I
[see rules 2(c) and 11(12)]
SUBJECTS FOR WRITTEN EXAMINATION (1200 MARKS)

1. The examination will include the following subjects and each subject will carry the marks shown against it.

2. There will be two papers of 100 marks each of the subjects which carry 200 marks. In other subjects there will be one paper. Each paper will be of 3 hours duration.

3. The candidates should expect some objective type questions (MCQs) in compulsory and optional papers except in the papers of essay, applied mathematics and pure

mathematics.

4. A Guideline of the syllabus of the subjects in alphabetical order is given in Annex B to these rules.

5. The three papers of general knowledge (GK-I, GK-II and GK-III) are to be passed collectively by scoring 120 marks out of 300.

6. Compulsory subjects (600marks) are—

(dd) Essay 100
(2) English (Precis and Composition) 100
(3) General Knowledge:— 300

(General Science (MCQs=20 marks, subjective= 40 marks)
Ability: subjective=40 marks

(4) Islamic Studies or Comparative Study of Major Religions (for 100
non-Muslim)

Total | 600

Note:— MCQs are to be attempted on computerized OMR Answer Sheet, whereas subjective questions are to be attempted on Answer Book.

7. Optional subjects (600 marks)
The minimum standard of optional subjects will be that of an honour’s degree of a university

in Pakistan. The candidates are required to select optional subjects carrying a total of 600 marks from the following groups as per rules given in column-1 below:—

Rules	Code No.	Subject	Marks
Group-I ll (One subject carrying 200 marks from code 1115 can be opted)	12	Accountancy & Auditing	200
	13	Economics	200
	14	Computer Science	200
	15	Political Science	200
	16	International Relations	200
Group-II (One subject carrying 200 marks from code 16-17 OR two subjects carrying 100 marks each from code 18-21 can be opted)	17	Physics	200
	18	Chemistry	200
	19	Applied Mathematics	100
	20	Pure Mathematics	100
	21	Statistics	100
	22	Geology	100
Group-III (One subject carrying 100 marks from code 22-25 can be opted)	23	Business Administration	100
	24	Public Administration	100
	25	Government & Public Polices	100
		Town Planning & Urban Management	100
Group-IV (One subject carrying 100 marks from code 26-30 can be opted)	26	History of Pakistan & India	100
	27	Islamic History & Culture	100
	28	British History	100
	29	European History	100
	30	History of USA	100
Group-V (One subject carrying 100 marks from code 31-37 can be opted)	31	Gender Studies	100
	32	Environmental Sciences	100
	33	Agriculture & Forestry	100
	34	Botany	100
	35	Zoology	100
	36	English Literature	100
	37	Urdu Literature	100
Group-VI (One subject carrying 100 marks from code 38-44 can be opted)	38	Law	100
	39	Constitutional Law	100
	40	International Law	100
	41	Muslim Law & Jurisprudence	100
	42	Mercantile Law	100
	43	Criminology	100
	44	Philosophy	100
Group-VII (One subject carrying 100 marks from code 45-55 can be opted)	45	Joumalism & Mass Communication	100
	46	Psychology	100
	47	Geography	100
	48	Sociology	100
	49	Anthropology	100
	50	Punjabi	100
	51	Sindhi	100
	52	Pashto	100
	53	Balochi	100
	54	Persian	100
	55	Arabic	100

APPENDIX-II
[see rules 2(c), 11(10), 16(28), 17]

COMPETITIVE EXAMINATION (CSS)
RATE OF FEES

1. The following fees must be paid by the candidates:—

(A) To the Federal Public Service Commission: —

(i)
Gi)

(iii)
Note.-
(a)

(b)

(c)

Rs.2200 for written competitive examination (Application fee)

Rs.500 for each representation or review petition which a candidate wants to submit against any decision of the Commission.

Rs.500 per paper as fee for re-counting of marks.
The procedure for payment of fee is as under: -

The amount should be deposited in the National Bank of Pakistan, or in the nearest Government Treasury or in State Bank of Pakistan under the Head of account —C02101 Organs of State — Exam Fee (FPSC Receipts)I. Cash, postal orders, bank drafts and cheques will not be accepted by the Federal Public Service Commission;

The name of the bank/treasury office at which the fee has been deposited should be clearly entered in the treasury receipt. The treasury receipt should be on the form prescribed for the Federal Government transactions and should be obtained from the treasury at which the fee is deposited; and

Candidates outside Pakistan may submit their applications without paying the prescribed examination fee. They must, however, arrange to pay the fees and send the receipt before the date of the examination.

(B) To the Medical Board:—

@)

Gi)

(iii)

Rs.100 to be deposited by all the candidates in the Government Treasury or State Bank of Pakistan under Head of Accounts —C— 02839-Health Fee for Medical Examination. The original copy of the Treasury Challan should be handed over to the President of the Central Medical Board at the time of Medical Examination;

Rs. 1400 before examination by a Medical Board in the case of candidates who qualify in the written examination. Payment of this fee will be required to be made in cash to the Medical Board concerned at the time of physical examination of the candidates. Candidates will present their National Identity Cards & Admission Certificates to the Medical Authorities concerned; and

A Candidate who is medically deferred will have to make the full payment again to the Medical Board at the time of re-examination.

2. Candidates must see the rules and must decide definitely before depositing the fee in the Treasury or Bank that they are eligible in all respects to apply for the examination. Fee once deposited in the Treasury or Bank will not be refunded nor will it be held in reserve for any other examination or selection under any circumstances.

Annex A
[see rules 2(b) and 13(8)].

FEDERAL PUBLIC SERVICE COMMISSION INSTRUCTIONS FOR PHYSICAL

EXAMINATION OF THE COMPETITIVE EXAMINATION

These instructions are published for the convenience of candidates enabling them to ascertain the probability of their coming up to the required physical standards. However, Government of Pakistan reserve to themselves an absolute discretion to reject as unfit any candidate whom they may consider, on the report of the Medical Board, to be physically disqualified for the Services and that their discretion is in no respect limited by these regulations.

If any change is made in these instructions including standards of physical fitness,

Special candidates in the categories of physically impaired, hearing or speech impaired and visually impaired will be considered eligible to compete for all

For appointment a candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of the duties of his appointment. Candidates whose height is less than 1524 millimeters will not be considered physically fit for appointment to any of the BS 17 post under the Federal Government. In the case of female candidates, this standard will be reduced to 1473 millimeters for posts which are completely sedentary provided the weight of such candidates is not less than 43.5 kilograms

2.
an announcement will be made accordingly.
3.
Occupational Groups and Services.
4.
except special candidates.
5.

(a) In the matter of the correlation of age, height and chest-girth of candidates, it is left to the Medical Board to use whatever correlation figures are considered most suitable as a guide in the examination of the candidates except for the Police.

(b) For the Police, the correlation of age, height and chest-girth will not be less than that given in the following Table:—

PHYSICAL EQUIVALENTS
Height Without Shoes Chest
Millimeters Breath when full | Range of expansion

Expanded not less than

Millimeters Millimeters
1626 and under 1651 .... 851 51
1651 and under 1727 .... 864 51
1727 and under 1778 .... 876 51

1778 and under 1829 .... 890 51
1829 and upwards .....0.ceeeeee eect 902 51

6. The candidate‘s height will be measured as follows:-—

He will remove his shoes and be placed against the standard with his feet
together and the weight thrown on the heels and not on the toes or outer sides of the

feet. He will stand erect without rigidity and with the heels, calves, buttocks and shoulders touching the standard, the chin will be depressed to bring the vertex of the head level under the horizontal bar and the height will be recorded in millimeters.

7. The candidate‘s chest will be measured as follows:—

He will be made to stand erect with his feet together and to raise his arms over his head. The tape will be so adjusted round the chest that its upper edge touches the interior angles of the shoulder blades behind and lies in the same horizontal plane when the tape is taken round the chest. The arms will then be lowered to hang loosely by the side and care will be taken that the shoulders are not thrown upward or backwards so as to displace the tape. The candidate will then be directed to take a deep aspiration several times and the maximum expansion of the chest will be carefully noted and the minimum and maximum will then be recorded in millimeters 838—890, 864—927, etc. In recording the measurements fractions of less than 13 millimeters should not be noted.

8. The candidate will also be weighed and his weight recorded in kilograms. Fractions of a kilogram should not be noted.

9. The candidate‘s eye sight except special candidates i.e. visually impaired will be tested in accordance with the following rules. Result of each test will be recorded:—

(i) General—The candidate‘s eyes will be submitted to a general examination directed to the detection of any disease of abnormality. The candidate will be rejected if he suffers from any squint or morbid conditions of eyes, eye lids or contiguous structures, or such a sort as to render, or to be likely at a future date to render him/her unfit for service.

(ii) Visual Acuity— The examination for determining the acuteness of vision

includes two tests—one for distant, the other for near vision. Each eye will be examined separately.

I. POLICE

10. The Army test types will be used for the test for distant vision without glasses at a distance of 6096 millimeters and for the test for near vision, without glasses, at any distance selected by the candidate.

11. No candidate will be considered fit for the service whose Visual Acuity falls below the following standards:—
Standard I
Right eye Left eye
Distant Vision V. 6/6 .....c.ccec eee cee cece nec eeee eens ece eeu eee eeu eeeeeaeeneeeeeen ens
Near Vision—0.6..... . Reads 0.6
Standard II
Better eye Worse eye
Distant Vision, V. 6/6 .....ccceeeeeeeee V, without glasses, not below 6/60 and

after correction with glasses not below
6/24.

Near Vision—0.6.....0cccceeeeeeeeaeeees Reads 1.

Better eye Worse eye

Distant vision—V, without glasses:—not below V, without glasses, not below 6/60
6/60 and after correction with glasses— not and after correction with glasses—
below 6/6. below 6/24.

Near Vision—Reads 0.8 Reads1.

12. No relaxation of the standards of vision will be allowed. (a) Each eye will be

examined separately and the lids must be kept wide open during the test.

ll. RAILWAYS
13. No candidate will be accepted whose Visual Acuity falls below the following standards:—
Better eye Worse eye
Distant vision without glasses 6/12 6/19
Corrected with glasses 6/6 6/9
Near vision with or without glasses 0.6 0.6

Colour perception, night blindness and field vision:

14. The candidates will be examined, with the apparatus and according to the methods prescribed by the Railway Board‘s Standing Advisory Committee of Medical Officers. Any defect of colour perception or in regard to field vision will be a cause for rejection of the candidate. The candidate under the condition of ordinary test for Visual Acuity having 6/6 vision with both eyes open with or without glasses, will be rejected, if, under the conditions of the Night Blindness Test his/her vision with both eyes open, with or without glasses; falls below 6/24.

lll. OTHERS (EXCEPT SPECIAL CANDIDATE i.e. VISUALLY IMPAIRED)
15. Snellen‘s test types will be used for the test for distant vision, without glasses at a

distance of 6096 millimeters, and for the test for near vision, without glasses, at any distance selected by the candidate.

16. No candidate will be accepted whose Visual Acuity falls below the following standard:—

Better eye Worse eye

Distant vision without glasses *6/24 *6/24

Corrected with glasses 6/6 6/12

Near vision with or without glasses 0.8 1

* Temporarily lowered to 6/60

17. Colour perception, night blindness and field of vision:—
(a) Each eye will be examined separately and the lids must be kept wide open during the test.

(b) Inability to distinguish the principal colours will not be regarded as a cause for rejection but the fact will be noted in the proceedings and the candidates will be informed.

(c) Each eye must have full field of vision as tested by hand movements.

18. The degree of acuteness of vision of all candidates for appointment will be entered in the proceedings in the manner:—
V.P. with glasses..

VL... with glasses...

19. In cases of serious abnormality the opinion of an ophthalmic specialist should be obtained.

20. No candidate will be accepted for appointment if his/her vision does not come upto

the requirements specified above without the use of contact glasses.(Av contact glass or lens is defined as a glass shell, the concavity of which is in contact with the globe of the eye, a layer of liquid being interposed between the lens and the cornea. The meaning of the word — glasses! wherever used above is to be interpreted as not covering contact glasses.)

21. The urine (passed in the presence of the examiner) should be examined and the result recorded.

22. Following additional points should be observed:—

(a) _ that the candidate‘s hearing in each ear is good except special candidates i.e. hearing/speech impaired and that there is no sign of disease of the ear;

(b) _ that the candidate‘s speech is without impediment except special candidates i.e. hearing/speech impaired;

(c) _ that the candidate‘s teeth are in good order and that he/she is provided with dentures where necessary for effective mastication (well-filled teeth will be considered as sound). Candidates for the Police Service of Pakistan must have 10 sound teeth in the upper jaw, functionally opposed to 10 sound teeth in the lower jaw. Two of these teeth in each jaw must be molars. Well-filled teeth will be considered as sound;

(d) that the candidate‘s chest is well-formed and his/her chest expansion sufficient; and that his/her heart and lungs are sound ;

(e) _ that there is no evidence of any abdominal disease ;
(f) _ that the candidate is not ruptured ;

(g) that the candidate does not suffer from hydrocel, a severe degree of varicocele, varicose veins or polyps. A candidate for the Police Service of Pakistan who has been successfully operated on will be accepted ;

(h) that the candidate‘s limb, hands and feet except special candidates i.e. physically impaired are well formed and developed and that there is

no shortening of any limbs and that there is free and perfect motion of all joints;

(i) _ that the candidate does not suffer from any inveterate skin disease ;
(j) _ that there is no congenital malformation or defect ;

(k) _ that the candidate does not bear traces of acute or chronic disease _ pointing to an impaired constitution ;

(1) _ that the candidate bears marks of efficient vaccination ; or in the case of the Police Service of Pakistan he has been vaccinated (twice unsuccessfully) within the last five years. (In support of this the candidates will be required to produce certificate signed by a Medical Officer); and

(m) _ that the candidate is free from communicable disease.

23. When any defect is found it must be noted in the certificate and the medical examiner should state his opinion whether or not it is likely to interfere with the efficient performance of the duties which will be required of the candidate if the condition is remediable by operation it should be so stated.

24. Ifa candidate is declared medically unfit by the Central Medical Board, he/she will be informed by the Federal Public Service Commission that he/she has been declared medically unfit. The candidate will also be informed of the particular defect or defects for which he/she has been declared medically unfit. The candidate may prefer an appeal against the decision of the Central Medical Board to the Federal Public Service Commission, Islamabad, within 14 days of the receipt of the information. The appeal must be supported by two certificates from the doctors of standing stating inter alia that:—

(a) They are in full knowledge of the facts that the candidate has been examined by the Central Medical Board and declared unfit; and

(b) That they have read the Rules and Regulations for physical fitness required of the candidates for the Competitive Examination.

25. Commission, however, reserve the right to deal with the appeal as they deem fit and do not bind themselves to constitute a second Medical Board for the medical examination of the candidate concerned. No further appeal shall be entertained against the decision of the Appellate Board and the case shall be treated as closed.

Note: This issue with the approval of the Federal Government vide Cabinet decision in case No. 693/Rule-19/18, dated 23.11.2018.

Ramiz Ahmad
Director General

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6.2 Section Officer Promotional Examination Rules,2015

S.R.O 418(1)/2015.— In exercises of the powers conferred by sub-rule (2) of Rule 3 of the Civil Servants (Appointment, Promotion and Transfer) Rules,1973 and Section 7(1)(b) (0 and (ii0 of FPSC Ordinance, 1977 (XLV of 1977), the Chairman, FPSC in pursuance of Section 7-A of FPSC Ordinance,1977, and with the approval of the Federal Government has made, in supersession of all earlier Rules for Section Officers Promotional Examination, the Section Officers Promotional Examination Rules,2015 for regulating and conduct of said examination from time to time.

1. (i) The Section Officers Promotional Examination shall be conducted by the Federal Public Service Commission for selection of Section Officers against the number of vacancies as advertised by the Commission as and when such requisition is received from the Establishment Division.

(ii) The Section Officers Promotional Examination shall comprise of the following components:—

(a) Written Examination
(b) Psychological Assessment and
(c) Viva Voce

(iii) | The Examination shall be held on the dates as advertised by the Commission.

(iv) The Examination shall be held simultaneously at Islamabad, Rawalpindi, Karachi, Lahore, Peshawar and Quetta.

(v) Place for Psychological Assessment and Viva Voce.— Psychological Assessment and Viva Voce shall be held only at FPSC HQs, Islamabad or Provincial Headquarters depending upon the number of qualified candidates at the respective centres.

(vi) The Commission reserves the right to finally decide and notify the places of Examinations/Psychological Assessment and Viva Voce.

(vii) No request for change of centre shall normally be entertained. When a candidate, however, desires to change his/ her centre, from one indicated in his/ her Application Form for the Examination, he/ she should make a written request to this effect to the Secretary, FPSC, Islamabad and send it by registered post, as soon as possible but not later than 15 days prior to conduct of examination giving full justification as to why he/ she desires to do so. Such request will be considered only on merit.

2. Cut off date to determine eligibility.-The closing date for submission of applications as advertised by the Commission shall be the cut off date to determine the eligibility in terms of length of service and age of the candidate, etc.

3. ELIGIBILITY CRITERIA.-Following shall be the criteria to be eligible for applying/appearing in SOPE:

()
i)

iii)

(2)

EDUCATION

A candidate must hold at least a Second Class or Grade “C” Bachelor’s degree in any faculty from one of the Pakistani Universities or an equivalent degree or comparable educational qualifications of a foreign University recognized by Higher Education Commission, Islamabad.

A candidate who has obtained a Third Division (or ‘D’ grade) in his/her Bachelor’s degree will be eligible for the Examination in cases where he/she has obtained a higher Division in Master’s Degree.

The matter as to which foreign degree is comparable and equivalent to corresponding Pakistani degree shall be decided by HEC. Therefore, an equivalence certificate issued by HEC may be attached with application form.

AGE-LIMITS

A candidate for admission to the examination must have attained the minimum age of 30 years on the closing date for receipt of application as advertised by the Commission.

d)

AGE-RELAXATION

No age relaxation shall be allowed in any case.

(4)

DATE OF BIRTH

The date of birth accepted by the Commission shall be that entered in the following documents, however the decision as to which certificate shall be accepted rests with the Commission:-

(i)

Matriculation Certificate;

Secondary or Higher Secondary School Leaving Certificate;

Certificate of birth from the Principal/Headmaster of the School from where a candidate has passed his/her GEC, ‘O’ level or equivalent

examination showing the date of birth in the School Admission Register;

In case of Christian candidates, Baptismal or birth registration certificate;

Authenticated by service record.

LENGTH OF SERVICE

Eight (08) years regular service in BS-11 to BS-16 in President's Secretariat, Prime Minister's Secretariat, Senate Secretariat, National Assembly Secretariat, Federal Secretariat, Attached Departments, Wafaqi Mohtasib's Secretariat, Federal Service Tribunal, Federal Public Service Commission, Intelligence Bureau and also the Civilian Employees of Pakistan Armed Forces Headquarters and their lower formations.

Length of service as at (i) above means regular service acquired before or after obtaining the required educational qualification as given at Rule-3 (1) (i) and (ii) above.

(6) INELIGIBILITY WITH RESPECT TO SERVICE

The employees of the following offices/categories shall not be eligible to apply/ appear for SOPE.

i) All Subordinate Offices such as Customs/Central Excise & Income Tax including field offices of the FBR.

ii) Accountants General in the Provinces.

iii) AJK Council.

iv) Provincial Governments, Azad Jammu & Kashmir and Gilgit-Baltistan Governments.

v) Election Commission of Pakistan
vi) Federal Shariat Court

vii) Semi Government, Autonomous Bodies, Corporations and Regulatory Authorities.

viii) Strategic Organizations such as PAEC, KRL, AWC and others.

ix) |The employees working below BS-11 and those who are placed in BS-17 on regular basis.

x) The employees mentioned at (i) to (viii) working on deputation basis in Federal Government.

xi) | Other departments which have not been declared as attached departments in terms of Schedule III of Rules of Business, 1973.

4. SUBMISSION OF APPLICATION AND ADMISSION TO THE EXAMINATION.—(1) All applications for Section Officers Promotional Examination must be submitted on line through FPSC website www.fpsc.gov.pk, on or before the closing date for receipt of applications as advertised by FPSC.

(2) Print out of the duly filled Online Form (i.e. Hardcopy) may be obtained and after signing it, copies of all documents/certificates (as mentioned at sub rule-7) may be attached with it and furnished to FPSC so as to reach the FPSC (Headquarters) within 10 days of the closing date. Preferably, the hardcopies may be dispatched or furnished before the closing date so that delay in transit may be avoided. Onus of proof of dispatch of hardcopy of online form and documents, before the closing date, shall solely lie on the candidate.

(3) Candidates are cautioned that if an online application is received incomplete or wrongly filled in or its hardcopy not accompanied with any one of the documents mentioned at sub-rule (7), it will be rejected.

(4) Hardcopy of the online application, if reached to FPSC after the stipulated period of 10 days from the closing date, it shall not be accepted and online form already submitted to FPSC shall stand rejected.

(5) The hard copy of the online form shall have the same entries as made in the online form submitted to FPSC, and any variation shall cause rejection of candidature.

(6) No plea that hardcopy of online application form or any document attached with it has been lost or delayed in the post shall be entertained.

(7) The candidates must send the following documents with their duly signed Applications, else their applications shall be rejected:-

(i) Recent 4 photographs (attested on back side, mentioning name and father's name).

(ii) | Attested copy of Computerized National Identity Card.

(iii) Attested copy of Matriculation Certificate showing date of birth. Provisional Certificate/Result Card/Marks Sheet is not acceptable.

(iv) Attested copy of Intermediate Certificate. Provisional Certificate/Result Card/Marks Sheets is not acceptable.

(v) Attested copy of Degree(s) alongwith Detailed Marks Sheets issued by the Controller of Examination.

(vi) Attested copy of self Domicile Certificate.

(vii) Copies of Notification(s)/ Office Order(s) of each appointment/promotion as claimed.

(viii) Departmental Permission Certificate (DPC) as per Annex-A of Application Form, for proof of working in Ministry/ Division/ Attached Department in terms of Rules of Business, 1973.

(ix) In case of civilian employees of Armed Forces Headquarters and their lower formations, attested copy of Office Order/Notification (mentioning detail of offices and lower formations) issued by the of Defence Division, as a proof.

5. NUMBER OF ATTEMPTS (1) A candidate may avail maximum three attempts of the examination after attaining the minimum age of 30 years on the closing date advertised by the Commission.

(2) The 1“ attempt of examination shall be counted w.e.f. first Section Officers Promotional Examination held under these Rules.

(3) A candidate shall be deemed to have attempted the examination and his chance shall stand consumed, if he/she actually appeared in any one or more papers of the examination and even if he/she tendered blank Answer Book/Sheet and even if rejected subsequently.

(4) A candidate who conceals the number of previous attempts, shall be prosecuted leading to his/her disqualification in accordance with Rule-17 of these Rules.

6. DISABLE CANDIDATES.—(1) Disabled candidates viz visually impaired (Blind) and physically impaired shall be provided computer/helper (writer), if they have been declared permanently incapacitated with respect to writing by the Federal/Provincial Council for Rehabilitation of Disabled Persons, and a certificate in this

regard has been attached by them with application form and also requested for provision of computer/helper in their application form, the FPSC shall arrange the helper from within the available staff of FPSC deputed at the examination centre. The role of the helper would merely be to reproduce in writing the words so uttered by the disabled candidate. No intellectual contribution by the helper is permissible. The educational level of the helper shall be Graduate/Intermediate/ matriculate as per availability at the examination centre. No request for choicest helper or venue of the examination shall be entertained. The disabled candidate alongwith helper shall remain within the examination hall till conclusion of the paper.

(2) Extra time of 15 minutes per hour shall only be allowed to visually impaired (Blind) candidates. The other categories of disabled candidates shall not be allowed any extra time.

(3) A disabled candidate referred to in sub-rule (1) and (2) may attempt the question paper on computer for which facility shall only be provided at FPSC HQs and FPSC's Provincial Offices. However, no TA/DA shall be admissible. Such Computer literate candidates must fill the relevant entries in the online Application Form, else they shall not be allowed to attempt the paper on computer.

7. WRITTEN EXAMINATION.—(1) The medium of the Examination shall be English.

(2) |The Examination shall be passed by a candidate as a whole and not in parts.

(3) Subjects for the Section Officers Promotional Examination shall comprise of compulsory papers of 450 marks and optional papers of 200 marks as prescribed in Appendix-1.

(4). Optional Subjects must be selected carefully. Candidates are cautioned that wrong selection of subjects shall lead to rejection under rule-4 (3) above and para (2) of Appendix-1.

(5) _ Combination of optional subjects once chosen at the time of submission of online application shall not be allowed to change subsequently. Change of optional subjects in hard copy of online form shall also not be allowed.

(6) For whatsoever reasons, a candidate who misses any compulsory or optional papers of written examination for medical or any other reasons shall not be allowed to appear in the remaining papers.

(7) | Ifacandidate misses a paper for any reason, separate examination in that paper shall not be arranged for him/her.

8. ADMISSION TO EXAMINATION.—(1)No_ candidate shall be admitted to the examination hall who does not hold a certificate of admission issued by the Commission and Original CNIC. An admission certificate generated or down loaded from FPSC website shall be accepted. Intimation about examination centre and Roll No. may be down loaded from FPSC website, if not received through post.

(2) A candidate who arrives at examination hall/centre late than the time mentioned in Admission Certificate & date sheet, he/she shall not be allowed to sit in the examination.

9. EFFECT OF INELIGIBILITY.—(1) Candidates will be admitted to the examination provisionally at their own risk subject to their being found eligible in all respects. On detailed scrutiny of the applications after the announcement of result of the written part of the examination, if any candidate is found ineligible in any respect under these rules for the examination his/her candidature shall be cancelled/ rejected regardless of the fact whether he/she has appeared in the examination or qualified therein.

(2) The result of any candidate, whose candidature is rejected on any ground, shall not be declared, irrespective whether he/she, failed/passed the examination

Note: To avoid “INCONVENIENCE”, candidates are advised in their own interest to make sure before appearing at the examination that they fulfill all requirements of the rules, relating to the examination.

10. QUALIFYING MARKS IN WRITTEN EXAMINATION.—(1) A candidate who fails to secure at least 40% marks in any of the compulsory subject/paper and 40% marks in any of the optional subject/paper and 50% marks in the Aggregate shall be considered to have failed in written examination and shall not be eligible for Psychological Assessment and Viva Voce.

(2) No grace marks shall be allowed.

(3) | Only those candidates who are declared qualified in written examination and found eligible in all respects shall be called for Psychological Assessment and Viva Voce.

1. PSYCHOLOGICAL ASSESSMENT.—AII candidates called for Viva Voce shall be required to undergo Psychological Assessment, comprising written tests and group tasks. Such tests are designed to assess abilities, attitude and personality characteristics of the candidates with special regard to their aptitude for the Civil Services. Separate marks are not awarded for the Psychological Assessment. However, 200 marks assigned to Viva Voce also reflect the performance on Psychological Assessment. Candidates must bring their National Identity Cards and two copies of recent photographs when summoned for Psychological Assessment. If a candidate remains absent in the Psychological Assessment, he/she shall not be allowed to appear for Viva Voce.

2. WIVA VOCE.—(1) There shall be a Viva Voce of 200 marks.

(2) Each candidate who is declared qualified in written part of the examination shall be interviewed by a Board which shall have before them a record of his/her career, both academic and extramural. He/she shall be asked questions on matters of general interest. The object of the interview is to assess his/her suitability for the services for which he/she is entered and in framing their assessment, the Board shall attach particular importance to the moral and ethical qualities of the candidates, his/her intelligence and alertness of mind, his/her vigor and strength of character and his/her

potential qualities of leadership, knowledge and analytical abilities. The Board shall take into consideration his/her extramural activities such as sports, debates, hobbies, etc., and their effect on his/her physique and character, in assessing his/her merit.

(3) All candidates are expected to have basic knowledge regarding Islam, Pakistan and Current Affairs. Questions may be asked in the Viva Voce on these subjects. Persons securing less than pass marks in these subjects shall not be considered for appointment to Government jobs, irrespective of their proficiency in other fields. However, the Non-Muslim candidates shall not be asked any question regarding Islam.

(4) Acandidate called for Viva Voce Test, shall be required to bring his/ her original documents, CNIC and Admission Certificate on the date he/ she appears for Viva Voce Test. These will be returned on the spot if found in order. Any document found to have been tampered with, shall be liable to be retained and the candidate, liable to be criminally prosecuted in addition to being permanently debarred from the Commission's Examinations and selections and from Employment under Government.

(5) | Acandidate who fails to secure at least 50% marks in Viva Voce (i.e. 100 marks) shall be considered to have failed and shall not be eligible for appointment.

13. DETERMINATION OF FINAL MERIT & ANNOUNCEMENT OF RESULT.—_(1) The candidates who qualify in written examination and Viva Voce, their final merit shall be determined by adding marks obtained in the written examination and viva voce.

(2) When total marks (written examination + viva voce) of more than one candidate are equal, the one who gets more marks in viva voce shall be treated as higher in merit. If marks in viva voce are also equal, the one who gets more marks in compulsory subjects shall be treated as higher in merit. If marks in compulsory subjects shall be also equal, the one who is older in age shall be treated as higher in merit.

(3) The candidates who pass the written examination shall be intimated individually as well as through website but the candidates who fail in written examination shall not be informed individually. They may download detail mark sheets from FPSC's website.

(4) | Only FPSC is authorized to announce the result of the examination.

14. (1) The Government sometimes announces public holidays at a short notice. The FPSC examinations/ interviews shall not be affected by such announcements, unless a decision on postponement is conveyed to the candidates.

(2) The Commission reserves the right to change the schedule of the Examination as well as to cancel any paper(s) or the Examination without assigning any reason.

15. Appointment.—(1) The candidates securing highest places on the combined results of the Written Examination, Psychological Assessment and Viva Voce

and eligible for appointment shall be recommended by the Commission in order of merit upto the number of advertised vacancies.

(2) Success in the Examination confers no right to appointment, as the appointments are made by the Government in accordance with the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and fulfillment of the required formalities.

16. Reserve Merit List/Alternate Nomination.— (1) Once the process of selection against advertised vacancies is completed, the Commission shall maintain the Reserve merit list till commencement of the Specialized Training Program (STP).

(2) In case a recommended candidate tenders his unwillingness to join the Specialized Training Program (STP) to the Establishment Division and request of Establishment Division for alternate nomination reaches to the Commission before the commencement of STP, the Commission shall nominate the next candidate on merit from the reserve merit list against the vacancy.

(3) The vacancies of a non-joiner, reported to the Commission after commencement of STP shall not be entertained and carried over to next examination.

(4) On commencement of the STP, the reserve merit list shall no longer be valid and the process of Section Officers Promotional Examination shall stand completed and closed.

17. Warning —(1) A candidate who knowingly furnishes particulars which are false, or suppresses material information, or attempts to influence the Commission, or officers or members of the staff of the Commission, or tries to obtain support for his/her candidature by improper means, or deliberately submits forged certificates, or tampers with the entries in his/her age, educational and other certificates, or misbehaves in the examination hall or uses unfair means including use or attempted use of mobile phone or other electronic device for copying, or is found guilty of misconduct during Written Examination, Psychological Assessment and Viva Voce and uses filthy and unethical language in the Answer Book(s)during written examination, may be disqualified for this and/or subsequent examinations/selections held by the Commission and/or criminally prosecuted and debarred from future and/or removal from existing employment under Government.

(2) If during the conduct of Examination at a centre/hall, any candidate is found in possession of mobile phone or likewise devices, he/she shall be prosecuted under the rule-17(1).

(3) A candidate who, even after his/her appointment, is found to have knowingly furnished particulars which are false, or to have suppressed material information shall be liable to dismissal from Service.

18. Departmental Permission Certificate—Departmental Permission Certificate (DPC) as at Annex-A of the Application Form may be provided within 10 days of the closing date. However, candidate shall submit an advance copy of application on prescribed form to FPSC on or before closing date to avoid rejection due to delay that may occur in processing of DPC by the Government channels.

19. Correspondence.— All correspondence may be addressed to Secretary, FPSC. Candidates should not write their postal addresses care of Post Box Number etc. as Postal Authorities do not accept registered letters for such an address. In all correspondence in connection with Applications, (before receiving Roll Numbers) full name of candidates, CNIC number, contact number and name of the post/examination applied for, should be mentioned.

20. Change of address shall be reported to the FPSC immediately.

21. Recounting —Answer Books are secret documents and cannot, therefore, be permitted to be seen by the candidates or their representatives nor re-examination of Answer Books/Scripts shall be allowed under any circumstances. A candidate desirous of getting his/her marks, awarded by the examiners re-counted may submit his/her request, so as to reach FPSC within thirty days of the date of display on FPSC's website/issue of Result Card/Marks Sheet/ alongwith a Treasury Receipt of Rs.500/- per paper as fee for re-counting of marks only. No such request shall be entertained, thereafter.

22. REPRESENTATION AND REVIEW PETITION.—(1) A candidate aggrieved by any decision of the Federal Public Service Commission may, within thirty days of communication of decision, make a representation to the Commission and the Commission shall decide the representation within fifteen days after giving the candidate a reasonable opportunity of hearing.

(2) A candidate aggrieved by the decision of the Commission made under sub rule (1) may, within fifteen days of communication of decision, submit a review petition to the Commission and the Commission shall decide the review petition within thirty days under intimation to the petitioner. The decision of the Commission on review petition shall be final.

(3) Save as provided in "Federal Public Service Commission Ordinance, 1977", no order made or proceeding taken under "FPSC ORDINANCE, 1977", or rules made hereunder, by the Commission shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made or taken in pursuance of any power conferred by, or under, "FPSC Ordinance, 1977".

(4) | Any candidate aggrieved by a decision of the Commission under sub-rule (2) may, within thirty days of the decision, prefer an appeal to the High Court.

(5) Each representation and review petition duly signed shall be entertained only if accompanied with Original Treasury Receipt of Rs.500/- in each case.

23. SPECIALIZED TRAINING PROGRAM.— (1) The candidates recommended for appointment as Section Officer on probation shall be required to undergo Specialized Training Programme (STP) having 600 Marks.

(2) The format and content of the Specialized Training Program shall be the same as prescribed for officers of Office Management Group.

(3) Qualifying threshold in STP shall be 45 percent.

24. FINAL PASSING OUT EXAMINATION.— (1) After successful completion of Specialized Training Programme (STP), the probationers shall have to

appear in the Final Passing Out Examination (FPOE) of 1000 marks to be conducted by FPSC.

(2) | The subjects/ papers and distribution of marks for FPOE shall be the same as prescribed for officers of Office Management Group.

(3) Qualifying threshold in each paper and in aggregate for FPOE shall be 45%.

25. INTER-SE-SENIORITY.—For the purpose of determining the Inter-Se-Seniority of the SOPE qualified and nominated candidates the marks obtained by a qualified candidate in SOPE (Written Examination, Psychological Assessment and Viva Voce) held by the Commission shall be added to the marks obtained by him/her in the Specialized Training Program and the marks obtained in the Final Passing Out Examination in the first attempt.

26. APPLICATION OF RULES.—The Occupational Groups and Services (Probation, Training and Seniority) Rules, 1990 and Occupational Groups and Services (Final Passing Out Examination) Rules, 2003 shall be applicable mutatis mutandis, to the probationers of SOPE.

27. This issues with the concurrence of Establishment Division vide their letter No. 7/4/2014.T.V, dated 02-12-2014 and 22-4-2015 and FPSC as required vide Establishment Division’s O.M No.1/2/78-DV, dated 27-8-1978.

[No. F. 7/1/2014 (SOPE)-PPE.]

DR. SYED HYDER ALI,
SECRETARY

Appendix-I

SUBJECTS FOR WRITTEN EXAMINATION FOR SECTION OFFICERS PROMOTIONAL EXAMINATION

(1) Compulsory Papers

Paper-I: Essay (50 Marks time:2 Hours)

Paper-III General Knowledge
100 Marks Time: 03 Hours

Part-II: English (Precis and Composition)

(100 Marks Time: 03 Hours

Precis = 30 Marks
Comprehension = 30 Marks
Grammar = 40 Marks

(i) Every Day Science (20 Marks)
(ii) Islamiat (20 Marks)
(iii) Pakistan Affairs (30 Marks)
(iv) Current Affairs (20 Marks)

The Non-Muslim candidates have the option either to take/attempt Islamiat portion of Paper-III or otherwise the marks obtained by them in the portion of Pakistan Affairs shall be treated as out of 50 marks in lieu of both Islamiat and Pakistan Affairs.

Paper-IV Specialized Paper for Office Management-I

100 Marks Time: 03 Hours
(i) | Human Resource Management

(30 Marks)

(ii) Basic Concepts of Quality Management (20 Marks)

(iii) Information Technology and Use of MS Office (20 Marks)
(iv) General Financial Rules Vol.I and Vol.II, System

of Financial Control and Budgeting, Role of Public

Accounts Committee

(30 Marks)

Paper-V Specialized Paper for Office Management-II
100 Marks Time: 03 Hours

(i) Civil Servant Act,1973 and Rules made there under (20 Marks)

(ii) Federal Public Service Commission Ordinance 1977 and Rules made there under (20 Marks)

(iii) Rules of Business,1973 (20 Marks)

(iv) Secretariat Instructions and Office Procedures (20 Marks)

(v) Public Sector Companies (Corporate Governance) Rules 2013

(vi) PPRA Ordinance and Rules 2004.

(2) Optional Subjects/Papers

Candidates are required to select two optional subjects, carrying 100 marks each, one from each of the following Groups:

Code	Group-I Each Subject carries 100 marks Opt only one subject from this box	Code	Group-II Each Subject carries 100 marks Opt only one subject from this box
1	Accountancy and Auditing of Pakistan	8	Constitutional Law including Constitution
2	Basic Mathematics and Statistics	9	English Literature
3	Business Administration	10	Geography
4	Computer Science	11	History of Pakistan and India
5	Development Economics	12	History of USA
6	Economy of Pakistan	13	International Relations
7	Public Administration	14	Political Science

(3) Detailed contents of syllabus is available at Annex-I.

GUIDELINES OF THE SYLLABUS
Syllabi: The Syllabi for compulsory and optional papers shall be as under:

Paper-I: Essay: Candidates shall be required to write one or more essays in English from six topics.

Paper-II: Grammar, Precis and Composition:

(i) Precis: Candidates should have the ability to present a precis of a given passage which would be selected from current, economic, social, cultural affairs.

(ii) | Comprehension: Two unseen passages from current, social, economic, cultural, political or international affairs will be given with fixed reading time and multiple choice questions will be asked to be answered.

(iii) Grammar, Vocabulary and Translation: The Candidates will be tested in correct usage of English Grammar including synonyms and antonyms, Vocabulary and Translation (English to Urdu and Urdu to English).

Suggested Readings:

English Idioms MceMordie

Practical English Usage Swan (OUP)

A Practical English Grammar Thomson & Martinet

A University English Grammar R. Quirk & S. Greenbaum

Paper-III: General Knowledge:

(i) Every day Science

. Nature of Science, Brief History of Sciences with special reference to contribution of Muslims in the evolution and development of science;

. Physical Sciences including Universe, Galaxy, Solar System, Sun,

Earth and Minerals, Energy—sources and resources of energy, energy conservation;

. Biological Sciences including basis of life, a brief history of plant and animal kingdom.
. Global warming and climate change.
Suggested Readings:
Principles of Animal Biology Khan M. Rafiq
Guide to Science Isaac Asimove
Exploring Life Sciences Tuber, Kilburn, Howell

(ii) Islamiat:

Islam—lIts concept and meaning, Islamic concepts of Universe and Humanity, Man as Vicegerent of Allah, Main Characteristics of Islamic Ideology;

Fundamental Beliefs and Practices of Islam: Tuheed (unity of Allah), Risalat (Finality of Prophethood), Akhrat (Day of Judgement), Slat, Soum (Fasting), Zakat, Hajj, Jehad;

Sources of Shariah: The Qur'an, Sunnah, Ijma (Consensus), Qiyas and Ijtejad (reasoning);

Islamic Way of Life: (a) Social System in Islam (b) Morality in Islam (c) Islamic Political System (d) Islamic Economic System (e) Islam and other Civilization (f) Islam and Terrorism.

Suggested Readings:

Islamic Nizam-e-Hayat Khurshid Ahmed
Islam: Its meaning and Message Khurshid Ahmed
Introduction to Islam Dr. Hamidullah
Haqeeqat-i-Deen Moulana Ameen Islahi

(iii) Pakistan Affairs:

Ideology of Pakistan-Definition and historical aspects;
Pakistan Movement and Political Developments Since 1947.
Defense of Pakistan, Terrorism and Counter Terrorism.
Education and Health System of Pakistan.

Geography of Pakistan: Land, People, Natural Resources, Environment, Global Warming and Natural Disasters, Languages, Ethnicity in Pakistan, Rural and Urban Tensions.

Agriculture and Industry.

Suggested Readings:

Geography of Pakistan K.U.Kureshi

The Making of Pakistan K.K.Aziz

Ulema in Politics 1H. Qureshi
Ideological Orientation of Pakistan Al-Mujahid Sharif
Towards Pakistan Waheed-uz-Zaman

(iv) Current Affairs

Pakistan's relations with its neighbours: Afghanistan, Iran, China, and India;

Pakistan’s relations with Muslim World

Pakistan’s relations with the United States, Russia, United Kingdom and European Union

Pakistan’s relations with Central Asian, ASEAN and African Countries.

Pakistan’s role in Regional and International Organizations W.T.O and GSP Plus

Issues in Pakistan Politics

Suggested Readings:

Politics in Pakistan Khalid B. Sayeed
Pakistan’s Foreign Policy S.M. Burke
Pakistan’s Foreign Policy Shahid M. Amin
Pakistan in 20" Century: A Political History Lawrence Ziring
The Military and Politics in Pakistan Hasan Askari Rizvi
The Security of South Asia Stephen P. Cohen

Paper-IV: Specialized Paper for Office Management-I

(i) | Human Resource Management:

Definition, Significance and Scope of Human Resource Management

Organization— Types of Organization, Theory of Organization, Principles of Organization, Organization of the Federal and Provincial Governments, Public Sector Enterprises

Approaches to Human Resource Management

Personnel Administration—Tools of Personnel Management: Selection, Training, Promotion, Compensation, Discipline.

Communication, Communication Channels and Principles of Public Relations

Human Behaviour and Organizations.

Suggested Readings:
Human Resource Management H.T.Graham & Roger Bennett
Management James A.F. Stoner, R.Edward

Freeman, Daniel R.Gilbert Jr.

(ii) Basis Concepts of Quality Management

ISO-9000, ISO-13000, other certifications regarding quality measurement,

Management, Management for Results, Setting Performance Goals and Targets,

. Job Analysis: Job Description, Job Specification, Performance Evaluation,
Suggested Readings:
Quality Management Systems: A Practical Guide Howard S Gitlow

Quality Management- Principles & Practice Geoff Vorley & Fred Tickle
Putting Total Quality Management to Work Marshal Sashkin &

Kenneth J.Kiser
(iii) Information Technology and MS Office

. Fundamentals of Computer: CPU, Memory Devices, Types of Computers, Characteristics of Computer and Related Material

. Application Software: Microsoft Word, Microsoft Power Point, Microsoft Excel

. Search Engines, Web Design, Email, Internet Surfing, Social Networking (Facebook, Twitter, etc.)

. General Introduction to Virus and Antivirus utilities.
. Programming Languages
Suggested Readings:

Understanding Computers: Today and Deborah Morley, Charles Parker Tomorrow
MS Office Handbook

Optional Papers
1. Accountancy and Auditing

Principles of Accounting and their applications to all types of Business Organizations— Banking, Insurance, Investment, Trading and Industrial Concerns, Accounting for non-profit Organizations, Work-sheet, Financial statements, Financial Reporting, Financial Analysis and Budgeting, Depreciation, Partnership.

Principles of Auditing, The Accounting System, its importance to Independent Audit, Internal Control, Internal Audit, Rights and Duties of Auditors. Professional Liabilities of an Auditor, Application of Auditing Principles and Techniques to all Types of Trading, Commercial, Industrial, Banking, Insurance and Investment under-takings, Audit programme, Special Audit Investigation of actual or suspected Frauds, Limitations of Audit, Audit Report, Certificates and Opinion as required under Companies Act, Securities Exchange Authority Rules, Auditing and EDP Systems.

Suggested Readings:

Accountancy Pickles, W.
Principles and Practice of Book Keeping & Accounts Vickery, B.G.
Auditing Dicksee, L.R.
Companies Act 1984 Practical Auditing Spiecer and Pegler

Principles and Procedure of Auditing Kh. Amjad Saeed

2. Basic Mathematics and Statistics
A. Basic Mathematics

Order of Arithmetic Operations, Placing and Decimal Point, Computation, Significant Digits, Weights, Measures, Directed Numbers, Operations with Zero and with One, Simple Functions and their Graph Linear Equation, Ratios and Trigonometric Functions, Linear Inter-polations Square Roots, Exponents and radicals, Permutations and Combination. The Binomial Expansion, Mathematics, Applied to Business Operations. Murices, Differentiation.

B. Statistics

Introduction-Nature of Statistics. Common Statistical measures, and Samples, Statistical measures of Data Statistical-Description of Data, Probability. The Binomial Distribution, Estimation of Parameters, Inference Concerning Two populations. Correlation and Prediction, Simple Regression, Analysis of Variance, Chi-Square, Index Number.

Books Recommended:

Mathematics Essential for Walker, H.M.

Elementary Latest Ed.

Business Mathematics. Rosenberg, R.Lewis H.Poe, R.W

Elementary Statistical Concepts. Walpole, R.T

Basic Statistics for Business and Hoel, P.C & Jessen, R.J.

Economics

Introduction to Statistics Steel, R.D. and Torrie, J.H

Business Statistics Syed, N.A. and Gill, G-H

Modern Elementary Statistics Freund, John E

Statistics for Business Whitehead P. and Whitehead, G.
3. Business Administration

Management: Nature and Scope of Management-Different Schools of thought, Planning—Planning process; Planning tools; Change Management, Organization—Type of Organization; Theory of Organization; Group dynamics; Staffing; Actuating—Leading; Approaches to Leadership—Coordinating; Communicating; Motivating.

Marketing: An overview of Marketing; Marketing’s Role in Society and inside a Firm; Environment of Marketing; Strategic Planning and Marketing;

Financial Management: Nature and Scope of Financial Management; Interpret-ation of Financial Statement—Ratio analysis, Trend analysis— Common size analysis; Time Value of Money—Concept of TVM; Net Present Value; Pay Back period; Internal rate of return; Working Capital Management— Cash Management; Receivable

Management; Inventory Management; Accounting—Accounting Cycles, Preparation of Financial Statements; Balance Sheet, Income Statement.

Suggested Readings
Management James A.F. Stoner & Charles Wank

William J.Stanton
Van Horn

Fundamentals of Marketing
Fundamentals of Financial Management

4. Computer Science

Operating System: Function/Types of operating system, Processes, Inter process Communication / Synchronization/Co-ordination, Process Scheduling Policies,

Virtual Memory Management Techniques; Paging/ Segmentation, File Management Systems.
Computer Networks: LAN/WAN/MAN, Communication channels Internet,

Network layer structure, ISO Internet Protocol, OSI/TCP/IP reference model.

Structured and Object Oriented Programming: Basics of C/C++ environment, memory concepts, operators, control structures, selection structures, Array & functions/methods, classes & data Abstractions, inheritance and polymorphism.

Data Base Management: Data Models, E-R Models, Relational Database concepts, SQL, Normalization, Database Design.

Web Programming: HTML,CGI, PERL, Java: Applet/Script, WWW, Web based interface Design.

Computer Graphics: Fundamentals of input, display and hard copy devices, scan conversion of geometric primitives, 2D and 3D geometric transformations, clipping and windowing, scene modeling and animation, algorithms for visible

and surface determination.

Suggested Readings

Computer Concepts

Java Script: The Definitive Guide

The HTML Source Book

Computer Science: An Overview

Java: An Object First Approach
Algorithms and Data Structures
Introduction to Database Systems
Computer Networks

Operating System Concepts

Computer Graphics: Principles and Practice

Computer networks and Internet

Data Base Processing, Fundamentals-design

Implementation

J.J. Parsond & D.Oja

D. Flanagan

LS. Graham

J.G. Brookshear

F.Culwin

N.Wirth

C.J. Dat & Addison Wesley
S. Tanenebaum
Silberschatz & J. Peterson,
Foley/Van Dam/Feiner/Hughes
D.E.Comer

David M. Kropnke

5. Constitutional Law including Constitution of Pakistan

. Constitutional Law— Principles of Constitutional Law with special reference to United Kingdom, United States of America, Pakistan and India.

= Constitutional developments in Pakistan since 1947, 18" ,19" and 20" amendments in the Constitution, Inter-Governmental Relationship: Political and fiscal including National Finance Commission Award and Water Accord, Cabinet, legislative and judicial system, fundamental rights, Principles of Policy, Provincial Autonomy, Procedure for amending the constitution, control of natural resources, etc.

Suggested Readings:
Constitution of Pakistan Monir, M.
Constitutional Development of Pakistan Choudhry, A.G.
Governments and Parties in Continental Europe Lowell, A.L.
Introduction to the Study of the Law of the Constitution Dicey

6. Development Economics

= Introduction, and Understanding Economic Development
= Theories of Economic Growth and Development

= The Structure of a Dual Economy, Rural-Urban Migration and Development
= Agricultural Transformation and Rural Development

= Population, Labour Markets, Income Distribution and Poverty Alleviation

= The Role of State and Institutions

= The Environment and Sustainable Development
= The Link between Trade and Development

= Foreign Aid, and Financing Development

= Microfinance and Micro-development topics

= Theory of Comparative costs, Arguments for Protection, Balance of payments, International liquidity, International Money and Banking

Institution.

Suggested Readings:

Economic Development Todero, Michael &
Stephen Smith

Economics of Development Perkins, D.H., S.Radelet, D.R.
Snodgrass, M.Gillis,
M.Roemer

Development Economics Ray D

The Handbook of Development H.B. Chenery and T.N Srinivasan

Economics

Factors in Economic Development Cairncross, A.K

Foreign Aid Theory and Practice in Wolf, Jr. DC

Southern Asia
Introduction to International Economics Snider, D.A.

7. Economy of Pakistan

Planning Experience of Pakistan: A critical evaluation of the strategy of economic planning.

Agricultural Development in Pakistan: Changes in Agricultural Policies over plan periods, Major Monetary and Fiscal measures to promote Agricultural development, Green Revolution Strategy and its implications for growth and redistribution, Land Reforms and changes in the Tenure System 1950—1980, Cooperative Farming.

Industrial Development in Pakistan: Early industrialization strategy, Creation of Financial and Development Institutions, Major monetary and fiscal measures to promote industrial development, changing role of public sector over the plan periods, Evaluation of Nationalization Policy, Concentration of industrial income and wealth.

Role of Foreign Trade and Aid in economic development: Trends in Pakistan's Balance of Payments, Changes in direction of trade, Trends in Pakistan's major exports and imports, Causes of significant changes in the trends, the role of migration and remittances in Pakistan's economy, costs and benefits of Foreign Aid.

Privatization, denationalization and deregulation, conceptual and operational aspects. International comparisons.

Energy Issues facing Pakistan

Suggested Readings:

Under Development and Agrarian Structure in Pakistan — Mahmood Hassan Khan

Studies in Economic Development with Special Reference to Pakistan — Ghouse, A

The Economics of Developing Countries — Hynit, H.

The Economy of Pakistan — Khawja Amjad Saeed

Issues in Pakistan Economy — Akbar Zaidi

Economic Survey of Pakistan — Ministry of Finance

8. English Literature

The paper will cover the study of English literature from 1798 to 1900 with special reference to the works of W. Blake, Wordsworth, Shelley, Keats, Byron, Charles Lamb, Dickens, Tennyson, Robert Browning, Hardy, George Eliot, J.S. Mills, Ruskin and Oscar Wilde.

Evidence of first-hand reading will be required. The paper will be designed to test not only the candidates knowledge of the prescribed authors works but also their understanding of the main literary trends during the period. Questions having a bearing on the social and cultural back-ground of the Period also be included.

Suggested Readings:

A Guide to English Literature Ford, B. Pelican Series 7 Vols
History of English Literature Legouis and Cazmian

History of English Literature Hudson

The 19" Century Back Ground Basil Willey

20" Century Views Abrahams, M.H.

9. History of Pakistan and India

Arrival of European nations—decline and fall of Muslim Rule, contributions of Shah Wali Ullah, Syed Ahmed Shaheed and Sir Syed Ahmed Khan towards regeneration of the Muslim—Hindu reform movements and anti-Muslim role of Hindu leaders.

Constitutional reforms of the British Government and growth of the Political Parties— Indian National Congress, All India Muslim League.

Partition of Bengal, Simla Deputation, Role of Nawab Mohsin-ul-Mulk, Nawab Vigar-ul-Mulk, Syed Ameer Ali, the Agha Khan and other Muslim leaders, Luknow pact; Khilafat movement. Contribution of Maulana Muhammad Ali, Allama Iqbal, Quaid-i-Azam Muhammad Ali Jinnah for Muslim uplift and welfare.

Nehru report, Quadi-i-Azam's Fourteen Points, Allama Iqbal's Allahabad Address 1930, Round Table Conference. The Congress role in the provinces, Lahore Resolution 1940, various missions and plans for the partition of the sub-continent. Quaid-i-Azam as an organizer of the Muslim League Muslim leader and maker of Pakistan.

Constitution making in Pakistan—various attempts at constitution making. Difficulties in establishing a parliamentary democracy, imposition of various Martial Laws, nature of Pakistan's economy, development plans. Role of foreign aid.

Separation of East Pakistan, causes and effect: Pakistan and the World—major powers, Islamic world, relations with India. Social and intellectual trends after 1947. Contribution of Quaid-i-Azam as First Governor General and Liaquat Ali Khan as first Prime Minister.

Suggested Readings:

Constitutional History of India Keith A.B.

Government & Politics in Pakistan Ahmad Mushtaq.

Pakistan & India G.W. Choudhry

Political System in Pakistan Khalid Bin Saeed

Pakistan the Formative Phase Khalid Bin Saeed

Political Parties in Pakistan Vol. I &Il Afzal, Rafique.

Two Nation theory Shafiq Ali Khan

The British Raj in India S.M. Burke, Salim Al-Din Qureshi

10. History of USA

e Introduction: From ancient times to 1492, Advent of the Europeans to British supremacy (1492-1606)

e USA as a British Colony (1606-1783)
e USA as an Independent Country (1783-1819)

e Expansion of USA: From 13 to 50 States (1820-1949)

e Constitution of the USA: Salient Features

e Civil War between the North and the East (1850-1869)
e Industrialization and its emergence as one of the world powers (1870-1916)
e USA’s role in the Two World Wars (i.1914-1918, ii.1939-1945)

e Post 1945 world scenario & emergence of USA & USSR as the Two World Powers.

e American Role in patronizing UNO and International Organizations 1945-2012

e American Role in Cold War and its emergence as the Sole World Power (1945-1990) and Pakistan’s Role in this connection

e International Concerns of USA: An Overview

e The War on Terror and the Role of Pakistan and USA (2001-2012)

Global perception of the USA.

Suggested Readings:

The Ideological Origins of the American Bailyn. Bernar, 1992

Revolution A Pocket History of the Commager, H. and

United States Nevins, Allan,1967

Painless American History Curt Lader, 2009

The Politically Incorrect Guide to American E.Woods, Thomas Jr.,

History 2004

The Civil War; A Narrative Foote, Shelby, 1986

The American Political Tradition and the Men Hofstadter.

Who Made it. Richard, 1948

US-South Asian Relations 1784-1940: A History Iftikhar H. Malik, ed.,

Perspective 2006

The Tragedy of Great Power Politics Mearsheimer,
John,2001

Enlightenment Revolution and the Birth Nelson, Craig,

of Modern Nation 2006 Thomas Paine,

The USA :1917-1980 Smith, Nigel,2006

American Colonies: The Selling of North America Taylor, Alan,2002

White Over Black: American Attitudes Toward the Winthrop D.Jordan
Negro 1550-1812

The Complete Book of U.S. Presidents 2005 William. A. De
Gregorio,

A people’s History of the United States:1492 Zinn, Howard,1980

to Present

11. Geography

Cultural Geography: Concept of culture in Geography: human races and
their distribution; major language families and their distribution; main religions

(Buddhism, Christianity, Hiduism, Islam, Judaism) and their spheres of influence; cultural diffusion; cultural regions of the world.

Environmental Geography: Human ecological adaptations; transformation of nature by man; environmental degradation and conservation; ecosystems and their management; global ecological imbalances-problem of pollution, global warming, reduction in bio-diversity and depletion of forests.

Economic Geography: World economic development-measurement and problems; world resources and their distribution; energy crisis; the limits to growth; world agriculture— typology of agricultural regions; agricultural inputs and productivity; food and nutrition problems, famine—causes, effects and remedies; human developments indicators, world industries—location patterns and problems; patterns of world trade.

Population and Settlement Geography: Growth and distribution of world population; demographic attributes; causes and consequences of migration; concepts of over—, under— and optimum population; carrying capacity of the physical environment; problems associated with overpopulation; types and patterns of rural settlements; hierarchy of urban settlements; concept of primate city and rank-size rule; functional classification of towns; sphere of urban influence; rural-urban fringe; satellite town; problems of urbanization.

Regional Geography: Regional geography of South Asia with special reference to Pakistan under the following heads: Environmental setting (physical and climatic); population, hydrology; irrigation; agriculture; natural vegetation; mineral and power resources; major industries; trade and communication.

Suggested Readings:

Population Geography Barrett, H

Hand Book of South Asia Bradnock, R.W.A,
Concepts and Regions in Geography Deblij, H.J.D.

The Integrated Human Geography Home, B

An Introduction to Economic Khan F.K

Geography

Geography of Pakistan Khan F.K

The Geography of Economic Activity Thoman, Conklin and Yeats
Environmental Geography: Science, Marsh, W.M. and Grossa J.

Land Use and Earth Systems

12. International Relations
e The modern state system—history, basic features, evolving forms.

e International Relations as a field of study, Basic Approaches—Power, Balance of Power, Imperialism, Nationalism.

e Interaction between states—diplomacy, International Law, international economic and trade linkages—pressures in world politics.

13.

Evolution of the International System since 1815 (Congress of Vienna) Historical Overview.

Would War I,II, Decolonization, Rise of the Third world Alliance System (NATO, SEATO, CENTO, WARSAWPACT) Peaceful coexistence: Non-Aligned Movement Theories of Peace and Security in Nuclear Age (Deterrence, Limited war, Crisis Management etc.) Détente.

Foreign Policies of the Superpowers, major powers (USA,USSR, China) with special reference to South Asia (India, Pakistan, efc.).

Regional Security issues and crises (Afghanistan Crises, Iran—tIraq war, Palestine problem, Aparthied and South Africa, Namibia, Polish crises, Euro communism, Central American crises etc.).

Suggested Readings:

Issues in Global Politics Gavin Boyd

World Politics Since 1945 Peter Caluocorassi

International Relations: Peace or War Richard Rosecrance

Relations of Nations Frederick Hartman

Contending Theories of International Relations Tames Dougherty

Political Science

Western Political Thought: Plato, Aristotle, Machiavelli, Montesquieu, Hobbes, Locke, Rousseau, Bentham, Mill

Muslim Political Thought: Al-Farabi, Al-Mawardi, Al-Ghazali, Ibn-i-Khaldun, Iqbal

The nature and emergency of Modern state system, Islamic concept of state . Political concepts , Sovereignty, Law, Liberty, Equality, Rights and Duties.

Political Dynamics: Public Opinion, Propaganda, Political parties, Pressure Groups.

Political Institutions: Legislature, Executive, Judiciary, Political Elites, Civil and Military Bureaucracy.

Forms of Government: Monarchy, Democracy, Dictatorship, Unitary, and Federal, Presidential and Parliamentary.

Totalitarianism: Fascism, Communism.

Local Self-Government: Theory and Practice with special reference to Pakistan. The nature and emergence of Modern state system, Islamic concept of state.

14.

Suggested Readings:

History of Muslim Philosophy M.M. Sharif

Comparative Politics: A Would View Almond & Powell

Contemporary Political Analysis Garles Worth James

History of Political Theory George H.Sabine

Political Thought in Medieval Islam Rosenthal

Political Thought in perspective William Edenstein

Patterns of Governments Samuel H. Beer, Adem
B. Ullam

Pakistan A Political Study Keith Callard

Politics, Parties and Pressure Groups V.O. Key Jr.

Modern Political System: Asia Roy, C. Macradis (Ed.)

Politics in Pakistan: Nature and Direction Khalid Bin Sayeed

of Change

Reflection on Government Earnest Barker

The Political System of Pakistan Khalid B. Sayeed

Public Administration:

Public Administration Its nature and scope, the role of Public Administrative in a modern Welfare State.

Major Schools of thought in Administration — Scientific Management Movement, Human Relationists; Behavioural School; Systemic theory.

Bureaucracy.— Concept of Bureaucracy, Theories of Bureaucracy, Ecology of Bureaucracy of Pakistan as a Change Agent.

Administrative Leadership Approaches to the study of Leadership Forms of Leadership, Leadership qualities.

Administrative Accountability— Internal and External Controls; Executive Control, Legislative Control, Judicial Control, Ombudsman, Public Opinion and Pressure Groups; Problems of Administrative Accountability in Pakistan.

Planning.— Types of Plans, Planning Process; Principles of Planning,

Planning Machinery; the system of planning and programming in Pakistan, Planning Machinery in Pakistan.

Controlling and Co-Ordination— Forms of Controls, Control Mechanism, the process of Control, Principle of Controlling; Principles of coordination; Machinery for Coordination; Problems of Coordination in public Administrative in Pakistan.

Administration—Elements of Financial Administration, Performance and Programmed Budgeting, Capital Budget, Principles of Budgeting, Auditing and Accounting.

An Introduction to the Public Administration E.N. Cladden.
Administrative Behaviour Herbet, A Simon.
Bureaucracy: Modern Society Pebr, M. Blau.

Human Relations Administration Robert Dubir.

Introduction to the Study of Public L.D. White.

Administration

Public Administration for a Welfare State Paul Abbleby.

Public Administration Theory and Practice Fesler, James W.

Research on the Bureaucracy of Pakistan Braibanti, Raplh.

The Human Side of Enterprise Douglas McGregor.

The Bureaucracy of Pakistan Charles F.Kennedy.

The above Recommendations will not only ensure quality induction through the SOPE but will also strengthen the governance and functioning of the Federal Secretariat

which is currently suffering from weak base, bad quality and delivery gaps at Section Level.

6.3 Eligibility of Superintendent (BS-17) to Participate in Section Officers Promotional Examination

Refer to the subject cited above and to say that a query has received in Establishment Division about eligibility of Superintendent (BS-17) for Section Officers Promotional Examination (SOPE). It is clarified that grant of BS-17 to Superintendent is not a promotion within the meaning of Section-9 of the Civil Servant Act,1973, therefore, for all practical purpose, the Superintendents granted/placed in BS-17 are the substantive holders of the post in BS-16 and are eligible for taking SOPE subject to completion of all other conditions/codal formalities.

[Authority:- Establishment Division’s O.M No. 7/5/2014-T-V dated 29-12-2016].

6.4 Appointment by Transfer in Office Management Group (OMG), (Conduct of Examination) Rules,2020

S.R.O_ 1182(1/2020.— In pursuance of orders of Supreme Court of Pakistan dated 30-03-2017 passed in Crl Original Petition 182 of 2016, the Chairman, FPSC in pursuance of Section 7-A of FPSC Ordinance,1977, and with the approval of the Federal Government has made rules for regulating and conduct of examination from time to time for Appointment by Transfer in Office Management Group (OMG).

PART-I

SHORT TITLE, COMMENCEMENT, DEFINITIONS
1. Short title and commencement:—

(i) These rules may be called, Appointment by Transfer in Office Management Group (OMG), (Conduct of examination) Rules,2020.

(ii) | They shall come into force at once.
Requisition, Eligibility, Application, Fee, Examination, Merit

2. Requisition by the Establishment Division. The Establishment Division shall send a requisition to the Commission indicating total number of vacancies to be filled through Appointment by Transfer in Office Management Group (OMG).

3. FPSC on receipt of requisition shall proceed with the conduct of written examination & selection process under these rules.

ELIGIBILITY

3. Criteria:—

Following shall be the criteria to be eligible for applying/appearing in the Examination:—

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Educational/Qualifications:—

(a)

(b)

(c)

A candidate must hold at least a Second Class or Grade “C” Bachelor’s degree in any faculty from one of the HEC/PHEC recognized Pakistani Universities or an equivalent degree or comparable educational qualifications of a foreign University recognized by Higher Education Commission, Islamabad.

A candidate who has obtained a Third Division (or ‘D’ grade) in his/her Bachelor’s degree will be eligible for the Examination in cases where he/her has obtained a higher Division in Master’s Degree.

The matter as to which foreign degree is comparable and equivalent to corresponding Pakistani degree shall be decided by HEC. Therefore, an equivalent certificate issued by HEC may be attached with application form.

(ii) Service Requirements:—

(a) Regular BS-17 or BS-18 Civil Servant, Provincial Civil Servant, Government Servant, Public Servant, or officer of Autonomous body/Corporation having served on deputation in Federal Secretariat on Section Officers post for a period of three (03) years is eligible to appear in the said Examination.

(b) For appointment by transfer as Section Officer in OMG, a holder of BS-17 post can only apply for BS-17 and a holder of BS-18 can only apply for BS-18 post.

(iii) Age-Limits:—
A candidate for admission to the examination must have attained the minimum age of 30 years on the closing date for receipt of application as advertised by the Commission.

(iv) Age-Relaxation:—
No age relaxation shall be allowed in any case.
Date of Birth:—

The date of birth accepted by the Commission shall be that entered in the following documents, however the decision as to which certificate shall be accepted rests with the Commission:—

(a) Matriculation Certificate;

(b) | Secondary or Higher Secondary School Leaving Certificate;

(c) Certificate of birth from the Principal/Headmaster of the School from where a candidate has passed his/her GEC, ‘O”’ level or equivalent examination showing the date of birth in the School Admission Register;

(d) In case of Christian candidates, Baptismal or birth registration certificate;

(ec) Authenticated by service record.

(v) Departmental Permission Certificate for Appointment by Transfer in OMG.—Departmental Permission Certificate (DPC) as at Annex-A of the Application Form may be provided within one month of the closing date. However, candidate shall submit an advance copy of application on prescribed form to FPSC on or before closing date to avoid rejection due to delay that may occur in processing of DPC by the Government channels.

(vi) Certification of Service on deputation in OMG.—A Certificate issued under the signature of Joint Secretary, Establishment Division as per Specimen at Annex-B duly filled in and furnish to Secretary, FPSC within one month of closing date.

APPLICATION

4.

Application for Examination:—

All applications for Appointment by Transfer Examination must be

submitted on line through FPSC website www.fpsc.gov.pk, on or before

the closing date for receipt of applications as advertised by FPSC:—

(i) Print out of the duly filled Online Form (i.e. Hardcopy) may be obtained and after signing it, copies of all documents/certificates (as mentioned at sub-rule-vi) may be attached with it and furnished to FPSC so as to reach the FPSC (Headquarters) within 10 days of the closing date. Preferably, the hardcopies may be dispatched or furnished before the closing date so that delay in transit may be avoided. Onus of proof of dispatch of hardcopy of online form and documents, before the closing date, shall solely lie on the candidate.

(ii) | Candidates are cautioned that if an online application is received incomplete or wrongly filled in or its hardcopy is not accompanied

with any one of the documents mentioned at sub-rule (vi), it will be rejected.

(iii) Hardcopy of the online application, if reached to FPSC after the stipulated period of 10 days from the closing date, it shall not be

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accepted and online form already submitted to FPSC shall stand rejected.

The hardcopy of the online form shall have the same entries as made in the online form submitted to FPSC, and any variation shall cause rejection of candidature.

No plea that hardcopy of online application form or any document attached with it has been lost or delayed in the post shall be entertained.

The candidates must send the following documents with their duly signed Applications, else their applications shall be rejected:—

(a) Recent 4 photographs (attested on back side, mentioning name and father's name or husband's name).

(b) — Attested copy of Computerized National Identity Card.

(c) Attested copy of Matriculation Certificate showing date of birth. Provisional Certificate/Result Card/Marks Sheet is not acceptable.

(d) Attested copy of Intermediate Certificate. Provisional Certificate/Result Card/ Marks Sheets is not acceptable.

(e) Attested copy of Degree(s) along-with Detailed Marks Sheets issued by the Controller of Examination.

(f) — Attested copy of self Domicile Certificate.

(g) Copies of Notification(s)/Office Order(s) of each appointment/promotion/Deputation as claimed.

The candidates must send the following documents within one month of closing date else their applications shall be rejected: —

(a) | Departmental Permission Certificate (DPC) as per Annex-A of Application Form, for proof of working in Ministry/ Division/Attached Department/Body/Organization

(b) Certificate from Establishment Division as per Annex-B of Application Form, for proof of working in BS-17 or BS-18

on deputation basis in OMG.

Cut off date to determine eligibility:—

The closing date for submission of applications as advertised by the Commission shall be the cut off date to determine the eligibility in terms of length of service and age of the candidate, etc., or as otherwise mentioned in the advertisement.

EXAMINATION FEE

6. Examination Fees:—

The Exam Fee of Rs.2200/- (non-refundable) is to be deposited in National Bank of Pakistan under the Head of Account “C-02101-Organs of State, FPSC Exam Fee”. Blank Treasury Challan (T.R.6) is available at FPSC website, which can be downloaded.

EXAMINATION

7. Examination/Viva Voce:—

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The Examination for Appointment by Transfer in Office Management Group (OMG) against 10% reserved quota on regular basis shall be conducted by the Federal Public Service Commission against the number of vacancies as advertised by the Commission as and when such requisition is received from the Establishment Division.

(ii) The Examination shall comprise of the following components:—

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(a) Written Examination (550 Marks)
(b) Viva Voce (200 Marks)

The Examination shall be held on the dates as advertised by the Commission.

The Examination shall be held simultaneously at Islamabad, Karachi, Lahore, Peshawar and Quetta. The Commission reserves the right to finally decide and notify the places of Examinations and Viva Voce.

No request for change of centre shall normally be entertained. When a candidate, however, desires to change his/ her centre, from one indicated in his/ her Application Form for the Examination, he/ she should make a written request to this effect to the Secretary, FPSC, Islamabad and send it by registered post, as soon as possible but not later than 15 days prior to conduct of examination giving full justification as to why he/ she desires to do so. Such request will be considered only on merit.

8. Number of Attempts

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(i)

A candidate may avail maximum three (03) attempts of the examination after attaining the minimum age of 30 years on the closing date advertised by the Commission.

A candidate shall be deemed to have attempted the examination and his chance shall stand consumed, if he/she actually appeared in any one or more papers of the examination and even if he/she tendered blank Answer Book/Sheet and even if rejected subsequently.

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A candidate, who conceals the number of previous attempts, shall be prosecuted leading to his/her dis-qualification in accordance with Rule-20 of these Rules.

Written Examination:—

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The medium of the Examination shall be English.

The Examination shall be passed by a candidate as a whole and not in parts.

Subjects for the Examination shall comprise of 550 marks and as prescribed in Appendix-I.

For whatsoever reasons, a candidate who misses any papers of written examination for medical or any other reasons shall not be allowed to appear in the remaining papers.

Ifa candidate misses a paper for any reason, separate examination in that paper shall not be arranged for him/her.

Admission to Examination: —

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(i)

No candidate shall be admitted to the examination hall who does not hold a certificate of admission issued by the Commission and Original CNIC. An_admission certificate generated_or down loaded from FPSC_ website _shall_be accepted. Intimation about examination centre and Roll No. may be down loaded from FPSC website, ifnot received through post.

A candidate who arrives at examination hall/centre late than the

time mentioned in Admission Certificate & date sheet, he/she shall not be allowed to sit in the examination.

Disable Candidates:—

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Visually impaired (Blind) candidates may be provided helper (writer) or Computer. Other disabled candidates in the categories of physically impaired, hearing or speech impaired shall be provided computer/helper (writer) if they have been, by any Federal or a Provincial Council for Rehabilitation of Disabled Persons, declared permanently incapacitated with respect to writing and a disability certificate in that regard has been attached by them with application form and also requested for provision of helper/computer in their application form. The Commission shall arrange the helper from within the available staff of the Commission deputed at the examination centre. The role of the helper would merely be to reproduce in writing the words so uttered by the special candidate. No intellectual contribution by the helper is permissible. The educational level of the helper would be Graduation/Intermediate as per availability at the examination centre. No request for choice of helper or venue of the examination

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shall be entertained. The disabled candidate along-with helper shall remain within the examination hall till conclusion of the paper.

Extra time of 15 minutes per hour shall only be allowed to visually impaired (Blind) candidates. The other categories of disabled candidates shall not be allowed extra time.

The facility of computer to eligible disabled candidates as given at Para 11(i) shall only be provided at FPSC HQs and FPSC's Provincial Offices. However, no TA/DA shall be admissible. Such Computer literate candidates shall fill the relevant entries in the online Application Form, else they shall not be allowed to attempt the paper on computer.

Qualifying Marks in Written Examination:—

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A candidate who fails to secure at least 40% marks in any subject/paper and 50% marks in the Aggregate shall be considered to have failed in written examination and shall not be eligible for Viva Voce.

No grace marks shall be allowed.

Only those candidates who are declared qualified in written examination and found eligible in all respects shall be called for Viva Voce.

Viva Voce:—

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There shall be a Viva Voce of 200 marks.

Each candidate who is declared qualified in written part of the examination shall be interviewed by a Board which shall have

before them a record of his/her career, both academic and extramural. He/she shall be asked questions on matters of general interest. The object of the interview is to assess his/her suitability for the services for which he/she is entered and in framing their assessment, the Board shall attach particular importance to the moral and ethical qualities of the candidates, his/her intelligence and alertness of mind, his/her vigor and strength of character and his/her potential qualities of leadership, knowledge and analytical abilities. The Board shall take into consideration his/her extramural activities such as sports, debates, hobbies, etc., and their effect on his/her physique and character, in assessing his/her merit.

All candidates are expected to have basic knowledge regarding Islam, Pakistan and Current Affairs. Questions may be asked in the Viva Voce on these subjects. Persons securing less than pass marks in these subjects shall not be considered for appointment to Government jobs, irrespective of their proficiency in other fields. However, the Non-Muslim candidates shall not be asked any question regarding Islam.

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MERIT
Effect of Ineligibility:—

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(ii)

A candidate called for Viva Voce Test, shall be required to bring his/ her original documents, CNIC and Admission Certificate on the date he/ she appears for Viva Voce Test. These will be returned on the spot if found in order. Any document found to have been tampered with, shall be liable to be retained and the candidate, liable to be criminally prosecuted in addition to being permanently debarred from the Commission's Examinations and selections and from Employment under Government.

A candidate who fails to secure at least 50% marks in Viva Voce (i.e. 100 marks) shall be considered to have failed and shall not be eligible for appointment.

Candidates will be admitted to the examination provisionally at their own risk subject to their being found eligible in all respects. On detailed scrutiny of the applications before or after the announcement of result of the written part of the examination, if any candidate is found ineligible in any respect under these rules for the examination his/her candidature shall be cancelled/ rejected regardless of the fact whether he/she has appeared in the examination or qualified therein.

The result of any candidate, whose candidature is rejected on any ground, shall not be declared, irrespective whether he/she, failed/passed the examination.

Note: To avoid "INCONVENIENCE", candidates are advised in their own interest to make sure before appearing at the examination that they fulfill all requirements of the rules, relating to the examination.

Determination of Final Merit & Announcement of Result:—

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The candidates who qualify in written examination and Viva Voce, their final merit shall be determined by adding marks obtained in the written examination and viva voce.

When total marks (written examination + viva voce) of more than one candidate are equal, the one who gets more marks in viva voce shall be treated as higher in merit. If marks in viva voce are also equal, the one who gets more marks in written part shall be treated as higher in merit. If marks in written part are also equal, the one who is older in age shall be treated as higher in merit.

The candidates who pass the written examination shall be intimated individually as well as through website but the candidates who fail in written examination shall not be informed individually. They may download detail mark sheets from FPSC's website.

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(iv) Only FPSC is authorized to announce the result of the examination.

(i) The Federal Government sometimes announces public holidays at a short notice. The FPSC examinations/ interviews shall not be affected by such announcements, unless a decision on postponement is conveyed to the candidates.

(ii) | The Commission reserves the right to change the schedule of the Examination as well as to cancel any paper(s) or the Examination without assigning any reason.

Application of Provincial/Regional, Women and Minority (Non-Muslim) Quota:— No Provincial/Regional, Women and Minority (Non-Muslim) Quota shall apply to the Posts filled by Appointment by Transfer in OMG.

Appointment:—

(i) The candidates securing highest places on the combined results of the Written Examination and Viva Voce and eligible for appointment shall be recommended by the Commission in order of merit upto the number of advertised vacancies.

(ii) | Success in the Examination confers no right to appointment but will be in accordance with Civil Servants Act, 1973 and Rules made there under and fulfillment of the required formalities.

Reserve Merit List/Alternate Nomination:—

The Commission will issue its recommendations as per number of advertised posts. However, reserve list of qualified candidates (if available) will be maintained for a maximum period of six months. In case a nominee of the Commission does not join due to any reason, the Commission may revise its recommendations for alternate nominee(s) from reserve merit list, if so requested by the Establishment Division within six months of issue of principal nomination. Reserve list is not meant for fresh vacancies. Moreover, in case a nominee of the Commission left service after joining, no alternate nomination will be issued, because in such a case, the post shall stand consumed. Vacancies remained unfilled shall be carried over to next examination.

PART-II
Miscellaneous

Use of Unfair Means, Un-becoming Behavior and Presentation of false information:—

(i) | A candidate who knowingly furnishes particulars which are false, or suppresses material information, or attempts to influence the Commission, or officers or members of the staff of the Commission, or tries to obtain support for his/her candidature by improper means, or deliberately submits forged certificates, or

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tampers with the entries in his/her age, educational and other certificates, or mis-behaves in the examination hall or uses unfair means including use or attempted use of mobile phone or other electronic device for copying, or is found guilty of misconduct during Written Examination or Viva Voce or uses filthy and unethical language in the Answer Book(s) during written examination, may be dis-qualified for this and/or subsequent examinations/ selections held by the Commission and/or criminally prosecuted and debarred from future and/or removal from existing employment under Government.

(ii) If during the conduct of Examination at a centre/hall, any candidate is found in possession of mobile phone or similar devices, he/she shall be prosecuted under the rule-20(i).

(iii) A candidate who, even after his/her appointment, is found to have knowingly furnished particulars which are false, or to have suppressed material information shall be liable to dismissal from Service.

Correspondence.—

All correspondence may be addressed to Secretary, FPSC. Candidates should not write their postal addresses as care of Post Box Number etc. as Postal Authorities do not accept registered letters for such an address. In all correspondence in connection with Applications, (before receiving Roll Numbers) full name of candidates, CNIC number, contact number and name of the post/examination applied for, should be mentioned.

Change of address shall be reported to the FPSC immediately.

Recounting.— Answer Books are secret documents and therefore, cannot be permitted to be seen by the candidates or their representatives nor reexamination of Answer Books/Scripts shall be allowed under any circumstances. A candidate desirous of getting his/her marks awarded by the examiners recounted may submit his/her request, so as to reach FPSC within thirty days of the date of display on FPSC’s website/issue of Result Card/Marks Sheet/ along-with a Treasury Receipt of Rs.500/- per paper as fee for re-counting of marks only. Accordingly, FPSC may revise the result, if so required. No such request shall be entertained, thereafter.

Representation and Review Petition: —

(i) A candidate aggrieved by any decision of the Federal Public

Service Commission may, within thirty days of communication of decision, may make a representation to the Commission and the Commission shall decide the representation within fifteen days after giving the candidate a reasonable opportunity of hearing.

(ii) A candidate aggrieved by the decision of the Commission made under sub-rule (i) may, within fifteen days of communication of decision, submit a review petition to the Commission and the

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Commission shall decide the review petition within thirty days under intimation to the petitioner. The decision of the Commission on review petition shall be final.

Save as provided in “Federal Public Service Commission Ordinance, 1977”, no order made or proceeding taken under “FPSC ORDINANCE, 1977”, or rules made hereunder, by the Commission shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made or taken in pursuance of any power conferred by, or under, “FPSC Ordinance, 1977”.

Any candidate aggrieved by a decision of the Commission under sub-rule (ii) may, within thirty days of the decision, prefer an appeal to the High Court.

Each representation and review petition duly signed shall be entertained only if accompanied with Original Treasury Receipt of Rs.500/- in each case.

This issues with the approval of Competent Authority.

[No. F. 7-1/2014 (SOPE)-P&PE.]

IRFAN TARIQ,
Assistant Director
Federal Public Service Commission

Appendix-I
GUIDELINES OF THE SYLLABUS
Written Examination (550):—
Paper-I: Essay (50 Marks Time:2 hours)
Paper-II: English (Precis and Composition) (100 Marks Time:03 hours)

Precis = 30 Marks

Comprehension = 30 Marks
Grammar = 40 Marks

Paper-III: — Islamiat (100 Marks Time:03 hours)

Note: The Non-Muslim candidates have the option either to take/ attempt Islamiat portion of Paper-ILl or otherwise the marks obtained by them in the paper of Pakistan Affairs shall be treated as double in lieu of both Islamiat and Pakistan Affairs.

Paper-IV: Pakistan Affairs (100 Marks Time:03 hours)

Paper-V: Current Affairs (100 Marks Time 03 hours)

Paper-VI: — Specialized Paper for Office Management Group (100 Marks: Time:03 hours)
Interview/Viva-Voce:

There shall be a Viva-Voce of 200 marks and a candidate who fails to secure at least 40% marks in any of the written paper and 50% marks in the Aggregate shall be considered to have failed in written examination and shall not be eligible for Viva Voce.

Syllabi: The Syllabi for Written Examination shall be as under:
Paper-I: Essay: Candidates shall be required to write one essay in English from six topics.
Paper-II: Grammar, Precis and Composition:
(i) Precis: Candidates should have the ability to present a précis of a given

passage which would be selected from current, economic, social, cultural affairs.

(ii) | Comprehension: Two passages related to current, social, economic, cultural, political or international affairs will be given for multiple choice questions to be answered.

(iii) Grammar, Vocabulary and Translation: The Candidates will be tested in correct usage of English Grammar including synonyms and antonyms, Vocabulary and Translation (English to Urdu and Urdu to English).

Suggested Readings:

English Idioms McMordie

Practical English Usage Sean (OUP)

A Practical English Grammar Thomson & Martinet

A University English Grammar R. Quirk & S. Greenbaum

Paper-III: Islamiat:

(i) Islam—its concept and meaning, Islamic concepts of Universe and Humanity, Man as Vicegerent of Allah, Main Characteristics

of Islamic Ideology;

(ii) Fundamental Beliefs and Practices of Islam: Tuheed (Unity of Allah), Risalat (Finality of Prophethood), Akhrat (Day of Judgment), Salat, Soum (Fasting), Zakat, Hajj, Jehad;

(iii) Sources of Shariah: The Qur'an, Sunnah, Ijma (Consensus), Qiyas and Ijtejad (reasoning);

(iv) Islamic Way of Life: (a) Social System in Islam (b) Morality in Islam (c) Islamic Political system (d) Islamic Economic System (e) Islam and other Civilizations (f) Islam and Terrorism

Suggested Readings:

Islami Nizam-e-Hayat Khurshid Ahmed

Islam: Its meaning and Message Khurshid Ahmed

Introduction to Islam Dr.Hamidullah

Hageeqat-i-Deen Moulana Ameen Islahi

Paper-IV: Pakistan Affairs:

(i) Ideology of Pakistan-Definition and historical aspects;

(ii) | Pakistan Movement and Political Developments since 1947

(iii) | Defense of Pakistan, Terrorism and Counter Terrorism

(iv) | Education and Health System of Pakistan

(v) Geography of Pakistan: Land, People, Natural Resources, — Environment, Global Warming and Natural Disasters, Languages, Ethnicity in Pakistan, Rural and Urban Tensions

(vi) Agriculture and Industry.

Suggested Readings:

Geography of Pakistan K.U.Kureshi

The Making of Pakistan K.K.Aziz

Ulema in Politics 1.H.Qureshi

Ideological Orientation of Pakistan Al-Mujahid Sharif

Towards Pakistan Waheed-uz-Zaman

Paper-V: Current Affairs

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Pakistan’s relations with its neighbours: Afghanistan, Iran, China, and India;

Pakistan’s relations with Muslim World

Pakistan’s relations with the United States, Russia, United Kingdom and European Union

Pakistan’s relations with Central Asian, ASEAN and African Countries

Pakistan’s role in Regional and International Organizations
W.T.O and GSP Plus
Issues in Pakistan Politics

Suggested Readings:

Politics in Pakistan Khalid B.Sayeed
Pakistan’s Foreign Policy S.M.Burke
Pakistan’s Foreign Policy Shahid M. Amin
Pakistan in 20" Century: Lawrence Ziring

A Political History
The Military and Politics in Pakistan | Hasan Askari Rizvi
The Security of South Asia Stephen P. Cohen

Paper-VI: Specialized Paper for Office Management-I:

(i)
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(iii)
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Rules of Business, 1973 (20 Marks)

Secretariat Instructions and Office Procedure (20 Marks)
Constitution of Pakistan, 1973 (20 Marks)

Civil Servants Act, 1973 and rules made there under (20 Marks)
General Financial Rules-Vol-I &Vol-II (20 Marks)

The above recommendations will not only ensure quality induction through Examination for Appointment by Transfer in OMG but will also strengthen the governance and functioning of the Federal Secretariat which is currently suffering from weak base, bad quality and delivery gaps at Section level.

FEDERAL PUBLIC SERVICE COMMISSION
Aga Khan Road, Sector F-5/1, ISLAMABAD

Website: www.fpsc.gov.pk E-mail: fosc@fpsc.gov.pk Fax: 051-9213386-9203410
APPLICATION FORM FOR
EXAMINATION FOR APPOINTMENT BY TRANSFER IN OMG-2019

Please read carefully the Advertisement, and the Rules for the Examination before filling the Application F

For Official Use only
Receiving Stamp FPSC HQ/Provincial/Regional Office

Paste one
Photograph here

(Also for female)

Batch No. Diary No.

1. Name: (Write in capital letters with spelling as per Matriculation Certificate)

N

. Father’s Name

Closing Date: Date of Birth as per Matric certificate: Exact age on Closing Date:

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4, Computerized (NADRA) National Identity Card (CNIC) No. of Applicant: - -

Encircle the relevant Code: a) | Gender | Male M b) [Religion Muslim M
Female F Non-Muslim NM

aw

Transgender |T

6. If Non-Muslim, whether desires to be examined in Islamyat: Yes No
7. Self Domicile: (Encirele the relevant Code of your Domicile). District of Domicile: ...
Khyber Punjab 7
Domicile | Baluchistan | Pakhtoonkhwa an (uiban) (Including an areal FATA
(KPK) "a Islamabad) s 7
Code 70 20 30 31 40 0 a 90
8. Encircle the relevant Tslamabad Lahore Karachi | Peshawar Quetta
Code for Exam Centre. ; 7 7 ; °

The Commission reserves the right to finally decide the places of Examination/ Interviews.
9. (a) Present Postal Address: (IN CAPITAL LETTERS):

District:

(b) Permanent/Alternate Address:
District:
(©) Office Address
10. Contact Nos:
Contact! Phone Nos.| Gace IL ACADEMIC
with City Code
Please write all Nos.
Reser Applicant’s Signature
el No. :
Fax No. Date:
E-Mail Address:

QUALIFICATIONS:(must attach proof i.e. certificate/degree(s))

S#] Mention here] Name of Result Declaration Date Board University 2le,.
Educational | Institution | (Certificate issued only by the | Examining Body | 2 2| ‘8 Principal
Qualification | attended | Controller of Exam will be accepted) SZ] gE S| Subjects

S| 825
Day | Month Year a] <<

1 | Matriculation

2 | Intermediate

3 | Bachelor's

Degree

4. | Master’s Degree

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12. COURSES/TRAINING AND RESEARCH PUBLICATION relevant to Office Procedure, Secretariat

Working, Administration, Finance or Procurement etc. (on job training etc. Proof must be attached).

SF zl) s Mature of | Weeks
NAME OF COURSE/TRAINING | 8] 3
AND RESEARCH INSTITUTION & | 2) = (EXAQRDATES)
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nee_| Job
to
2 From
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to
13. @__ Do you fall in the category of a disabled candidate? If yes, then encircle the relevant Code:
Disability Visually Impaired (Blind) Physically Impaired Hearing/Speech Impaired
(deaf or dumb)

(ii) Whether being disabled, you need assistant for attempting the question paper through (encircle the re

Writer/Helper

Computer (FPSC Headquarters, Islamabad and its Provincial Offices only)

ESTACODE (Epition-2021)

Cuaprer-3

EMPLOYMENT RECORDS
14. Describe employments, including all appointments held:
Employment Records Status of Office/Deptt/Job Nature of Job
> Must attach proof, attested copies, office |PI. write one of the following |PI. write one of the following
orders, Notification(s)_ of |~—_ appointment, |in relevant column in relevant column
promotion ete. FGS-Federal Govt. Servant PR-Permanent
> Where applicable, must attach relieving orders, |PGE-Provin. Govt. Employee |TM-Temporary

orders of leave without pay, acceptance of
Resignation or Discharge Certificate, Termination

SGE-Semi Govt. Employee
AB---Autonomous Body.

OF-Officiating
DP-Deputation

Orders etc. CA-Contract/Adhoc
EMPLOYMENT RECORDS (EXACT DATES) 2 &
Start from first employment in ascending order. Please write ‘To-date’ If still in service s/=e
A candidate who knowingly furnishes any particular S|] 5
which is false or suppresses material information g| 2
will be disqualified, criminally prosecuted and £/5
debarred from employment under the Government Zz|5
Post/ Title & BS:
Office/
(In case additional space is required photocopy may be used)
15. Extraordinary Leave availed (if any) from to (years
months days).
16. Details of Examinations in which appeared previously:
y Roll N ‘R for | ‘A’ for *P° for F for “FF for Fail in “FQ for
car | Momo | Rejected | Absent | Written Pass | Written Fail Final Result Finally Qualified

17.
(A=excellent , B=Good, C=fair)

Language Read Write Speak Standard

English

Urdu
18. EXTRA CURRICULAR ACTIVITIES

S.No Year Extra Curricular Activities/ Sports/ Hobbies

From To
19. @ PARTICULARS ABOUT PARENTS (ii) PARTICULARS OF NEAR RELATIVES IN GOVT. SERVIC
Father | Mother S.No] Name Relation Designation | Place of Duty
Highest Degree obtained
Date of Death(if applicable)
Your age at his/her death (if
applicable)
Designation present/last
Annual income (Land, Property)
Annual income of the family
20. PARTICULARS ABOUT SPOUSE / FIANCEE
NATIONALITY: AGE: EDUCATION:
Occupation: DESIGNATION:
21 BROTHERS/SISTERS /STEP BROTHERS/STEP SISTERS
S.No Relation Age Occupation Education

22. FINANCIAL STATUS (encircle relevant column)

T. Upper Middle Class

2. Middle Class

3. Lower Middle Class

4, Low income Group

23. PERSONAL TRAITS/ INTERESTS

PREVIOUS EXPERIENCE OF TAKIN

3 PSYCHOLOGICAL TEST

Year

Cuaprer-3

25. Please confirm if following documents have been attached with the application in the following sequer
These must be page numbered in continuation of application.
SL# Please tick (¥) for Yes and Cross (X) for No. Yes No Page #
(a). _ | Recent 4 photographs (attested on back side, mentioning name and father's name).
(b). | Attested copy of Computerized National Identity Card.
(©). _ | Attested copy of Matriculation Certificate showing date of birth. Provisional Certificate/Result Card/Marks Sheet is not acceptable.
(@. | Attested copy of Intermediate Certificate. Provisional Certificate/Result Card/Marks Sheets is not acceptable.
(@. _ | Attested copy of Degree(s) alongwith Detailed Marks Sheets issued by the Controller of Examination.
(. _ | Departmental Permission Certificate (DPC) as per Annex-A of Application Form, for proof of working in Ministry/Division/ Attached Department/Body/ Organization.
® Thave initiated and signed DPC (Annex-A) and forwarded to my employer for onward submission to FPSC. Copy of forwarding letter is enclosed.
(h) Certificate from Establishment Division as per Annex-B of Application
' | Form, for proof of working in BS-17 or BS-18 on deputation basis in OMG.
@. Ihave initiated and signed Service Certificate Annex-B and forwarded to Establishment Division to certify my service in OMG. Copy of forwarding letter is enclosed.
@. Application signed on Page-1 &5.
(k). _| Any other documents (if attached)
26. I certify that the statements I have made in this application Form are true to the best of my knowledge

understand that if any of the above statements is false in any material aspect or omits any material inform previous examinations, service etc. my application is liable to be rejected and if appointed my appointmer

31.

27.

Submission of fake/forged documents and any mis-representation or omission discovered even after app may render my appointment liable to termination in addition to the action decided by the Commission.

T have read and understood the Advertisement and Appointment by Transfer (Conduct of Examination) R 2019 before filling this application form and agree to abide by them. Moreover, I am eligible to apply/ appe Examination.

Applicant's Signature

Date:

ADDRESS FOR CORRESPONDENCE

Important Note:

Please write your name and address in Capital Letters at the six spaces given below. Any change of address should be reported to FPSC immediately. Also the candidates must arrange for communications sent at old address to be redirected or collected. The Commission does not accept any responsibility in this respect. Address “Care of Post Box No” ete should not be written as postal authoritie do not accept registered letters at such addresses.

No.F.4/37/2019/APT-PPE (Roll No.) No.F.4/37/2019/APT-PPE (Roll No.)

Post Code Post Code

No.F.4/37/2019/APT-PPE (Roll No.) No.F.4/37/2019/APT-PPE (Roll No.)

Post Code Post Code

No.F.4/37/2019/APT-PPE (Roll No.) No.F.4/37/2019/APT-PPE (Roll No.)

Post Code

Post Code

Acknowledgement Receipt

FEDERAL PUBLIC SERVICE (Seal of the FPSC)
COMMISSION
Received Application Form for Section

Officers Promotional Examination-2016 Sign:
(FPSC Receiving Clerk)
Mr/Ms.

(Name of candidate)

Date

Attach additional

Annex-A
FEDERAL PUBLIC SERVICE COMMISSION
(DEPARTMENTAL PERMISSION CERTIFICATE (DPC) FOR APPOINTMENT BY TRANSFER IN OFFIC
MANAGEMENT GROUP
(To be detached by the candidate from the Application Form and
submitted to candidate’s employing department before the closing date.)

1. | have applied for the above Examination on the prescribed form separately. Necessary

departmental permission may kindly be forwarded to the Secretary, FPSC, Islamabad.
Closing date is .

2. | have claimed my particulars and Employment Records in my Application Form as under:—
(a) | Name of candidate:
(b) CNIC No: Contact #
(o) Father’s Name:
(d) Designation & BS: Office Ph.#
(e) Place of Domicile (District):
(f) Parent Ministry/Division/Department/Body/Organization
Employment Record Status of Office/Deptt/ Job Nature of Job
Pl. write one of the following in Pl. write one of the following in
relevant column relevant column
> Start from first employment in ascending | FGS-Federal Govt. Servant PR-Permanent
order. PGE-Provin. Govt. Employee TM-Temporary/ Regular
RGE- Regional/ Govt. Employee OF-Officiating
SGE-Semi Govt. Employee DP-Deputation
AB---Autonomous Body CA-Contract/Adhoc
2
(EXACT _ DATES) 2 5
3 i a S
ij Please write ‘To-date’ If still in service 3 Ss ba
s EMPLOYMENT RECORDS 5)°|32
4 a | § 3
d djmjm)yfyyjyjy i 3
z
Post/ Title & BS: From

_Post/ Title & BS:
_Office/Orgn.

Extraordinary Leave availed (if any) from to. (years months days).

Date: (Applicant's signature) i) (Continued overleaf...)

From pre-page

N

TO BE FILLED/VERIFIED BY THE DEPARTMENT/ EMPLOYER OF THE CANDIDATE

The Ministry/Division or Department must process this certificate in the light of FPSC Advertisement and forward or communicate the refusal as the case may be, to FPSC within one month from the closing date selection, the department will have to relieve the official for joining the post.

Important > This certificate must be processed on Personal File of the employee.
Note: > The employment record as claimed overleaf, must be checked and verified/ confirmed.
> This certificate is to be issued after obtaining approval of the Competent Authority.
> Deputationists must obtain permission from his/ her parent Department.
> To be signed by BS-17/18 Officer and to be countersigned by BS-19/20 Officer dealing with the Administration/ Appointment/ Promotion & Personal Records etc.
File No: Dated: 9 — --20

Itis certified that Mr./Ms
is employed as BS
in Office (Deptt) we,

It is certified that the employment records as claimed overleaf has been checked carefully, it has been co his/her Personal File No. and found in order. However, the employment records at Sl. No.
is not verified due to the reason that

3. He/she is an Officer of Federal/Provincial/Regional Govt./Autonomous Body/Corporation and placed on regular basis in BS-17 on and in BS-18 on

4. His/Her total period of continuous Government Service till closing date in BS-17 is (Years Month(s) Days) and in BS-18 is (Years Month(s) Days).

5. As per Appointment by Transfer in OMG (Conduct of Examination) Rules -2019, he/she is eligible to ap in the Exam.

6. Domicile accepted at the time of entry into Government Service was

7. No Inquiry Proceedings/ Disciplinary Proceedings are pending against hinwher.

8. In case it is decided to forward a case where adverse entries do exist in his/her records, extracts of the from the relevant PERs should be enclosed for information of the Commission. Also confirm that the adve were communicated to the official and no appeal/petition is pending for decision thereon.

9. This DPC is issued with the approval of the Competent Authority i.e.

(Authority must be mentioned viz Secretary, Joint Secretary (Admn) or D.G etc.)
Caution: For any error, omission or misrepresentation the signatory will be held responsible.
To be signed by BS-17/18 Officer dealing with Administration/ Appointment/ Personal Records
Signature:
Name
Official Stamp must be affixed

To be countersigned by BS-19/20 Officer dealing with Administration/Appointment/ Personal Records
Signature:
Name
Official Stamp must be affixed

Tel No: Tel No:

Note: Incomplete, unsigned or unstamped DPC will not be accepted.

To be sent immediately to: The Secretary

Federal Public Service Commission
Aga Khan Road, Sector F-5/1
Islamabad

N

Annex-B

FEDERAL PUBLIC SERVICE COMMISSION
SERVICE CERTIFICATE
FOR APPOINTMENT BY TRANSFER IN OMG

(Under Rule 3(vi) of Appointment by Transfer in Office Management Group (OMG), (Conduct

of Examination) Rules, 2019)

This Form can be downloaded from FPSC website: http://www. fpsc.gov.pk

I am desirous of applying for this Examination to be held for Appointment by Transfer in OMG. A Service Certificate (as required under Rules 3(vi) of Appointment by Transfer in Office Management Group (OMG (Conduct of Examination) Rules, 2019) may kindly be forwarded to the Secretary, FPSC, Islamabad withi

month of Closing date i.e.

My particulars are as under:~

a. | Name of candidate:
b._| CNIC No: Contact #
c. | Father's Name:
d._| Designation & BS: Office Pht
e. | Present Posting with Appointment Held:
f, | Parent Ministry/Division/Department/Body/Organization
g. | Period served on Deputation OMG as Section Officer (BS-17) from to (Y MD)
h. | Period served on Deputation OMG as Section Officer (BS-18) from to (YY MD)
i, | Place of Domicile: (District)
j._ | Office Address:
k._| Correspondence Address (if other than office address):
Signature of the Candidate
TO BE FILLED / VERIFIED BY ESTABLISHMENT DIVISION
> This certificate may be issued under the signature of Joint Secretary, Establishment Division and communicated to FPSC within 30 days from the closing date. On selection, the nominee would join OMG as Section Officer.
> This certificate must be processed on Personal File of the applicant / employee.
> The employment record must be checked and verified/ confirmed to fall in line with the Eligibility Criteria.
File No. Dated:

3. It is certified that, Mr. is an officer of Federal/Provincial/Regional Govt./Autonomous Body/Corporation and has served on deputation in OMG as in BS-17
from to (Days) and in BS-18 as

from to Days).

4. There is nothing adverse in his/her last three (03) years Performance Evaluation Reports (PERS).

(Official Seal)

Signature:
Name:

Designating: Joint Secretary,
Establishment Division, Islamabad

Note: Incomplete, unsigned or unstamped NOC will not be accepted.

To be sent immediately to:

The Secretary
Federal Public Service Commission
Aga Khan Road, Sector F-5/1
Islamabad

6.5 The Provincial Management Services (PMS) and Provincial Civil Services (PCS) Induction into Pakistan Administrative Service Rules,2020

In exercise of the powers conferred by section 7-A of the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), read with sub-rule (2) of rule 7 of the Civil Service of Pakistan (Composition and Cadre) Rules, 1954, the Chairman of the Commission, with the approval of the Federal Government, is pleased to make the following rules, namely:—

PART-I

1. Short title and commencement.—(1) These rules shall be called the Provincial Management Services (PMS) and Provincial Civil Services (PCS) Induction into Pakistan Administrative Service Rules, 2020.

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

a) “Commission” means the Federal Public Service Commission (FPSC);
b) “Government” means the Federal Government;

c) “Provincial Government” means the Government of Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh;

d) “Regional Governments” means the Government of Azad Jammu and Kashmir (AJK) and Government of Gilgit Baltistan;

e) “Provincial and Regional Civil Service” means Provincial Management Services (PMS) and Provincial Civil Services (PCS) (i.e. Executive and Secretariat service) of the province and AJK Management Group and Secretariat Group of AJK and District Management Service and Office Management Service of Government of Gilgit Baltistan;

f) “inductee” means an officer initially appointed to Pakistan Administrative Service (PAS) in BPS-19 by induction through process of recruitment from the Provincial or Regional Civil Service in accordance with these rules;

g) “Rules” means the Civil Service of Pakistan (Composition and Cadre) Rules, 1954;

h) “Service” means Pakistan Administrative Service (PAS);

i) “specialized training” means specialized training prescribed for the inductees in PAS at a training institution or place as Establishment Division may prescribe; and

j) | “Specified” means specified by rules made by Commission under section 7A of the Federal Public Service Commission Ordinance, 1977 (XLV of 1977).

(2) The expressions used but not defined herein shall have the same meaning as are assigned to them in the Federal Public Service Commission Ordinance, 1977 (XVL of 1977) and the rules made thereunder.

PART-II
Requisition, Eligibility, Application, Fee, Examinations, Merit

(3) Requisition by the Establishment Division —The Establishment Division shall send a requisition to the Commission indicating total number of vacancies, province and region wise, to be filled through induction by process of recruitment of officers of Provincial and Regional Civil Services into Pakistan Administrative Service in BPS-19 under the Rules.

4. — Eligibility Criteria—(1) The officers of provincial management service or provincial civil services, i.e. executive and secretariat services, of the Provinces, Azad Jammu and Kashmir management group and secretariat group and district management service and office management service of Gilgit Baltistan, recruited directly in BPS-17 through respective public service commission having minimum of twelve years' service in BPS-17 and above who held a cadre post for a period of five years and presently holding post in BPS-19 in the respective service on regular basis shall be eligible for appointment in the service in BPS-19 on recommendations of the Federal Public Service Commission as stated under these rules:

Provided that the appointments under this sub-rule shall not exceed thirty percent of the appointed share of the service in Federal sub-cadre in BPS-19 and above.

(2) Only those candidates shall be eligible to apply who have a minimum blood count of seventy five percent and at least three "very good" performance evaluation reports (PER's), with no "average" PER, in the immediately preceding five years in which the application for the FPSC examination is made and it shall be the responsibility of the Provincial and Regional Governments to provide the accurate blood count and synopsis of PERs.

(3) No candidate shall be eligible for consideration under sub-rule (2) unless no penalty has been imposed on the application officer during the last five years nor any disciplinary proceedings under the respective efficiency and discipline rules of the Provincial and Regional Governments or any inquiry under the accountability laws or any criminal proceedings are pending or under trial against him in any court of law.

(4) A no objection certificate (NOC) issued under the signature of Secretary (Services) and counter signature of Chief Secretary of the respective Provincial and Regional Government as per specimen at Annexure-A duly filled in, shall be required and forwarded to Secretary, FPSC within one month of closing date, in respect of the candidate desirous to apply under sub-rule (2) and only officers who obtain NOC from the respective Secretary (Services) duly countersigned by the Chief Secretary as aforesaid shall be eligible to appear in the competitive examination and no exception to this effect shall be accorded at all.

(5) Once the seats calculated against 30% apportioned share of cadre posts of PAS in Federal sub-cadre in BPS-19 and above are filled under these rules, the future vacancies of these seats due to promotion, retirement, death or removal etc. of an officer, shall again be available for induction under these rules.

5. Application for the examination.-(1) On receipt of requisition under rule 2, the Commission shall invite applications from the aspirants through public notice in leading newspapers as specified by the Commission.

(2) The aspirants shall apply online till the closing date as specified by the Commission.

(3) After applying online the aspirants shall furnish to FPSC bio-data form as per Annex-B, so as to reach FPSC within fifteen days of online submission.

(4) Admission certificate shall be issued to the applicants online as per practice duly specified by the Commission.

(5) Save as provided in these rules, all candidates may appear in written examination provisionally at their own risk subject to their being found eligible in all respects. On detailed scrutiny of the application after written examination or announcement of result of written part of the examination, if any candidate is found ineligible in any respect under these rules, his candidature shall be cancelled regardless of the fact that he has appeared in the examination or has qualified thereof.

6. Examination fee.-(1) The application fee and mode of its receipt etc. for appearing in the competitive examination shall be such as specified by the Commission from time to time.

(2) No claim for refund of fee paid under sub-rule (1) shall be entertained nor shall the fees paid be held in reserve for another examination or selection.

(3) Original receipt of payment or treasury receipt shall be mandatory for admission into the examination center. No cash, postal orders, cheques, money orders, bank drafts, or bank scroll, bank or office treasury certificate etc. or any other document to this end, shall be acceptable at all.

7. Competitive examination for induction.--(1) The competitive examination shall comprise following, namely:—

(a) written examination - 300 Marks
(b) viva voce - 100 Marks

(2) Written examination for 300 marks shall be required to be undertaken by all the candidates.

(3) The number of papers, syllabus, duration and marks for each paper, from time to time, for the written examination shall be specified by the Commission.

(4) If an officer candidate is absent in a paper for medical or any other reasons, no separate examination in the missed paper shall be arranged for him nor shall he be allowed to appear in the remaining papers and shall be considered as failed in the written examination.

(5) An officer who fails to secure at least forty percent marks in each of the papers and fifty percent marks in the aggregate and overall shall be considered to have failed in written examination.

(6) Each candidate officer who is declared qualified in written part of the examination shall be interviewed, which is assigned hundred marks, by the same Board conducting viva voce of the CSS competitive examination in that year, which shall have before them a record of officers' career, and academic and extramural activities.

(7) The Commission shall specify the broad parameters for viva voce.

(8) An officer who fails to secure at least fifty percent marks in viva voce shall be considered failed and shall not be eligible for induction.

(9) The Board shall, in framing its assessment as to suitability for induction, attach particular importance to officer's aptitude, intellect, mental alertness, strength of character; understanding of governance and related statutes, domestic and international affairs, social fabric and cultural matrix of Pakistan, service experience and exposure and potential for leadership towards holding higher positions shall also be considered.

(10) Failure in either interview or written part shall be deemed as failure in the examination as a whole.

(11) An officer shall have a maximum of two chances or attempts in his service career to appear in the written examination and viva voce.

(12) An officer shall be deemed to have attempted the examination and his chance shall stand consumed, if he actually appears in any one or more papers of the written examination and even if he tenders blank answer book or NOC is not issued to him by respective Secretary (Services).

(13) For availing the second chance, the officer must apply afresh and obtain NOC from the respective Provincial or Regional Government.
(14) An officer who conceals the number of previous attempts or any other

related material fact, shall be prosecuted leading to his dis-qualification for induction and initiation of criminal proceedings.

8. Schedule of examination and centers.-(1) The competitive examination shall be held simultaneously at Islamabad, Karachi, Lahore, Peshawar and Quetta depending upon sufficient number of candidates or a location as determined by the Commission on such dates and time as notified for the purpose.

(2) Viva voce of the officers qualifying the written examination shall be held at Islamabad on such dates and time as notified by the Commission.

(3) Once examination center is selected by an officer, it shall not be changed and the examination center and hall once allotted to an officer shall be final and he shall not be allowed to sit in another centre and hall.

(4) No officer shall be admitted to the examination hall who does not hold an admission certificate issued under sub-rule (4) of rule 4, original CNIC and original treasury receipt for the payment of fee as stated under sub-rule (3) of rule 5S.

(5) An admission certificate generated or downloaded from the FPSC website shall be accepted. Intimation about examination center, roll number and schedule of examination or date sheet, may be downloaded from the FPSC website.

(6) Obtaining correct information, providing correct information, abidance by the rules, completeness of application, provision of complete and upto date documents, adherence to the schedule and appearance at specified date and time for the test and viva voce shall be the sole responsibility of the candidate and no exception to this end shall be considered.

9. Determination of final merit.-(1) The officers who qualify in written examination and viva voce, their final merit shall be determined by adding marks obtained in the written examination and viva voce.

(2) When total marks of both written examination and viva voce of more than one candidate are equal, the one who gets more marks in viva voce shall be treated as higher in merit. If marks in viva voce are also equal, the one who is older in age shall be treated as higher in merit. If the date of birth is also same, the one with higher or additional qualifications shall be treated as higher in merit.

(3) Only the Commission shall announce the result.

10. Determination of previous service and performance.-(1) NOC containing service record and other essential details of the candidate officer shall be sent to the Commission by the respective Provincial or Regional Governments on the format as set out in Annex-A.

(2) In case of discrepancy in facts reported by the candidate in his bio-data form and the contents of NOC sent by the department, details as contained in NOC form shall be considered correct and final.

PART-II

Vacancies, Domicile, Induction, Probation, Unfilled Vacancies, Specialized Training, Seniority, Promotion and Pay Fixation

11. Vacancies.-(1) Actual number of vacancies in BPS-19 to be filled through induction by process of recruitment of officers of PMS/PCS shall be announced by the Commission after intimation by Establishment Division. The Establishment Division, however, reserves the right to fill a smaller or larger number of vacancies than those announced.

(2) Provincial and regional quotas with inclusion of seven and half percent open merit seats shall be as under:—

Existin: Distribution Ser Province/ Region	Quo ne of 7.5% Merit Seats	Total share
d) (2) GB) (4) G) Punjab (including Federal ° , 0 I. Area of Islamabad) gm	Nil g%	
Sindh The share of Sindh will be further sub-allocated in the following ratio:	8.2%	
2. Urban areas namely Karachi, Hyderabad and Sukkur	19% or 7.6% | "°°	40% of 0.6% 20.5%
Rural areas i.e. rest of Sindh excluding Karachi Hyderabad and Sukkur	19% or 0.90%	60% of 1.5% 12.3%
; KPK	11.5%	1% 12.5%
4. Balochistan	6%	2% 8%
New merged Districts of Khyber Pukhtunkhawa (ex-FATA) (This share shall not be merged into Khyber Pakhtunkhwa and be observed		
5. independently for next 10 years in conjunction with the ten-year development Plan devised to bring the Ex-FATA at par with the Khyber Pakhtunkhwa socially and economically).	3%	1.25% 4.25%
6. Gilgit-Baltistan	1%	0.75% 1.75%
7. AJK	2%	1% 3%

12. Domicile.—Vacancies earmarked for prescribed provincial quotas shall be allocated to officers on the basis of the domicile certificate declared by him at the time of joining the service of the respective provincial or regional government.

13. Induction.—(1) Officers securing the highest places in the final merit list for the respective provinces and regions and otherwise eligible shall be recommended by the Commission in order of merit upto the number of vacancies available for each province and region for induction into Pakistan Administrative Service in BPS-19.

(2) No officer shall be considered for induction to Pakistan Administrative Service if he has been declared un-suitable by the Commission during viva voce.

14. Probation period and connection with the PMS or PCS.-(1) Appointment through induction of the recommended officers shall be made by the appointing authority in Pakistan Administrative Service on regular basis.

(2) The inducted officers shall be on probation for a period of two years or for such period as the appointing authority may extend for and till the successful completion of training.

(3) On appointment in the Pakistan Administrative Service, the inducted officers shall sever their connection with the respective Provincial and Regional Governments and shall not hold any lien, except during probation, against post previously held as part of provincial or regional civil service.

15. Unfilled vacancies and waiting merit list.--(1) Once the process of induction is complete on the recommendations of the Commission, the vacancies which remained un-filled due to non-availability of qualified officers under any provincial or regional quota shall be carried over to next examination for filling from among the same quota.

(2) The Commission shall maintain a waiting merit list at the end of completion of process, for each provincial and regional quota for forty-five days after which the waiting merit list shall not be valid and the process of recommendations for induction shall stand completed.

(3) Any recommendee of the Commission who does not join and intimation in this regard reaches to the Commission within thirty days, the Commission shall recommend the next officer candidate on merit in respective quota.

(4) The vacancies of non-joiners, reported to the Commission after forty-five days shall be carried over to next competitive examination.

16. Specialized training programme. - Every officer, inducted in BPS-19, shall undergo specialized training for officers inducted in PAS in such training institutions at such place and time and for such period as the Establishment Division may intimate.

17. Seniority, inter se seniority and length of service.--(1) The seniority of the inductees shall be reckoned from the date of their regular appointment in Pakistan Administrative Service in accordance with the provisions contained in the Civil Servants

(Seniority) Rules, 1993. They shall be placed at the bottom of the batch promoted and appointed to BPS-19.

(2) The length of service of the inductee in respect of his eligibility for promotion as prescribed in the Establishment Division's O.M No. 1/9/80-R-2 dated 2" June, 1983 shall be counted with effect from the date of his regular appointment in Pakistan Administrative Service.

(3) The inter-se-seniority of the inductees shall be determined by the appointing authority in order of merit assigned by the Commission.

18. Promotion to higher rank or pay scales in PAS.-The promotion of the inductees to higher rank in PAS shall be governed by the relevant rules applicable to the Pakistan Administrative Service and shall be subject to completion of such conditions and trainings as are prescribed for such promotion in the Pakistan Administrative Service.

19. Pay fixation and pension.--(1) The pay of the officers inducted in Pakistan Administrative Service shall be fixed under the normal rules applicable to civil servants of the Government.

(2) Without prejudice to other provisions of these rules, the service rendered by the inductees as part of Provincial or Regional civil service shall count towards pension but not towards seniority and promotion.

PART-IV
Miscellaneous

20. Use of unfair means, un-becoming behavior and presentation of false information.- (1) An officer who knowingly furnishes particulars which are false, suppresses material information, or attempts to influence the Commission, or officers or members of the staff of the Commission, or tries to obtain support for his candidature by improper means, or deliberately submits forged certificates, or misbehaves in the examination hall or uses any kind of unfair means as ordinarily perceived to be: as such including use or attempted use of mobile phone, smart phone, smart watches or any other electronic device or gadgetry for copying or even listening to or receiving information through or communicating both overtly or covertly with external agents, or misconducts, misbehaves or willfully displays rude behavior or coerce or threaten by any mean during examination or viva voce and uses filthy and un-ethical language in the answer book or any other written communication or presents false information using any mean to include before, during and - after written examination and viva voce, shall be dis-qualified for induction and shall be proceeded against under criminal provisions of the Pakistan Penal Code, 1860 (Act XLV of 1860).

(2) An officer who, even after his appointment by induction in Pakistan Administrative Service, is found to have knowingly furnished particulars which were known to him to be false or to have suppressed material information shall be liable to dismissal from service.

21. Decision of the Commission. -Decision of the Commission as to the eligibility or otherwise of an officer for admission to the competitive examination and suitability for induction shall be final.

22. Recounting of marks.-(1) Answer books of all subjects and papers of the competitive examination are confidential documents and shall not, therefore, be permitted to be seen by candidate officers or their representatives nor shall re-examination or remarking of answer books and scripts shall be allowed under any circumstances. A candidate officer desirous of getting his marks awarded by the examiners re-counted may submit his request for the purpose within one month from the date of the issue of result card or marks sheet along-with a treasury challan of prescribed fee per paper for re-counting of marks only. Thereafter, no such application shall be entertained.

(2) Re-evaluation of assigned marks awarded by the viva voce Board shall not be allowed under any circumstances.

(3) Grace marks shall not be allowed.

23. Retention of answer books.- (1) Answer books of the competitive examination of the officer candidates shall be retained in the office of the Commission for a period of one year only and thereafter shall be destroyed.

(2) Any query relating to the answers books after the specified period shall not be entertained.

24. Representation and review petition.-(1) An officer candidate aggrieved by any decision of the Commission may, within thirty days of communication of decision, make a representation to the Commission and the Commission shall decide the representation within fifteen days after giving the candidate a reasonable opportunity of hearing.

(2) An officer candidate aggrieved by the decision of the Commission made under sub-rule: (1) may, within fifteen days of decision by the Commission, submit a review petition to the Commission and the Commission shall decide the review petition within thirty days under intimation to the petitioner.

(3) Save as provided in the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), no order made or proceeding taken, or rules made, by the Commission shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made or taken in pursuance of any power conferred by or under the said Ordinance.

(4) Any candidate aggrieved by a decision of the Commission under sub-rule (2) may within thirty days of the decision, prefer an appeal to the High Court.

(5) Each representation and review petition duly signed by the officer candidate shall be entertained only if accompanied with original treasury receipt of the fee specified by the Commission for the purpose.

25. Correspondence.-All correspondence shall be addressed to the Secretary FPSC. Change of address if any, shall be reported to the FPSC immediately.

26. Penalty.-(1) An inductee who fails to comply with the provisions of these tules, or fails to obey any orders of the appointing authority, or from the employer or

Provincial or Regional Government under which he is serving, or from the head of training institution or from any faculty member thereof or an officer under whom he may be receiving field training, or neglects his studies, or is found cheating or misbehaving during examination, or is guilty of misconduct or who mis-behaves in a manner un-becoming of an officer shall be liable for removal from service or to such other action as the appointing authority may direct, in accordance with the applicable rules.

(2) No adverse orders shall be passed in respect of an inductee unless he is given an opportunity to show cause and personal hearing.

Annex-A
) Part-I
(s} FEDERAL PUBLIC SERVICE COMMISSION
Sa NO OBJECTION CERTIFICATE (NOC)

FOR INDUCTION OF OFFICERS OF PMS/PCS INTO PAS
(As required under Rulc-3(iv) or PMS/PCS Induction into PAS Rules, 2020)

(COMPETITIVE EXAMINATION-2020)

1. I applied for the above Examination on the prescribed form online. Necessary No Objection Certificate may kindly be forwarded to the Secretary, FPSC, Islamabad within one month upto

2. I claimed my particulars and Employment Record in my Application Form as under:—

(a) | Name of officer:

(b) | CNIC No: Contact#
(c) Father's Name:

(d) | Date of Birth:

(e) Date of Entry into Government Service:

(f) Date of Entry into PMS/PCS

(g) Present Designation & BS: Office Ph.#
(h) | Place of Domicile: (District)

(i) | Office Address:

3. Service Record: Year of Qualifying PMS/PCS through respective Public Service

Commission of Province/Region Date of Appointment in BS-17

Present BPS Date of Promotion to Present Pay Scale Present Post held
Department Total Period of Service in BPS-17 and

above :

4. Posts Held in BPS-17 and above:

Post Held BPS From To Department Cadre or
Ex-Cadre Post

Date: (Applicant’s signature) [(Continued overleaf...)

PART-II

TO BE FILLED/VERIFIED BY TITE DEPARTMENT/ EMPWYER OF THE CANDIDATE

The Secretary (Service) of respective Provincial/Regional Government must process this certificate in the light of FPSC Advertisement and forward or communicate the refusal as the case may be, to FPSC within one month from the closing date. On selection, the department will have to relieve the official for joining th post.

Important Note > — This certificate must be processed on Personal File of the applicant/ employee.
> — The employment record must be checked and verified/ confirmed to fall in line with the Eligibility Criteria.
(i) Personal file No. (ii) Date of Birth

(iii) Date of entry into Government Service with Basic Scale:

(iv) Date of Entry into PMS/PCS through respective Public Service Commission

v) Present Designation with BS: (vi) Total Continuous Govt. Service:

(vit) Availed Extra-Ordinary Leave (Y.M.D) (vili) Accepted Domicile at time: of entry into Govt. Service

(ix) Date of Promotion in BPS-18: (x) Date of Promotion in BS-19

(xi) Total Length of Service

5. Last 5 years PERs Grading to be filled and certified by Provincial S & GAD:
. Overall Pen Picture by Remarks of
Period Pay Scale Grading RO cso
From To
6. It is certified that, the applicant with particulars as above has a minimum Blood count of

75% and at least 3 “very good” Performance Evaluation Reports (PERs), with no average PER, in the five years immediately preceding the year in which application for the FPSC examination is made: No minor and major penalty has been imposed on him nor has he/she been convicted by any court of Law during the last 05 years. No Inquiry / Disciplinary Proceedings under respective Efficiency and Discipline Rules of Provincial/ Regional governments or Inquiry / trial under Accountability Ordinance or proceedings in any court of Law are pending against him/her presently.

7. In case it is decided to forward a case where adverse entries do exist in his/her records, extracts of the adverse entries from the relevant PERs should be enclosed for information of the Commission. Also confirm that the adverse remarks were communicated to the official and no appeal/petition -is pending for decision thereon.

8. It is certified that on selection of Mr. for induction in Pakistan Administrative Services, the Government of will have no objection to relieve him to join the post under the Federal Government.

9. It is certified that this certificate has been processed on personal file of the officer and employment record has been checked and found correct as given above.

Signature:
Name:
Countersignature of Chief Secretary Designating: Secretary (Services)
Services & General Administration Department
(Official Seal) Government:

Annex-B
FEDERAL PUBLIC SERVICE COMMISSION Photograph
PERSONAL BIO DATE FORM (05)
(FOR INDUCTION OF OFFICERS OF PMS/PCS INTO PAS
(Under Provincial Management Services (PMS)/
Provincial Civil Services (PCS), Induction into Pakistan Administrative Service
(PAS) Rules, 2020)
OL RollNo: _—(To be allotted by the FPSC) Personal No:
02. Present Pay Scale:
03. Name: 04. Father's Name:
05. Domicile (Self): 06. Province:
07. Date of Birth: Day Month Year
08. Place of Birth/City (Self):
09. Marital status: (Please mark only one put a tick mark () in the relevant box)
Single Married Divorced/Widow
10. CNIC:
ll. Religion: (Please put a cross in relevant box)
Muslim Non Muslim
12 Particulars of the spouse (if married):
Name CNIC Nationality
Age: Education: Occupation: Present Designation: _
13. Details of Children:
S.No Name of the Child Age (Years) Present Occupation
(a)
(b)
(c)
(d)
(e)

14. Particulars of parents:
Father Mother

(a) Place of birth:

(b) Date of birth:

(c) Date of death, if not alive:

(d) Your age at his/ her death:

(c) Education (highest degree/class Passed):

(f) Profession

(g) Designation:

(h):

15. Give particulars of Brothers (B) and Sisters (S) in order of birth:

Present

S.No Name Relationship Age Education Occupation

(a)
(b)
(c)
(d)
(e)

16. Close relations in Civil Service:

Present Pay | Post presently

S.No Name Relationship Age Scale held

(a)
(b)
(©)
(d)
(©)

17. Details of Immovable property (parents, Self and Family):

S.No | Identification & nature of Assets(s) | Mode of acquisition/year | Cost of acquisition

(a)
(b)
(c)
(d)
(e)

18. Annual Income of family Rs. Number of Dependents

19. Academic Qualifications:
Ss. Education Institution | Year | Grade/Div. | Marks Board/ Main
No attended Obtained | University | Subjects
(a) Matric
(b) Intermediate
(c) B.A/B.Sc.
(d) M.A/M.Sc.
(e) M. Phil/M.S.
(f) Ph.D
(g) Other
20. Additional Qualifications/Trainings:
S.No Nature of Training Agency/Organization | Grade/Div | Duration Year
(a)
(b)
(c)
(d)
(e)
21. Special Courses (if any):
S.No Name of Course Year Institution
(a)
(b)
(©)
(d)
()
22. Languages (Excellent, Good, Fair):
S.No Language Read Write Speak
(a)
(b)
(©)
(d)

23. Social/ Literary interest:

24. Sports/Achievement (with year):

25. Hobbies:

26. Publications (if any) with title, journal, date of publication.

27. Travel Abroad:

S.No | Countries Period (Days) Purpose

(a)
(b)
(©)
(d)
(e)

28. Postal Address:
(in capital letters)

29. Permanent Address:
(if different from above)

30. Telephone Number (if any) with City Code:

Office: Residence: Mobile:

31. Miscellaneous: (Any other information)
32. Service Record: Year of Qualifying PMS/PCS through respective Public Service Commission of Province/Region Date of Appointment in BS-17. Present BPS Date of Promotion to Present Pay Scale. Present Post held Department Total Period of Service in BPS-I 7 and above
33. Posts Held In BPS-17 and above:

Post held BPS From To Department Cadre or Ex-

Cadre Post

34. Declaration:

(i) I Certify that the statements I have made in this application are true to the best of my knowledge and belief. I understand that if any of the above statement is false in any material respect or omit any material information relevant to my

previous examination, service, etc. my application is liable to be rejected and appointment is liable to be terminated.

(ii) I hereby further declare that I have never been involved in any criminal/civil/ disciplinary case or prosecuted in any criminal / civil or quasi-judicial proceedings involving moral turpitude (If involved, please give detailed particulars of the incident with name of police station and nature of offence).

(iii) I have read and understood “Provincial Management Services (PMS)/Provincial Civil Services (PCS). Induction into Pakistan Administrative Service (PAS) Rules,2020” before filling this application form and agree to abide by them, in totality & unconditionally.

35. Certified that I have filled in Part-I of NOC (Annex-A) and furnished the same to Secretary Services for verification/authentication and countersigning by Chief Secretary and onward submission to Secretary. Federal Public Service Commission, Islamabad within one month.

Signature:
Date: Name of the Officer:
(in Capital letters)

[No.]

GUIDELINES OF SYLLABUS FOR INDUCTION OF PMS/PCS OFFICERS INTO PAS

S. R. O. 275(1)/2021.-In exercise of the powers conferred under Section 7-A of the Federal Public Service Commission Ordinance, 1977 read with sub-rule (2) of rule 7 of the Civil Service of Pakistan (Composition and Cadre) Rules, 1954, and with approval of the Federal Government, the Chairman of the Commission is pleased to make following Guidelines for the Syllabus of Competitive Examination for Induction of Provincial Management Services (PMS)/Provincial Civil Services (PCS), into Pakistan Administrative - Service (PAS) under related Rules, 2020.

1. Examination will comprise of:

(i) Written Examination -300 Marks
(ii) Viva Voce -100 Marks

2. Written Examination:- Will be of 300 marks with breakdown as under:
(i) Paper- I, Analytical Abilities (100 Marks): Quantitative Reasoning (50) and Verbal Reasoning (50) on the lines of GRE.

(ii) Paper- II, Essay (50 Marks): An essay of 1200 to 1500 words on given topics.

(iii) Paper — III Analysis Paper (50 Marks): An analysis paper on given theme will be required with plausible conclusions and workable recommendations as outcomes.

(iv) Paper - IV, Objective Type / MCQs (100 Marks): comprising MCQs on Economy, Current Affairs, Pakistan Affairs and Public Policy & Governance.

Paper- I, Analytical Abilities (100 Marks)

a. Quantitative Reasoning (50%)
° understand, interpret and analyze quantitative information
° solve problems using mathematical models

° apply basic skills and elementary concepts of arithmetic, algebra, geometry and data analysis

b. Verbal Reasoning (50%)

° Analyze and draw conclusions from discourse; reason from incomplete data; identify author's assumptions and/or perspective; understand multiple levels of meaning, such as literal, figurative and author's intent

° select important points; distinguish major from minor or relevant points; summarize text; understand the structure of a text

. understand the meanings of words, sentences and entire texts; understand relationships among words and among concepts

c. Analytical Writing is covered under Essay as separate paper.
Suggested Readings

GRE The Official Guide to the Revised General Test (Latest Edition) Barron's GRE, Latest Edition, Sharon Weiner Green M.A.

Paper - II, Essay (50 Marks)

50 Marks comprising Essay of 1200-1500 words on given topics focusing on analysis.

e A wide choice of topics relating to social, political, development, security, economic and international affairs will be given. Officers are expected to reflect comprehensive and reach based knowledge on a selected topic, arrange their ideas in orderly fashion and to write concisely. Candidate's articulation, effective and exact expression and technical treatment of the style of English Essay writing will be given credit. The focus shall be on:

e articulate complex ideas clearly and effectively

e support ideas with relevant reasons and examples
e examine claims and accompanying evidence
. sustain a well-focused, coherent discussion

e control the elements of standard written English

Suggested Readings

Title Author

Practical English. Usage M. Swan (Oxford University Press).

A University English Grammar R. Quirk & s. Greenbaum (ELBS; Longmans)

Write Better, Speak Better Readers Digest Association.

Modern English in Action Henry Christ (D.C Heath & Co.)

Paper - III, Analysis Paper (50 Marks)

An analysis of given Theme containing brief situation and information will be required. Emphasis will be on soliciting practical recommendations based on

sound conclusions. Analysis of situations as faced in Public Administration related to PAS shall be focused at. Any famous known previously experienced situation may also be included.

Paper- IV, Objective Type/MCQs (100 Marks)

100 Marks, comprising MCQs on Public Policy, Governance & Administration (35%). Economy of Pakistan (30%). Current and Pakistan Affairs (35%). Broad contours shall be as following:

Public Policy, Governance & Administration (35%)

I.

IL.

I.

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VI.

Basic Concepts of Governance: Origin of the Governance, good governance and effective governance; Characteristics of good governance: Participation, Rule of law, Transparency, Responsiveness, Equity, Effectiveness and Efficiency, Accountability, Strategic Vision, Failure of Governance: its indicators diagnostic tools & Effects.

Governance Theories: Communitarianism; Decentered Theory; Libertarian Socialism; Institutionalism; Marxism; Neoliberalism; Rational Choice Theory; Regulation Theory.

Governance Indicators: laid down by World Bank/IMF/ UNESCO/ UNDP/ADB, their explanation & application in Pakistan Transparency and Accountability; Political Stability and Absence of Violence; Government' Effectiveness; Regulatory Authorities & their quality of service; Rule of Law; Control of Corruption.

Public Policy and planning Institutions and their role in Planning: Institutional Framework for Policy Coordination and Planning (ECNEC, Economic Coordination Committees of the Cabinet, The Federal Cabinet, The Secretaries Committee, Minister's Secretariat, The Planning Commission, The Finance Division, The Cabinet Division, and all Federal Ministries for their respective subject); Role of Planning Commission in Policy and Planning; Strategic Planning in Federal: Provincial Government and Local Government; Role of International Donors in Policy Formulation (IMF Document "Memorandum on Economic and Financial Policies 2013/14-2015/16" that underpins almost all public policies.); Public Policy and implementation in Key Sectors (i.e., Health, Education).

Accountability: Introduction to Accountability and its concepts (Standards, Symbolism, regional and country-wide comparisons, a Review of Contemporary Studies); Types of Accountability Political Accountability, Legal/Judicial Accountability, Administration Accountability, Professional Accountability, Private vs. Public Accountability; National Strategies against Corruption and remedial measure.

Bureaucracy: Introduction to the Concept of Bureaucracy (History, Theories of Bureaucracy (Max Weber, Marx, John Steward Mill, Woodrow Wilson) Role of Bureaucracy in Pakistan British Legacy, civil-military relations, neutrality, dilution of degradation, political allegiance,

VU.

Vill.

Ix.

Xi.

power. Public Administration and Code of Ethics (Effectiveness of the Estacode and the Code of Ethics, Comparison with other countries).

Public Policy Formulation and Implementation: The Policy Making Process: How Policies are Made (Six stages including diagnosis with cautions to be exercised at each stage); Policy Implementation & Role of Bureaucracy (Training, Pervasive Inertia and resources, Political interference, Ability to say “No.”); Policy: Analysis, The Quest for Solutions (Lack of research in policy analysis, Lack of coordination among departments, secrecy, openness); Policy Evaluation; Assessing The Impact of Public Policy, Program Evaluation; Success and failure of Government.

Multi-level Governance in Pakistan:

e Legislature: National Assembly, Senate, Provincial Assemblies, Standing Committees, Public Accounts Committees:

° Judiciary: Supreme Court, High Courts, Lower Courts, judicial review, judicial activism.

e Federal, Provincial Cabinets and Federal Ombudsman.

e Council of Common Interests, National Economic Council, Economic Committee of the Cabinet, Executive Committee of the National Economic Council, National Finance Commission, Cabinet Committee on Privatization, Cabinet Committees, Public-Private Sector Committees on Economy, Tax Reform.

° Functioning of the offices and lateral interference in decision making: President of Pakistan; Prime Minister of Pakistan; Office of Governor, Office of Chief Minister.

° Local Government system under the latest local Government Acts: District Government, Tehsil Government, Union Administration, Its Efficiency, Performance & Causes of Success or Failure.

Federalism, Devolution and Decentralization: Constituents participation in Federal Structure; Principle of Subsidiary in Public Service Delivery; Decentralization Models.

Role of Citizens in Governance and channels for factoring their voice.

Good Governance in Islam: Quranic Guidance on Good Governance; Concept of Governance and its application in light of Quran; Sunnah and Fiqh.

SUGGESTION READINGS

Titles Author

Governance Ane Mette Kjaer

Encyclopedia of Governance, Volume 2

Mark Bevir

Implementing Public Policy: Governance in
Theory and in Practice,

Hill M. and Hupe P.

Approaches

Accountability: Managing for Maximum Results Sam R LLyod

Guidance for Good Governance: Abdullah Ahsan & Stephen
Explorations in Quranic, Scientific & Cross-Cultural Bonsalyound

How Governments Work

Muzaffar A. Ghaffaar

Government and Administration in Pakistan

Dr. Jamil-ur-Rehman

Public Administration With Special Reference To Pakistan

Dr. Sultan Khan

Constitution of Islamic Republic of Pakistan

National Assembly

Pakistan: Beyond the Crisis State

Maleeha Lodhi

Power Dynamics, Institutional Instability and Economics
Growth: The Case of Pakistan

Akmal Hussain

Federalism and Rights

Ellis Katz and G Allan Tarr

Local Government Reforms in Pakistan: Context, Content
and Causes

Ali Cheema, Asim Ijaz
Khawaja and Adnan Qadir

Economics Democracy Through Pro Poor Growth

Ponna Wignaraja, Akaml
Hussian Susil Sirivardana

Governance: South Asian Perspective

Hasnat Abdul Hye

Governance, Economic Policy and Reform in Pakistan

Abdus Samad

"Pakistan-Problems of Governance," 1993

Hussain, M., Hussain. A.

“Pakistan's Predicament: The Diagnostic and the Deputes
within,” Journal of Pakistan Vision, 13/1(2012).

Racine, Jean-Luc.

History, and Democracy,” Public Administration
Quarterly, UC Berkeley, 2013

The Culture of power and Governance of Pakistan-1947- Niaz, I.
2008, Oxford, 2010
“Legitimacy and the Administration State: Ontology, Bevir, M.,

Handbook of Public Policy Analysis

Frank Fischer, Gerald J.
Miller, and Mara S. Sidney

Public Policy : Politics, Analysis, and Alternatives, 44"
Ed., CQ Press, 2012

Kraft, Michael E., Scott R.
Furlong

Public Policy in An Uncertain World: Analysis Decisions,
Harvard, 2013

Economy of Pakistan (30%)

ii.

iii.

iv.

vi.

Vii.

Definition and Measurement of Development: Characteristics of under development, rethinking on the concept of development: Growth vs. Redistributive justice, Absolute and Relative Poverty, Basic Needs Approach, Sustainable Development, Environmental Degradation & other Issues.

Planning Experience of Pakistan: A critical evaluation of the strategy of economic planning, growth and governance institutions. Strategic Planning and Management; Planning Process; Policy Analysis; Policy Implementation; Program Evaluation; Planning Machinery; Role of Donors and International Institutions in Public Policy and Management; Policy making and implementation of Federal Government of Pakistan.

Agricultural Development in Pakistan: Changes in Agricultural Policies over plan periods, Major Monetary and Fiscal measures to promote Agricultural development, Green Revolution Strategy and its implications for growth and redistribution, Land Reforms and changes in the Tenure System 1950-1980, Subsidies to agriculture sector, Issues and Challenges facing agriculture sector in Pakistan, Cooperative and Corporate Farming, Rural Development.

Industrial Development in Pakistan: Early industrialization strategy, Creation of Financial and Development Institutions, Major monetary and fiscal measures to promote industrial development, changing role of public sector over the plan periods, Evaluation of Nationalization Policy, Concentration of industrial income and wealth, Evaluation of Import Substitution Policy and Export led Growth Strategy in Pakistan. Issues and challenges facing industrial sector in Pakistan.

Role of Foreign Trade and Aid in Economic Development:

Pakistan's Balance of Payments, Terms of International Trade, Changes in direction of trade, Trends in Pakistan's major exports and imports and issues facing export sector, Causes of significant changes in the trends, role of migration and remittances: in Pakistan's economy, costs and benefits of Foreign Aid, Role of Foreign Direct Investment.

Privatization, Denationalization, Deregulation: Conceptual and operati-onal aspects, International comparisons, globalization and its impact on flow of capital, labour and sovereignty, Pakistan's Experience of Privatization, regulatory bodies and their effectiveness.

Energy Sector of Pakistan: A comprehensive evaluation of energy sector of Pakistan including -energy mix, power sector, oil and gas sector. management of power generation and distribution, Independent Power Producers experience in Pakistan, Energy reserves and Potential in Pakistan, Energy and power and gas exploration; Policies, regulatory bodies, issues and challenges facing energy sector.

Vili. Social Sector Development in Pakistan: Education, Health, Sanitation, Demographic dividend, poverty, various indices including Global Multiple Poverty Index.

ix. Taxation system of Pakistan

xX. Major Issues in Pakistan Economy: Challenges facing the economy, Energy crisis, Corruption, External debt accumulation and dependency, Un-employment, Income inquiry, Inflation, Fiscal and trade deficits, Balance of payment issues, Water Issues.

SUGGESTION READINGS
Title Author
Economic Development Todaro, M.P.
(Under Development and Agrarian Structure in Khan, Mahmood Hassan
Pakistan
[Factor in Economic Development Cairneross, A.K
|Foreign Aid Theory and Practice in Southern Wolf, Jr. DC
|Asia
(Government Finance-An Economic Analysis Due John, F.
Introduction to International Economics Snider, D.A, Paul Krugman, Donimich
Salvatore
Studies on Economic Development with Special] Ghouse, A.
[Reference to Pakistan
\History of International Trade Findlay, R and O, Rourke, K
Economic Survey of Pakistan Government Publication
[Reports of the State Bank of Pakistan State Bank of Pakistan
[Poverty Reduction Strategy papers Finance Division
[Annual Plans Planning Commission
\Foreign Aid Theory and Practice in Southern Wolf, Jr. De
|Asia
(Government Finance-An Economic Analysis Due John, F.

Current Affairs (35%)
(i) Pakistan's relations with China, Russia, Saud Arabia, Indonesia, Turkey
(ii) Pakistan's relations with the United States

(iii) Pakistan's relations with International Organizations: UN, OIC, WTO, Common Wealth, CAREC, ASEAN

(iv) Security Council, World Bank and IMF Reforms
(v) Global financial Crisis and International Economy

(vi) Environment: Global Warming, Hugo Framework of Action, Sendai Framework

(vii) Millennium Development Goals
(viii) Global Energy Politics
(ix) Nuclear politics in South Asia and Role of Pakistan

(x) International Trade; Doha Development Round and Bali Plan of Action Package, Current issues in WTO, New Silk Route, Politics of FTAs/PTAs, MEN Status

(xi) Cooperation and Competition in Arabian Sea, Indian and Pacific Oceans and South China Sea including Arc of Democracy, Stings of Pearls, Trans-Pacific Partnership Treaty, Regional Economic Cooperation Plan

(xii) European Union: Challenges and Prospects and effect of Transatlantic Trade and Investment Treaty

(xiii) Globalization, liberation and erosion of sovereignty

SUGGESTION READINGS

Title Author
Federalism and Ethnic Conflict | Adeney, Katharian,. New York: Pal Grave Regulation in India and Pakistan 2007
Labor, Democratization and | Candland, Christopher, NY: Routledge, Development in India and Pakistan 2007

Perception, Politics and Security in | Chari, P.R., New York: Rutledge,2003 South Asia: The Compound Crisis in 1990

The Future of Pakistan Cohen Stephen P. Et at. Washington: Brookings Institute Press, 2001

Frontline Pakistan: The Struggle with | Hussain, Zahid. New York: I.B Tauris, Militants Islam 2007

Conflict Between India and Pakistan: Lyon, Peter. California: ABC- CLIO, 2008 an Encyclopedia.

Back to Pakistan: A Fifty Year Journey | Mass, Leslie Noyes. Playmouth: Rowman & Little Fiedld Publishers,2011

Judging the State: Courts and Constitut- | Newberg, Paula R. Cambridge: Cambridge ional Politics in Pakistan University Press. 1995

Pakistan: Manifest Destiny. Qureshi, Atiff. London: Epic Press 2009

Title	Author
Pakistan, America, and the Future of Global Jihad	Riedel, Bruce. Deadly Embrace: Washington: Brookings Institute Press, 2011
Kashmir in Conflict: India, Pakistan and the Unending War	Schofield, Victoria. New York: I.B. Tauria,
Islamic Law and the Law of Armed Conflict:The Armed Conflict in Pakistan	Shah, Niaz A. New York: Routledge, 2011
Making Sense of Pakistan	Shaikh, Farzana, New York: Colombia University Press, 2009
A Brief History of Pakistan	Wynbrandt, James. New York: InfoBase Publishing, 2009
Powering Pakistan: Meetings Pakistan Energy Needs in 21“ Century	Robert M. Hathaway and Michael Gugelman
Pakistan’s Energy Sector: From Crisis to Crisis-Breaking Chain	Zaid Alahdad
Pakistan Foreign Policy 1947-2005: A Concise History, 2011	Abdul Sattar,
ssue in Pakistan 's Economy, 2010	Akbar S. Zaidi
Pakistan: A Hard Country, 2012	Anatolleven

Government & Politics in South Asia,
6" ed., 2009

Baxter, Malik, Kennedy & Oberst

ntroduction to International Politics
Economy, 2010

David Balaam & Brandford Dillman .. .

nternational Organization (Second
Edition) 2012

Volker Rittberger, Bernhard Zangl and
Andress Kruck

The Age of Deception: Nuclear
Diplomacy in Treacherous Times

Mohamed Elbaradei, 2011

nternational Relations, 2012

Joshua Goldstein

World Politics: Trends &
Transformation, 2011

Kegley & Blanton

nterests & Institutions in the Global

Pakistan Beyond the Crisis, 2011 Maleeha Lodhi
Globalization in Questions, 2009 Paul Hirst
Omtermatopma; Political Economy: Thomas Oately

Politics and Change in the Middle
East, 10" Ed., Pearson, 2012

Andersen, Seibert, and Wagnber

Eating Grass: The Making of the
Pakistani Bomb, (2012)

Feroz Khan

[Authority.— Federal Public Service Commission’s Notification S.R.O No. 274(1)/2021 dated
23" February,2021]

VII. FEDERAL PUBLIC SERVICE COMMISSION

7.1 Federal Public Service Commission Ordinance,1977 (No. XLV of 1977)

WHEREAS it is expedient to repeal and, with certain modifications, re-enact the Federal Public Service Commission Act, 1973 (LXVI of 1973);

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

NOW, THEREFORE, in pursuance of the proclamation of the fifth day of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (CMLA Order No.1 of 1977), and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

1 Short title and commencement.—

(1) | This Ordinance may be called the Federal Public Service Commission Ordinance, 1977.

(2) It shall come into force at once.

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

(a) “Commission” means the Federal Public Service Commission; and

(b) “Member” means a member of the Commission and includes the Chairman thereof.

3. Composition of Commission, etc.

(1) | There shall be a Federal Public Service Commission.
(2) _ The President shall by regulations determine:-

(a) the number of members of the Commission and their conditions of service; and

(b) the number of members of the staff of the Commission and their conditions of service:

Provided that the salary, allowances and privileges of a member of the Commission shall not be varied to his disadvantage during his term of office.

(3) The Chairman and other members of the Commission shall be appointed by the President.

*(4). The Commission shall have:

(a) not less than one half of the members who shall be persons having held office in the service of Pakistan in basic pay scale 21 or above

post:

“Substituted vide FPSC (Amendment) Ordinance 56 of 2000, s.s.2 to 5, dated 17-11-2000.

Provided that no serving Government servant shall be appointed as a member;

(b) at least one member each from;

(i) _ retired judges of the superior judiciary;

(ii) retired officers not below the rank of Major-General or equivalent of the Armed Forces; and

(iii) women and the private sector possessing such qualifications and experience as the Federal Government may by rules prescribe.

“[(5). No proceedings or act of the Commission shall be invalid merely on the

ground of the existence of a vacancy in, or a defect in the constitution of the Commission.]

4. Term of office of members, etc.

“T(1) A member of the Commission shall hold office for a term of three years from the date on which he enters upon office or till he attains the age of sixty-five years whichever is earlier;

Provided that a member of the Commission who is a retired Judge of the Supreme Court or a High Court shall hold office for a term of three years within five years from the date of his retirement;

Provided further that a member of the Commission shall not be eligible for re-appointment.

(1A) Notwithstanding anything in any contract, agreement or any instrument containing terms and conditions of the service, a member who, on or after the commencement of the Federal Public Service Commission (Amendment) Act, 2006, completes his tenure or attains upper age-limit specified in sub-section (1) shall on such commencement forthwith cease to be member as defined in clause (b) of section 2.]

(2) A member may resign his office by writing under his hand addressed to the President.

“"4A, Oath of office.

Before entering upon office the Chairman and a member shall take oath in the form set out in the Schedule to this Ordinance before the President in case of Chairman and before the Chairman in case of a member.]

5. _ Ineligibility for further employment.

On ceasing to hold office, a member shall not be eligible for further employment in the service of Pakistan.

*

Ins. and shall be deemed always to have been so ins. vide FPSC (Amdt.) Ordinance,1978 (25 of 1978) s.2.
* Subs. vide FPSC (Amdt.) Act,2006 (v of 06) s.2 and shall be deemed to have been substituted.
"amended vide FPSC (Amendment) Ordinance 2000 (56 of 2000) s.s. 2 to 5.

*“[5A. Appointment of a serving member as a Chairman.

A serving member of the Commission shall be eligible for appointment as Chairman for a term not exceeding the unexpired portion of his term as such member.]

6. | Removal from office.

A member shall not be removed from office except in the manner applicable to a Judge of a High Court.

7. Functions of the Commission.
(1) The functions of the Commission shall be:—

“(a) to conduct tests and examinations for recruitment of persons to All-Pakistan Services, the civil services of the Federation and civil posts in connection with the affairs of the Federation in basic pay scales 16 and above or equivalent;”

**(1a) The recruitment to the posts in basic pay scales 11 to 15 made by any authority or person on or after the 28" May 2003, other than through the Commission, shall, notwithstanding any provision of this Ordinance or any other law, rule, notification or any order, decision of judgment of any court or forum, be deemed to be, and always to have been validly made, taken or done and shall not be called in question in any court or forum or any ground whatsoever.

(b) to advise the President:

(i) on matters relating to, qualifications for and method of recruitment to, services and posts referred to in clause (a);

(ii) on the principles to be followed in making initial appoint-ents to the services and posts referred to in clause(a) and in making appointments by promotion to posts in BPS 18 and above and transfer from one service or occupational group to another; and

(iii) on any other matter which the President may refer to the Commission; ***[and]
***(c) to hold examinations for promotion for such posts as the Federal Government may, from time to time, by notification in the official Gazette, specify.

Explanation.—

In this section, “recruitment” means initial appointment other than by promotion or transfer.

* amended vide FPSC (Amendment) Ordinance 2000 (56 of 2000) s.s. 2 to 5.
Substituted vide Act No. X of 2005 , s.7 (w.e.f. 28-05-2003).
*“ Substituted and Added vide Ordinance No. XLIX of 2002, dated 03-09-2002.

(2)

Recruitment to the following posts shall be outside the purview of the

Commission:—

(i)
“[Ga)
(i)

(iii)

(iv)

(v)

in the President’s Secretariat;
in the Directorate General of Inter Services Intelligence (ISI)];

filled by appointing a person on contract for a specified period ““[not exceeding two years];

filled on ad-hoc basis for a period of six months or less provided that—

(1) no ad-hoc appointment shall be made before placing a requisition with the Commission for regular appointment; and

(2) before filling the post on ad-hoc basis, prior approval shall be obtained from the Commission;

filled by re-employing a retired officer, provided that the re- employment is made for a specified period “[not exceeding two years] in a post not higher than the post in which the person was employed on regular basis before retirement; and

filled by the employment or re-employment of persons on the recommend-ations of the High Powered Selection Board constituted by the President who are, or have been, Officers of the Armed Forces and hold, or have held, such posts therein as are declared by the President to be equivalent to the posts to be so filled.

““'[(3) (a) A candidate aggrieved by any decision of the Federal Public Service

Commission may, within thirty days of such decision, make a representation to the Commission and the Commission shall decide the representation within fifteen days after giving the candidate a reasonable opportunity of hearing. The decision of the Commission, subject to the result of review petition, shall be final.

(b) A candidate aggrieved by the decision of the Commission made under paragraph (a) may, within fifteen days of the decision, submit a review

petition to the Commission and the Commission shall decide the review petition within thirty days under intimation to the petitioner.

(c) Save as provided in this Ordinance, no order made or proceeding taken under this Ordinance, or rules made thereunder, by the Commission shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made or taken in pursuance of any power conferred by, or under, this Ordinance.

(d) Any candidate aggrieved by a decision of the Commission under paragraph (b) may, within thirty days of the decision, prefer an appeal to the High Court.]

*
Inserted vide Act No. XII of 2004 s.2 dated 16"" December, 2004.
a
Words “not exceeding two years” were omitted vide Ordinance XLVI of 2007 s.2 and now stands restored w.e.f. 25-03-2010 on expiry of the Ordinance, please see clarification of Section 7(ii) & (iv).

seek

Added vide FPSC (Amendment) Ordinance, 2001 dated 27-03-2001.

“(7-A Conduct of Business of Commission, ete-—The Chairman of the Commission may, with the approval of the Federal Government, make rules for regulating the conduct of the business of the Commission; and such rules may provide for any of the functions of the Commission specified by it being performed by a Committee composed of two or more members constituted by the Chairman for the purpose.]

8. | Commission to be informed when its advice not accepted— Where the President does not accept the advice of the Commission, he shall inform the Commission accordingly.

9. Reports of Commission.—(1) It shall be the duty of the Commission to present to the President annually a report on the work done by the Commission, and the President shall cause a copy of the report to be laid before the National Assembly and the Senate.

(2) The report referred to in sub-section (1) shall be accompanied by a memorandum setting out so far as is known to the Commission:-

(a) _ the cases, if any, in which the advice of the Commission was not accepted and the reasons thereof; and

(b) the matter, if any, on which the Commission ought to have been consulted but was not consulted and the reasons thereof.

10. Rules.—The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

11. ™ [Repeal].

*““TSCHEDULE]
(See Section 4A)

I, do solemnly swear that
I will bear true faith and allegiance to Pakistan:

That, as a Chairman (or Member) of the Federal Public Service Commission I will discharge my duties, and perform my functions, honestly, to the best of my ability and faithfully in accordance with the Constitution of the Islamic Republic of Pakistan and the law, and always in the interest of the solidarity, integrity, well-being and prosperity of Pakistan.

That, I will not allow my personal interest to influence my official conduct or my official decisions and that in the performance of my functions, whether in the selection of persons for recruitment or appointment or in any other way, I will act without fear or favour, affection or ill will.

May Allah Almighty help and guide me (A’meen).
President]

[Authority FPSC’s Ordinance No.F.24(1)/77-Pub.,dated 17-12-1977].

“Ins. vide FPSC (Amdt.)Ordinance, 1978 (25 of 1978), s.3.

“ Omitted vide Ordinance No. XXVII of 1981, dated 08-07-1981.

*" \dded vide Federal Public Service Commission (Amendment) Ordinance No. LVI of 2000, s.3 dated 17-11-2000.

CLARIFICATION

Clarification Regarding Amendment In Federal Public Service Commission Ordinance, 1977

Section-7(2) (ii) & (iv) of the Federal Public Service Commission (FPSC) Ordinance, 1977 was amended vide FPSC (Amendment) Ordinance, 2007 and promulgated on 15-09-2007. Consequently, contract appointments and re-employments beyond two years were taken out of the purview of the Federal Public Service Commission.

2. Supreme Court of Pakistan in its judgment, dated 31“ July, 2009 had held that the ordinances promulgated by the President before 03-11-2007, which were given permanence by PCO(1)/2007 and also the Ordinances made and promulgated by the President between 03-11-2007 to 15-12-2007 (both days inclusive) which were also like wise given permanence through the same instrument, stood shorn of their purported permanence. The Supreme Court of Pakistan had observed that this Ordinance may be placed before the Parliament and allowed 120 days (period of validity) in terms of Article 89 of the Constitution to commence from 31* day of July, 2009 for placement of such Ordinances before the Parliament. FPSC (Amendment) Ordinance, 2007 was re-promulgated on 26'" November, 2009 as FPSC (Amendment) Ordinance, 2009 (XLVII) of 2009), since it was difficult to get it passed from the National Assembly/Senate within 120 days. The aforesaid Ordinance was placed before the National Assembly, however, it could not be passed till date.

3. Since, the FPSC (Amendment) Ordinance, 2009 is still under process, the existing provision of Section 7(2) (ii) & (iv) have become ineffective and position prior to 15-09-2007 stand restored w.e.f 25-03-2010 on expiry of aforesaid Ordinance in terms of Article-89 of the Constitution of Pakistan. Consequently, contract appointment-employment beyond two years made after 25-03-2010 now requires concurrence of Federal Public Service Commission.

[Authority:- Establishment Division’s U.O.No.3/2/2003-T.V dated 02-05-2012].

7.2 Federal Public Service Commission (Composition and Condition of Service) Regulations, 1978

In exercise of the powers conferred by sub-section (2) of Section-3 of the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), the President is pleased to make the following regulations: —

PART-I PRELIMINARY

1. Short title-— These regulations may be called the Federal Public Service Commission (Composition and Condition of Service) Regulations, 1978.

2. Definitions.— In these regulations, unless there in anything repugnant in the subject or context.—

(a) “Commission” means the Federal Public Service Commission and

(b) “Member” means a Member of the Commission and, unless there is any-thing repugnant in the subject or context, includes the Chairman thereof.

PART-II MEMBERS

“3. Composition —The Commission shall consist of a Chairman and not more than eleven Members.

Provided that if, at any time, by reason of an increase in the business of the Commission, or for any other reason, it becomes necessary to increase temporarily the number of Members, the President may appoint such number of additional members as appears to him to be necessary.

“4, Pay, allowances and perquisites of the Chairman and Members.— The pay, allowances and perquisites of the Chairman and Members shall from the 1“ day of January, 2013, be as set out in the Schedule-I to these regulations.

““) 5, Omitted
6. Omitted
7. Omitted
8. Omitted

9. Pension.— (1) No pension shall be attached to the office of a Member; and

(2) A Member who is a re-employed retired government servant shall not be entitled to any pension or gratuity in respect of his service as Member;

(3) A Member who was neither a government servant nor a retired government servant at the time of his appointment as Member shall be entitled to gratuity equal to one month’s pay for each completed year of service as Member, subject to the gratuity not exceeding eight months pay.

10. Other matters.— In respect of any matter which is not covered by these regulations, a Member shall be governed by the rules or orders applicable to officers of the corresponding @[grades] under government, or as may, in any particular case, be determined by the President.

PART-III STAFF

11. Staff.— The staff of the Commission shall be as set out in Schedule-II to these regulations.

eer2. Appointment of Secretary.— The Secretary shall be appointed from amongst serving government servants by the President, or a person authorized by him, in consultation with the Chairman.]

* Substituted vide Estt. Div.'s SRO 427/2000, dated 24" June, 2000.
Po

Substituted vide Estt. Div.’s S.R.O 70(1)/2013 dated 04-02-2013.
** Omitted vide Estt. Div.’s $.R.O 723(1)/2009 dated 11-08-2009
© pps

©@ Substituted vide Estt. Div.'s SRO 427/200, dated 24" June 2000.

13. Term of Office of Secretary.— The Secretary shall hold office ordinarily for a term of four years; but the President may extend the term, or curtail it, as the President may deem appropriate.

14. Age of retirement of Secretary.— No person shall, unless the President otherwise directs, be appointed as Secretary, or continue to hold office as Secretary, after he has attained the age for the time being fixed for the retirement of government servants from service.

15. Pay and allowances of Secretary.— The Secretary shall draw pay and allowances as admissible to him as a serving government servant.

16. Appointment of Officers and Staff of the Commission.— The Chairman, or a person designated by him, shall be authority competent to make appointments to various posts of Officers and Staff of the Commission.

17. Discipline and appeal, ete.— (1) The appointing authority under regulation-16 shall be the Authority under the "[Civil Servants (Efficiency & Discipline) Rules, 2020,] for the Officers and Staff of the Commission.

(2) An appeal shall lie to the Chairman against an order imposing a penalty passed by the 'Authority' or the 'Authorized Officer' other than the Chairman.

(3) No appeal shall lie where a penalty is imposed by the Chairman but the aggrieved persons may apply for review of the order.

(4) Every appeal or a review petition shall be submitted within a period of thirty days of the communication of the order against which appeal or, as the case may be, review petition is preferred.

18. Terms and conditions of service of Officers and Staff.—(1) Subject to Federal Public Service Commission Ordinance, 1977 (XLV of 1977), or these regulations.—

(i) the terms and conditions of the Secretary and other Officers and Staff of

the Commission shall be the same as of civil servants in corresponding basic pay scales under Federal Government; and

(ii) the Secretary and other officers and staff of the Commission shall be governed by the Civil Servants, 1973 (LXXI of 1973), and the rules made thereunder.

(2) Any question arising as to which rules or orders are applicable to the case of any officers or member of Staff of the Commission shall be decided by the Chairman.

[Authority: Establishment Division SRO No.1316(1)/78, dated 9.11.1979]

"Government Servants (Efficiency & Discipline) Rules,1973 repealed with Civil Servants (Efficiency & Discipline) Rules,2020 .

“SCHEDULE-I
[See Regulation 4]
PAY, ALLOWANCES AND PERQUISITES OF CHAIRMAN AND MEMBERS

S. No.	Items	Chairman qd) (2) G3)
1.	Pay per month.	Rs. 425, 000 Rs. 400,000
2.	Special FPSC allowance per month	Rs. 60,000 Rs. 50,000
3.	Sumptuary / Entertainment allowance per month.	Rs. 6,000
4.	House rental ceiling allowance per month (if no free Government accommodation is provided)	Rs. 75,000 Rs. 62, 500
5.	Electricity and gas charges etc. per month	Rs.22, 000 Rs. 16,200
6.	Car Chauffer driven 1600 cc for official and private use	1300 ce for official and private use Chauffer driven
7.	Telephone and mobile ceiling per month (office and residence)	No Limit. No Limit.
8.	Internet ceiling per month (residence)	No Limit. No Limit.
9.	Travelling Allowance, medical allowance and leave.	As admissible to a Minister of State. | As admissible to a Minister of State.
10.	Petrol per month.	500 liters for official and private use. | 400 liters for official and private use.

. Substituted vide Estt. Div.’s S.R.0.70(1/2013 dated 4h February, 2013.

* SCHEDULE II (See Regulation I)
Number of Members of the staff of Federal Public Service Commission

S.No. | Name of Post BPS No. of Posts

1. Secretary 22 0

2. Executive Director General 21 0

3. Director General 20 03

4. Director General (Research) 20

5. Director General (Legal 20

6. Chief Psychologist 20

7. | Chief. LT. 20

8. Director 9 08

9. Director (Legal) 9 0

0. Senior Psychologist 9 02

1. Director (Research) 9

2. Director (Computer) 9

3. Deputy Chief I.T 9

4. Senior Private Secretary/Private Secretary 9 14

5. Deputy Director 8 13

6. Deputy Director (Legal) 8 0

7. Psychologist 8 04

8. Dy. Director (Research) 8 02

5
23.
27. _[Assistant Director (Research)
28
29,
30
31. Transport Officer 7 01
32. Superintendent (Record)
33. Deputy Assistant Director 6 11
34. System Operator 6 03

* Substituted vide Estt. Div.’s S.R.0.70(D/2013 dated 4h February, 2013.

Name of Post
Computer Operator

Assistant Database Administrator
Assistant Network Administrator
Data Processing Assistant
Statistical Assistant

Security Clerk
Despatch Rider

Frash

Khakroob

Duplicating Machine Operator

Total

021) Cuapter-3

BPS No. of Posts

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7.3 Federal Public Service Commission (Functions) Rules, 1978

In exercise of the powers conferred by section 10 of the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), the Federal Government is pleased to make the following rules, namely:-

1. These Rules may be called the Federal Public Service Commission (Functions) Rules, 1978.

2. In these rules, unless there is anything repugnant in the subject or context:—

(a) “ad-hoc basis”, when used with reference to an appointment, means appointment of a person on temporary basis pending appointment of person nominated by the Commission;

(b) “civil servant” means a person who is, or has been, a civil servant within the meaning of the Civil Servants Act, 1973 (LXVI of 1973);

(c) * (Omitted);

(d) “regular basis” when used with reference to an appointment other than an ad-hoc basis, or on contract, or on a temporary basis, for a specified period;

(e) “retired officer” includes a retired officer of the Armed Forces; and

(f) “test” includes written examination, interview and viva voce.

+

3. The Commission shall conduct tests and examinations for recruitment to all posts in connection with the affairs of the Federation in basic pay scale 16 and above or equivalent other than the posts.-

(a) specified in the Schedule to these rules;

(b) filled by appointing a person on contract for a specified period “**[not exceeding two years];

(c) filled on ad-hoc basis for a period of six months or less provided that.—

(i) no ad-hoc appointment shall be made before placing a requisition with Commission for regular appointment; and

(ii) before filling the post on ad-hoc basis, prior approval shall be obtained from the Commission;

(d) _ filled by re-employing a retired officer provided that re-employment is made for a specified period of one year [not exceeding two years] in a post not higher than the post in which the person was employed on regular basis before retirement; and

“ Omitted vide Estt. Div.’s Notification SRO No. 147(1)/84 dated 09-02-1984.
“* Substituted vide an Act No. X of 2005, dated 6" July, 2005.

*“" Words “not exceeding two years” were omitted vide Estt. Division’s Notification S.R.O No. 1245 (1/2008

dated 27-11-2008 have been restored w.e.f. 25-03-2010 on expiry of the Ordinance. Please see clarification after S].No. 7.1 ESTACODE (Editiion-2021).

(e) filled by the employment, other than posts in pay scale 17 filled by serving armed forces officers on the recommendations of FPSC, or employment of persons who are, or have been officers of the armed forces of Pakistan and held, or have held such posts therein as are declared by the President to be equivalent to the posts to be so filled.

“[4. The Commission shall test civil servants, appointed at any time between the first day of January, 1972 and the fifth day of July, 1977, or promoted to a higher post or grade during the said period whose cases may be referred to the Commission by the President, and make a report to the President whether they are fit to hold the post to which they were appointed or promoted, as the case may be, and, if not, whether, they are fit to hold any other civil post “*[equivalent or lower, as the case may be], compatible with their qualifications and experience.]

““[5. The Commission shall, on a reference made by the appointing authority, test persons, who may have been appointed to a civil post without observing the prescribed procedure or without fulfilling the prescribed qualifications, experience and age limits, and advise whether they are fit to hold the post to which they were appointed, and, if not, whether they are fit to hold any other civil post in the same or lower Basic Scale compatible with their qualifications and experience.]

©*SCHEDULE”
(See Rule 3(a)
Posts excluded from the purview of the Commission
Ministry, Division or Organization Name of post
1. President's Secretariat All posts
(Personal or Public)
@@), Directorate General of All posts

Inter Services Intelligence (ISI)

[Authority: Estt. Div.’s Notification S.R.O. No. 1316 (1/78, dated 9-11-1978].

7.4 Consultation with FPSC in
Matters of Appointment

Reference.— Section 7 of the Federal Public Service Commission Ordinance, 1977 (No. XLV of 1977).

x xX x xX x x

2. The Federal Public Service Commission (Functions) Rules, 1978 which prescribe the posts in connection with the affairs of the Federation recruitment to which should be made through the Commission. These rules provide that all posts in BPS 16 and above which are filled by direct recruitment shall be filled through the Federal Public

* Subs. vide Establishment Division SRO No. 147(1)/84, dated 9-2-1984.
** Subs. vide Estt. Division Notification No. 3/1/92-R-2 dated 15-09-1993
@ Added vide Estt. Div.’s Notification SRO 848(1)/2002, dated 27-11-2002.
Amended vide Estt. Di Notification No. SRO 415/2000, dated 19-06-2000.
Inserted vide Estt. Div.'s Notification SRO 424(1)/2005, dated 12-05-2005.

Service Commission. The rules also provide that appointments against these posts may be made on ad-hoc basis, independently of the Commission for a period of six months but an extension for a further period of six months may be given, with the approval of the Commission, if a requisition for filling the post was sent to the Commission within one month of the filling of the post on ad hoc basis. The Ministries and Divisions are requested to ensure that all posts in BPS 16 and above falling in the direct recruitment quota should, as in the past, continue to be filled through Federal Public Service Commission. No extension in ad hoc appointments would be given unless a requisition has been placed with the Commission and Commission's approval to the extension of the ad hoc appointment for a further period of six months has been obtained by the Ministry concerned.

3. It will also be observed from clause (b) of section 7 of the Federal Public Service Commission Ordinance, 1977, that the Commission will advise the President on matters relating to qualifications for, and methods of recruitment to, the services and posts recruitment to which is required to be made through the Commission. This being a statutory requirement should invariably be observed. It is open to the Ministry/Division concerned either to make a simultaneous reference on the subject to the Establishment Division and the Federal Public Service Commission, or to first consult the Establishment Division and thereafter make a reference to the Commission. If there have been any cases after the 22nd December, 1977 when the F.P.S.C. Ordinance came into force, where the concurrence of Establishment Division was obtained but not that of the Commission, an immediate reference may now please be made to the Commission so that the requirements of the statute are complied with. Attention in this connection is also invited to the Federal Public Service Commission's Circular letter No. F. 12/1/78-S, dated 12" August, 1978.

[Authority.- Estt. Division’s O.M.NO.1/2/78-DV, dated 27-8-1978.]

7.5 Consultation with Federal Public Service Commission in Respect of Recruitment Rules

It will be observed from clause (b) of section 7 of the Federal Public Service Commission Ordinance, 1977, that the Commission will advise the President on matters relating to qualifications for, and methods of recruitment to, the services and posts recruitment to which is required to be made through the Commission. This being a statutory requirement should invariably be observed. It is open to the Ministry/Division concerned either to make a simultaneous reference on the subject to the Establishment Division and the Federal Public Service Commission, or to first consult the Establishment Division and thereafter make a reference to the Commission. If there have been any cases after the 22nd December, 1977 when the F.P.S.C. Ordinance came into force, where the concurrence of Establishment Division was obtained but not that of the Commission, an immediate reference may now please be made to the Commission so that the requirements of the statute are complied with. Attention in this connection is also invited to the Federal Public Service Commission's Circular letter No.F.12/1/78, dated 12.8.1978.

[Authority.- Para 3 of Estt. Division’s O.M.No.11/2/78-DV., dated 27-8-1979].

7.6 Procedure for Rejection of the Advice of the Federal Public Service Commission

In supersession of the Cabinet Secretariat (Establishment Branch) Office Memorandum No. 10/3/50-SEH, dated the 13" June, 1950, on the subject of the convention regarding acceptance of the advice of the Federal Public Service commission, the government have been pleased to decide that the advice of the Federal Public Service Commission in a case referred to it shall be accepted by the Ministry/Division/ Department concerned, subject to the provisions of para 2, below.

2. Where a referring Ministry, Division or Department disagrees with the advice given, it shall communicate the reasons for disagreement to the Commission, and after the Commission has expressed its further views in the matter, the case will be submitted for decision to the President through the Establishment Division.

[Authority.- Estt. Division’s O.M. No. 3/3/59-E VII, dated 4-6-1960].

7.7 Supply of Character Rolls to the Commission

The Commission have noticed that many Character Rolls they receive in connection with selections, appointments, etc., are incomplete. Sometimes, reports for several years are missing, making it difficult for the Commission to determine the suitability of the officers concerned for the posts for which they are being considered. The Commission, therefore, request the Ministries/Divisions to satisfy themselves that Character Rolls are complete and up-to-date before sending them to the Commission.

2. The Ministries/Divisions and the Heads of the Departments should forward the Character Rolls as quickly as possible on demand by the Commission.

[Authority.- FPSC’s O.M.No.F.16/17/53-S, dated 24-04-1953 & FPSC’s O.M.No.F.1/30/53-R, dated 06-12-1956].

7.8 Nomination of Departmental Representatives to Assist the Commission at the Interviews for Various Posts

The Federal Public Service Commission has observed that the government's instructions are not being followed strictly by the Ministries/ Divisions/Departments while nominating Departmental Representatives to assist the Commission at the interviews for recruitment to various posts. The Commission has also noted with profound regret that its requests to Ministries etc. concerned to nominate Departmental Representatives of relevant trades (subject wise) of sufficiently higher status i.e. not below the rank of Joint Secretary and or technical head of the line are not being complied with.

2. Recently, during interviews of candidates for certain technical/ specialist posts, the Departmental Representatives deputed to assist the Commission were officers

on administrative side, who were not sufficiently senior in their own departments and/or qualified in technical line. In order to assess the professional competence of the candidates properly and accurately, it is necessary that senior officers of technical departments with requisite qualifications are deputed by the Ministries/etc. to assist the Commission at the interviews for appointment to the scientific, technical and specialist posts. One of the drawbacks of government representation at junior level is obvious from some instances in which the Ministries/Divisions/Departments find it necessary to repudiate the contribution made by their own representatives at the interviews, on the grounds that they were not sufficiently experienced and, therefore, could not represent the point of view of their Ministries/Divisions/Departments authoritatively.

3. The Commission fully realises that, from the point of view of Departmental Representatives, interviewing of candidates at the four normal centres viz: Peshawar, Islamabad, Lahore and Karachi, is a time consuming job, in order to finish one complete cycle for any appointment. For “Grade 18 and above posts, the Commission generally conducts interviews at one centre, but for others the Commission has to go to each place of interviews.

4. In repeating its invitation to the Ministries etc. the Commission hopes earnestly that, at the interviews fixed by the Commission for selection of their candidates, their representation will invariably be not below the rank of Joint Secretary or head of technical department.

5. Incase of technical posts, the Commission would request that the heads of technical departments concerned should invariably be nominated for this purpose who will take full responsibility for giving the views of his department to the Commission. It is further requested that, as far as possible, the same representative should be deputed at all interview centres for a particular post, in order to ensure uniformity of standards. If the Ministries/Divisions/Departments are not in a position to nominate a suitable Departmental Representative of the right status, then the Commission will do without him and issue the recommendations for appointment without such help.

[Authority.- FPSC’s O.M.No.F.1/20/80-RIV, dated 19-4-1981].

7.9 Variation Between Views of Departmental Representatives at the Interview and Commission's Advertisements for Various Posts

There have been some cases where Departmental Representatives have, before an interview, suggested that they choose person with a particular qualification. This particular qualification has no particular emphasis in the advertisement and, therefore, it is grossly unfair on the candidates who come in response to that advertisement.

BPS.

2. [X x x x x X]

3. As far as the Commission is concerned, it only relies on the recruitment rules. It would be in the interest of departments to review their recruitment rules so that there is no conflict between the recruitment rules and the Departmental Representatives. The Commission will, while taking the advice of the Departmental Representative, reserve the right to recommend only those who are in line and in accordance with the advertisement.

[Authority.- Paras 1 & 3 of FPSC's letter No. F.1/35/78-RIV_ dated 29-1-1979].

7.10 Criteria for Counting of Prescribed Length of Experience for Recruitment to Various Posts

Attention is invited to the Establishment Division's O.M. No. 39/3/75-DV (Pt), dated the 22™ October, 1976, and clause 'c' of para 19 of the "INSTRUCTIONS TO CANDIDATES". A copy of these instructions is duly supplied to the candidates alongwith the prescribed application forms. In all the posts which are advertised by the Commission for selection on the basis of interview only, certain period of experience is generally prescribed for such posts, alongwith academic qualifications. In such cases, the Commission considers that experience relevant which is obtained after acquiring the minimum prescribed educational qualifications for the post. Experience obtained before acquiring the minimum prescribed educational qualification, even if it is of the same line, is not taken into consideration.

2. The above procedure has often resulted in the rejection of candidates who happen to be the ad hoc incumbents of the post or employed in some other capacity in the same department. Applications of all the candidates are duly considered by the Commission but candidates who fall short of the required experience after the prescribed minimum academic qualifications are not called for interview. This results in the representations from the candidates or even from the departments who are keenly interested in the regularization of their ad hoc incumbents. The Establishment Division memorandum referred to above and a copy of the 'INSTRUCTIONS TO THE CANDIDATES' is, therefore, brought to the notice of the department to enable them to know the procedure being followed by the Commission for pre-selection of candidates for interview, etc. For obvious reasons, the Commission cannot deviate from the procedure once laid down and known to all.

3. | However, there may be cases in which experience gained before acquiring the prescribed minimum educational qualifications may also be considered relevant by Ministries, etc. For example, for a medical post where post-graduate Diploma is prescribed as a minimum qualification, the experience gained after the Medical Degree but before the Diploma is often considered as relevant if so prescribed in the Commission's advertisement.

4. | The Ministries/Divisions are, therefore, requested that wherever they consider that the experience gained before acquiring the minimum prescribed educational

qualification should also be accepted as relevant, this should be made clear while forwarding the requisitions for the posts and full justification may be given for providing this relaxation in the interest of service. The departments will also be required to certify that this relaxation of the general procedure had the approval of the Secretary of the Ministry/Division concerned. The Commission after due consideration of the proposal may agree to advertise this condition in its advertisements, so that the candidates concemed should know it before applying for the posts. Unless such a clearance is given in the requisition for the posts concerned and advertised by the Commission accordingly, it will not be possible for the Commission to deviate from the general practice stated above.

[Authority — FPSC's letter No.F.8/13/81-S, dated 08-7-1981].

7.11 Re-allocation Against the Vacancies Caused by Repeaters/Non-Joiners

In supersession of the Establishment Division's O.M of even number dated 18" June,1990 on the above subject, it has been decided with the approval of the competent authority that w.e.f. Competitive Examination-1990 following system/procedure with regard to re-allocation against the vacancies caused by the repeaters/non-joiners will be adopted:—

a) In the first phase, Establishment Division will issue telegrams to all the candidates allocated to various occupational groups/services with the advice to each candidates that he/she should convey his/her acceptance of the offer within 15 days from the date of issue of telegram failing which allocation will be treated as cancelled and the vacancy will be offered to the next eligible candidate. Simultaneously, the allocation made by the FPSC will also be announced in all the leading newspapers with similar advice to the candidates.

b) In the second phase the vacancies occurring due to non-acceptance of offer within 15 days of the announcement will be reported to the FPSC for completing re-allocation before the commencement of the common training programme at the Civil Services Academy, Lahore. Any vacancy occurring after the start of the common training will be carried over to the next competitive examination.

c) The announcement of initial allocation shall be made 45 days before the announcement of common training at CSA to ensure timely completion of both the phases indicated above.

[Authority — Establishment Division's O.M No. 1/29/87-T.V dated 19-03-1991].

7.12 Withdrawal or Change of Requisition by the Administrative Ministries/ Divisions/Departments for Posts Already Advertised by the Commission

It has been decided that:—

(i) The requests received from Ministries/Divisions, Departments for withdrawal of cases wherein interviews have been started or nominations finalized would not be accepted. The sponsoring Ministry/Division/ Department should appoint the Commission's nominees even if the abolished post(s) had to be revived.

(ii) | Other requests for withdrawal of requisitions would be entertained on the basis of merit of each case if the prescribed procedure has been followed.

[Authority.- Para 4(i)&(ii) of Estt. Division's O.M. No.10(6)91/CP-I, dated 28-7-1991].

7.13 Validity Period of Waiting/Reserved Merit List for Making Alternate Nominations in the Cases of Recruitment by Selection

Refer Establishment Division's O.M of even number dated 05-05-2010 and 28-07-2010 regarding the above cited subject and to say that Federal Public Service Commission (FPSC) has further reviewed the instructions on the subject issue circulated vide Office Memoranda referred to above and decided as under:-—

i) In case of "Recruitment by Selection" the reserve merit list maintained by the Commission shall remain valid for a period of one year form the date of issuance of nominations by the Commissions.

ii) In case of non-joining of principal nominee(s), subsequent alternate nominations(s) shall be made out of the reserve list within the validity period of one year.

iii) Request received after expiry of validity period of one year shall not be entertained.

[Authority — Establishment Division's O.M No. 3/21/2008-T-V dated 14-03-2011].

7.14 Validity Period of Waiting/Reserved Merit List for Making Alternate Nomination(s) in the General Recruitment Cases

Refer to Establishment Division's O.M No. of even number dated 14-03-2011 and the Federal Public Service Commission's U.O No. F.3-11/2008-FS-IV dated 19-07-2019, on the subject cited above and Federal Public Service Commission (FPSC) has, over the time observed that requests for alternate nominations from the Ministries/Divisions reached FPSC after expiry of one year period; causing failure to nominate out of the reserved merit list.

2. In order to make maximum nominations from the reserve merit list against non-joiners, the Federal Public Service Commission has decided to extend validity period of the said list from existing one year (12 months) to one and a half years (18 months). The request for alternate nominations received after expiry of the extended validity period of 18 months will not be entertained.

[Authority — Establishment Division's O.M No. 3/21/2008-T-V dated 30-07-2019].

INDUCTION

I. INDUCTION IN SECRETARIAT POSTS

8.1 Eligibility of Officers for Appointment in Secretariat Posts

It has been decided with the approval of the Prime Minister that government servants in the following BPS will now be eligible for appointment to Secretariat posts, indicated against each, by horizontal movement and without examination:—

BPS 20 we Joint Secretary.
BPS 19 we Deputy Secretary.

BPS18 with 12 Years service
in BPS 17 and above Deputy Secretary.

2. The appointment will, however, be made if they are considered fit for these posts by the Central Selection Board.

3. You are requested to kindly let us have recommendations of suitable officers in the above categories working in groups and departments under your administrative control whom you consider fit for the posts of Deputy Secretary and Joint Secretary. These names will then be placed before the Central Selection Board.

[Authority.- Establishment Secretary's D.O. letter No.25/14/73-AV. dated 6-2-1975].

8.2 Induction in Secretariat Group as Deputy Secretary (BS-19)

Refer to para 3 of this Division’s O.M.No. 2/2/75-ARC, dated 12-04-1976 (relevant extract enclosed) which provides different methods for appointment as Deputy Secretary in the Secretariat Group including appointment by horizontal movement of BS-19 regular officers of various occupational groups and services. The present Government has reviewed the matter in the light of (a) to give some special dispensation of officers/persons belonging to Balochistan. (b) to provide opportunities for appointment of persons having rendered longer satisfactory service on higher positions in the Autonomous/Semi-Autonomous Bodies /Corporations as Deputy Secretary in Government of Pakistan.

2. With the approval of Competent Authority, it has now been decided to modify para 3 of Establishment Division’s O.M.No. 2/2/75-ARC, dated 12-04-1976 constituting the Secretariat Group as under:—

Modified para 3 of the O.M. constituting Secretariat Group

iii)

Deputy Secretary

Appointment to the post of Deputy Secretary will be made in accordance with the following methods:-

By promotion of BS-18 officers of the Office Management Group on the recommendations of the Departmental Selection Board except to the extent indicated at (ii) to (v) below.

By horizontal movement from other Occupational Groups/Service/ Cadre of regular BS-19 Officers who have been recommended by the Ministries/ Divisions Departments OR regular BS-19 Provincial Civil Servants recommended by the respective Provincial Governments and have been found fit by the Central Selection Board in accordance with criteria laid down by the Federal Governments against the 10% of sanctioned posts of Deputy Secretary (BS-19). The said 10% posts shall be further sub-divided in the ratio of 50:50 for induction of Civil Servants from Federal Government and Civil Servants from Provincial Governments.

By direct appointment on the recommendations of Federal Public Service Commission of persons possessing such qualifications and experience efc., as may be prescribed.

Appointment of persons in BS-19 or equivalent in the service of an Autonomous, Semi-Autonomous Body or Corporation or any other Organization set up, establishment owned managed or controlled by the Federal Government or Provincial Government recommended by the respective Governments and found fit by the Federal Public Service Commission in accordance with the criteria laid down by the Federal Government in consultation with FPSC against additional 10% of sanctioned posts of Deputy Secretary (BS-19) as and when so decided by the government. The said 10% seats shall be further sub-divided in the ratio of 50:50 for induction of persons in the service of Federal Government and those persons in service of Provincial Government.

10% of annual vacancies of Deputy Secretary (BS-19) to be filled by the retired officers of Armed Forces of Pakistan on the recommendation of Defence Services Officers Selection Board in line with the existing policy for induction / re-employment of officers of Armed Services as may be modified from time to time.

3. The Criteria for induction of regular (BS-19) officers of the Federal

Occupational Groups/ Services and the BS-19 Civil Servants of Provincial Governments as Deputy Secretary (BS-19) in the Secretariat Group shall be as under:—

5)

ii)

The regular BS-19 officers of Federal Occupational Group/Service/ Cadre/Provincial Governments as recommended by the respective Ministries/Divisions/Departments /Provincial Governments concerned.

The officer has rendered at least 12 years service in BS-17 & above in terms of instructions issued by the Federal Government from time to time, and having served for two years in BS-19 in the Federal Secretariat on deputation /under Section 10 of Civil Servants Act, 1973.

iii) PERs of the last twelve years in BS-17 & above or the actual service rendered

in B-17 & above, as the case may be will be quantified. 70 marks will be assigned for PERs quantification.

30 marks will be assigned for assessment of suitability by the Central Selection Board.

The selection will be on the basis of centralized merit in PERs/assessment by CSB.

These officers will be considered in order of seniority against seats as may be reserved / allotted to each Occupational Group/Service/Ex-cadre/Provincial /Region.

vii) Provided that other things remaining the same, Civil Servants belonging to

Balochistan shall be given preference.

viii) Seniority shall reckon from the date of regular induction in Secretariat Group

ix)

x)

xi)

in accordance with Civil Servants (Seniority) Rules, 1973.

No disciplinary action under the Government Servants (E&D) Rules, 1973 or proceedings on criminal charges in the Court of Law is pending against the officer.

The officer did not derive any benefit in pursuance of NRO in the entire career (BS-17 & above) within the meaning of Supreme Court of Pakistan's Judgment dated 16-12-2009 on NRO.

No punishment has been awarded under any criminal law including NAB Ordinance to the officer concerned on the panel in the entire career (BS-17 & above).

4.

Persons in BS-19 or equivalent in the service of Autonomous/Semi-

Autonomous Bodies or Corporations etc. set-up, established, owned, managed or controlled by the Federal Government or Provincial Government shall be considered for induction as Deputy Secretary (BS-19) in the Secretariat Group in accordance with the following eligibility criteria devised in consultation with FPSC:—

SL. Criteria Requisite eligibility
No.
(a) Minimum Graduation

education
qualification|
(b) Experience | A regular officer holding post in BS-19/equivalent in Federal

/Provincial Government or in Autonomous Bodies /Semi Autonomous Bodies/ Corporations working under the Federal /Provincial Government with minimum 12 years service equivalent to BS-17 and above.

If doubt arises in equivalence in any case, decision shall be taken by Establishment Division in consultation with Federal Public Service Commission.

SL. Criteria Requisite eligibility
No.
(c) Age Not exceeding 50 year so other similar reports in a post

equivalent to BS-17 and above reasonable period and earn
pension as Civil Servant.

(d) Weightage | Satisfactory PERs or other similar reports in a post equivalent

of PERs to BS-17 and above without adverse remarks.
(e) Interview FPSC shall conduct viva for purpose of selection. Qualifying
marks in viva voce shall be 101 out of 200.
(f) Other The officers will be considered in order of seniority against
matters seats as may be reserved/ allotted to each of this category.

Seniority shall reckon from the date of regular induction in
Secretariat Group in accordance with Civil Servants
(Seniority) Rules, 1993.
No disciplinary action under the Government Servants (E&D)

Rules, 1973 or proceedings on criminal charges in the Court of
Law is pending against the officer.

The officer did not derive any benefit in pursuance of NRO in
the entire career (BS-17 & above) within the meaning of
Supreme Court of Pakistan's Judgment dated 16-12-2009 on
NRO.

No punishment has been awarded under any criminal law
including NAB Ordinance to the officer concerned on the
panel in the entire career (BS-17 & above).
Merit/Provincial/Regional quota as described by the Govern-
ment shall apply mutatis mutandis on vacancies to be filled
through induction.

Other things remaining the same, persons belonging to
Balochistan shall be given preference.

5. The aforesaid induction shall be made gradually so as to complete the target of inductions of 20% (10+10) of the sanctioned posts of Deputy Secretary in next 2-3 years,

[Authority:- Establishment Division's O.M.No.1/15/92-CP-II dated 04-10-2011].
Clarification of Induction in Secretariat Group as Deputy Secretary (BS-19)

The policy for induction of civil servants (BS-19) as well as employees in BS-19 / equivalent in service of Federal / Provincial Autonomous Bodies / Semi-Autonomous Bodies/Corporations as Deputy Secretary (BS-19) in Secretariat Group has been circulated vide Establishment Division's O.M. No.1/15/92-CP-II dated 4-10-2011.

2. The said Policy, inter-alia, provides that:

(a) 10% posts of Deputy Secretary are reserved for induction of Provincial / Federal Civil Servants. The said 10% of the sanctioned posts of Deputy Secretary (BS-19) to be further sub-divided in the ratio of 50:50 for induction of Civil Servants from Federal Government Civil Servants from Provincial Government. The criteria for inductions of Civil Servants has been provided at para 3 of the said O.M.

(b) 10% of the sanctioned posts of Deputy Secretary are reserved for appointment of employees of Autonomous Bodies / Semi-Autonomous Bodies / Corporations. The said 10% seats to be further sub-divided in the ratio of 50:50 for induction of persons in the service of said bodies Federal Government and Provincial Government. The criteria for induction of employees of Autonomous Bodies / Semi-Autonomous Bodies / Corporations have been provided at para 4 of the said O.M. dated 4-10-2011.

3. Vacancy position will be intimated in due course.

4. Meanwhile, each Ministry/Division is requested to send panel of the suitable officer (not exceeding 10 in each category in para-2) in order of seniority as per prescribed criteria to this Division by 22nd December, 2011 for further action. The Panels (Form IP-I and IP-II) to be signed by the Secretary. The Panels should accompany particulars of each of the Civil Servant / person concerned on the Panel Proforma (IP-III & IV) and Quantification Sheets (IP-V&VI enclosed.) the said Panel Proforma and Quantification Sheet to be signed the Joint Secretary (Admn.) concerned.

[Authority:-Estt. Division’s O.M.No.1/15/92-CP-II, dated 07-12-2011].

8.3 Induction in Secretariat Group
as Joint Secretary (BS-20)

Refer to the subject noted above and to say that the policy for induction of Civil Servants (BS-20) as well as persons in BS-20/equivalent in service of Federal/Provincial Autonomous Bodies/Semi-Autonomous Bodies/Corporations etc. as Joint Secretary (BS-20) in Secretariat Group has been circulated vide Establishment Division’s O.M.No.6/1/2012-CP-II(A) dated 30-05-2012 (Annex).

2. The said Policy, inter-alia provides that appointment to the post of Joint Secretary (BS-20) will be made in accordance with the following methods:-

i) By promotion of officers in the Grade of Deputy Secretary on the recommendations of the Central Selection Board.

ii) _ By horizontal movement from other Occupational Groups/ Service/ Cadre of regular BS-20 Officers who have been recommended by the Ministries/Divisions/Departments OR regular BS-20 Provincial Civil Servants recommended by the respective Provincial Governments who meet the laid down criteria and recommended by the Central Selection

Board against the 06% annual vacancies of Joint Secretary (BS-20). The said 06% annual vacancies shall be further sub-divided in the ratio of 50:50 for induction of Civil Servants from Federal Government and Civil Servants from Provincial Governments.

iii) By direct appointment on the recommendations of Federal Public Service Commission of persons possessing such qualifications and experience etc., as may by prescribed.

iv) Appointment of persons in BS-20 or equivalent in the service of an Autonomous, semi-Autonomous Body or Corporation or any other Organization set up, established owned, managed or controlled by the Federal Government or Provincial Government recommended by the respective Governments who meet the laid down criteria and recommended by the Federal Public Service Commission against 04% of annual vacancies of Joint Secretary (BS-20) as and when so decided by the government. The said 04% vacancies shall be further sub-divided in the ratio of 50:50 for induction of persons in the service of Federal Government and those persons in service of Provincial Governments.

3. The criteria for induction of civil servants in terms of para 2(ii) is given at para 3 of the annex O.M. No. 6/1/2012-CP-II(A) dated 30-05-2012. The criteria for induction of persons in the service of Autonomous/Semi-Autonomous Bodies/ Corporations etc. in terms of para 2(iv) are given at para 4 of the said O.M dated 30-05-2012.

4. Vacancy position will be intimated in due course.

5. | Meanwhile, each Ministry/Division is requested to send panel of the suitable officers (not exceeding 05 in each category in para-2) in order of seniority as per prescribed criteria to this Division by 7" June,2012 for further action. The panels (Form IP-A and IP-B) to be signed by the Secretary. The Panels should accompany particulars of each of the Civil Servant/person concerned on the Panel Proforma (IP-C &D) and quantification sheets (IP-E&F). The said Panel Proforma and quantification Sheet to be

signed by the Joint Secretary (Admn) concerned.

[Authority:-Establishment Division’s O.M.No. 6/1/2012-CP-II (B) dated 30-05-2012].

Annexure

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

RRRRREEEK

No.6/1/2012-CP-II (A) Islamabad, 30" May,2012.

OFFICE MEMORANDUM

Subject:- Induction in Secretariat Group as Joint Secretary (BS-20)

The undersigned is directed to say that with the approval of Competent Authority, it has now been decided to modify para 4 (relevant extract enclosed) of Establishment Division's O.M.No. 2/2/75-ARC, dated 12-04-1976 consisting the Secretariat as under:—

Modified para 4 of the O.M. dated 12-04-1976 consisting Secretariat Group

Joint Secretary
Appointment to the post of Joint Secretary will be made in accordance with the following methods:—

i) By promotion of officers in the Grade of Deputy Secretary on the recommendations of the Central Selection Board.

ii) By horizontal movement from other Occupational Groups/ Service/Cadre of regular BS-20 Officers who have been recommended by the Ministries/ Divisions Departments Or regular BS-20 Provincial Civil Servants recommended by the respective Provincial Governments who meet the laid down criteria and recommended by the Central Selection Board against the 06% annual vacancies of Joint Secretary (BS-20). The said 06% annual vacancies shall be further sub-divided in the ratio of 50:50 for induction of Civil Servants from Federal Government and Civil Servants from Provincial Governments.

iii) By direct appointment on the recommendations of Federal Public Service Commission of persons possessing such qualifications and experience etc., as may be prescribed.

iv) Appointment of persons in BS-20 or equivalent in the service of an Autonomous, Semi-Autonomous Body or Corporation or any other Organization set up, established owned, managed or controlled by the Federal Government or Provincial Government recommended by the respective Governments who meet the laid down criteria and recommended by the Federal Public Service Commission against 04% of annual vacancies

of Joint Secretary (BS-20) as and when so decided by the government. The said 04% vacancies shall be further sub-divided in the ration of 50:50 for induction of persons in the service of Federal Government and those persons in service of Provincial Governments.

2. The Criteria devised in consultation with FPSC for induction of regular BS-20 officers of the Federal Occupation Groups/ Services and the BS-20 Civil Servants of Provincial Government as Joint Secretary (BS-20) in the Secretariat Group shall be as under:—

a. The regular BS-20 officers of Federal Occupational Group/Service/ Cadre/Provincial Governments as recommended by the respective Ministries/ Divisions/Departments /Provincial Governments concerned.

b. The officer has rendered at least 17 years service in BS-17 & above in terms of instructions issued by the Federal Government from time to time, and having served for two years in BS-20 in the Federal Secretariat on deputation /under Section 10 of Civil Servants Act, 1973.

c. PERs of the last twelve years in BS-17 & above or the actual service rendered in BS-17 & above, as the case may be, will be quantified. 70 marks will be assigned for PERs quantification. However, the officers will only be eligible if they have earned grading “Good” or equivalent and above in their PERs in BS-17 & above.

d. 30 marks will be assigned for assessment of suitability by the Central Selection Board.

e. The selection will be on the basis of centralized merit in PERs/assessment by CSB.

f. The officers will be considered in order of seniority against seats as may be reserved/allotted to each Occupational Group/Service/Cadre/Ex-cadre/ Province/Region.

Provides that other things remaining the same, Civil Servants belonging to Balochistan shall be given preference.

g. Seniority shall reckon from the date of regular induction in Secretariat Group in accordance with Civil Servants (Seniority) Rules, 1993.

h. No disciplinary action under the Government Servants (E&D) Rules, 1973 or proceedings on criminal charges in the Court of Law is pending against the officer.

i. The officer did not derive any benefit in pursuance of NRO in the entire career (BS-17 & above) within the meaning of Supreme Court of Pakistan’s Judgment dated 16-12-2009 on NRO.

j. No punishment has been awarded under any criminal law including NAB Ordinance to the officer concerned on the panel in the entire career (BS-17 & above).

3.

Persons in BS-20 or equivalent in the service of Autonomous/Semi-

Autonomous Bodies or Corporations etc. set-up, establishment, owned, managed or by the Federal Government or Provincial Governments shall be considered for as Joint Secretary (BS-20) in the Secretariat Group in accordance with the eligibility criteria devised in consultation with FPSC:-

controlle
induction
following

SI. No.	Criteria	Requisite eligibility
(a)	Minimum educational qualification	Master’s Degree in Human Resources Management / Financial Management/Law/Economics/Public Administr-ation / Public policy.
(b)	Experience	A regular officer holding post in BS-20/equivalent in Autonomous/Semi-Autonomous Bodies/Corporations work-ing under the Federal/Provincial Government with minimum 17 years services equivalent to BS-17 and above. If doubt arises in equivalence in any case, decision shall be taken by Establishment Division in consultation with Federal Public Service Commission.
(c)	Age	Not exceeding 50 years so that he may serve the Federal Government for reasonable period and earn pension as Civil Servant.
(d)		

Weightage of
PERs

Good / equivalent and above PERs or other similar reports in a post equivalent to BS-17 and above without adverse remarks.

(e)

Interview

FPSC shall conduct viva for the purpose of selection. Qualifying marks in viva voce shall be 101 out of 200.

(fp)

Other matters

The officers will be considered in order of seniority against seats as may be reserved / allotted to each of this category.

Seniority shall reckon from the date of regular induction in Secretariat Group in accordance with Civil Servants (Seniority) Rules, 1993.

No disciplinary action under the Government Servants (E&D) Rules, 1973 or proceedings on criminal charges in the Court of Law is pending against the officer.

The officer did not derive any benefit in pursuance of NRO in the entire career (BS-17 & above) within the meaning of Supreme Court of Pakistan's Judgment dated 16-12-2009 on NRO.

No punishment has been awarded under any criminal law including NAB Ordinance to the officer concerned on the panel in the entire career (BS-17 & above) .

Merit / Provincial / Regional Quota as described by the Government shall apply mutatis mutandis on vacancies to be filled through induction.

Other things remaining the same persons belonging to Balochistan shall be given preference.

(Muhammad Wishaq)
Deputy Secretary
Tele:9207036

Secretaries/Additional Secretaries
Incharge of the Ministries/Divisions
Islamabad/Rawalpindi

IP-A

PANEL OF CIVIL SERVANTS (BS-20) OF THE FEDERAL/PROVINCIAL

GOVERNMENT FOR INDUCTION AS JOINT SECRETARY (BS-20) IN

SECRETARIAT GROUP OF FEDERAL GOVERNMENT

Seniority
No.

Name of the Officer

Name of Department

SPP IRAE [Sly |

_
=

It is certified that:-

a) All the officers on the panel are the regular BS-20 officers of Federal Occupational Group/Service/Cadre/Provincial Governments.

b) The officer has rendered at least 17 years service in BS-17 & above in terms of instructions issued by the Federal Government from time to time, and having served for two years in BS-20 in the Federal Secretariat on deputation/under Section 10 of Civil Servants Act, 1973.

c) No disciplinary action under “Government Servants (E&D) Rules,1973/Removal from Service (Special Powers) Ordinance 2000 or proceedings on criminal charges in the court of law is/are pending against any of the officer on the panel.

d) No penalty was awarded to the officers on the panel during the entire career (BS-17 and above).

e) No punishment under any criminal law including NAB Ordinance was awarded to the officers on the panel during the entire career (BS-17 & above).

f) None of the officers on the panel derived any benefit in pursuance of NRO in the entire career (BS-17 and above) within the meaning of Supreme Court of Pakistan Judgment dated 16-12-2009 on NRO.

Dated:

Secretary of the Federal
Government /Chief
Secretary to the

Govt. of

* Now Civil Servants (Efficiency & Discipline) Rules,2020.

IP-B
PANEL OF PERSONS (BS-20/EQUIVALENT) IN THE SERVICE OF

AUTONOMOUS/SEMI-AUTONOMOUS BODIES/CORPORATIONS OF THE

FEDERAL/ PROVINCIAL GOVERNMENT FOR INDUCTION AS JOINT

SECRETARY(BS-20) IN SECRETARIAT GROUP OF FEDERAL GOVERNMENT

Seniority No.	Name of Officer	Name of the Autonomous/ Semi-Autonomous Bodies/ Corporations (if applicable)
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

It is certified that:-

a) The persons on the panel hold Master’s Degree in Human Resources Management / Financial Management / Law / Economics /Public Administration /Public Policy.

b) The persons on the panel are regular officers holding post in BS-20/equivalent in Autonomous Bodies/Semi-Autonomous Bodies/ Corporations working under the Federal Government with minimum 17 years service equivalent to BS-17 and above.

c) o Disciplinary action under Government Servants (E&D) Rules 1973 / Removal from Service (Special Powers) Ordinance 2000 or proceedings on criminal charges in the court of law is /are pending against any of the officer on the panel.

d) 0 penalty was awarded to the officers on the panel during the entire career (BS-17 and above).

e) © punishment under any criminal law including NAB Ordinance was awarded to the officers on the panel during the entire career (BS-17 and above).

f) one of the persons on the panel derived any benefit in pursuance of NRO in the entire

career (BS-17 and above) within the meaning of Supreme Court of Pakistan judgment dated 16-12-2009 on NRO.

Dated:

Secretary of the Federal
Government /Chief Secretary
to the

Govt. of

IP-C
PANEL PROFORMA FOR CENTRAL SELECTION
BOARD FOR INDUCTION OF CIVIL SERVANTS (BS-20) OF
FEDERAL/ PROVINCIAL GOVERNMENTS AS JOINT SECRETARY
(BS-20) IN SECRETARIAT GROUP Photo
(AS ON)

In respect of Personnel No.

Designation on Name of Ministry/D’ n/Prov. Govt.
Service/Group/Cadre Sen.No

Date of Birth Age Date of Superannuation

Qualification

SERVICE PARTICULARS

Date of Joining Date of promotion in Length of Service

Civil Services Present Scale Total in BS-17 In present Scale BS-20

Academy/ BS-20 and above
Service/BS-17

Previous Scale y-m-d On Deputation to
BS-19 Federal Govt.

Next previous
Scale BS-18

Appointment in BS-19&20
BS-19

1.
2.

Punishment etc. Existing Service Last 10 Years
Penalties/Adverse remarks (if any)

Disciplinary Proceedings (E&D Rules, 1973)

NRO benefit, if any

NAB cases, if any

Training Courses (other than mandatory Training)

Gradings of mandatory training at: MCMC

Number of PERs in BS-17/18, BS-19 & BS-20 (Last 17 years)

Basic Out - Very Good Good Average Below Adverse

Scale Standing Average Report/Remarks
BS-18
BS-19
BS-20

Awaited reports (PERs) Additional Information (if any)

EFFICIENCY INDEX

Required Score of PERs (out of 70) Marks awarded by CSB (out
Threshold of 30

Recommendations of CSB
Recommended for Induction Deferred for Induction Not recommended for
Induction

Prepared by: Checked by:

Countersigned
Secretary S&GAD

IP-D
PANEL PROFORMA FOR CENTRAL SELECTION
BOARD FOR INDUCTION OF PERSONS IN THE SERVICE OF
AUTONOMOUS/SEMI-AUTONOMOUS BODIES/ CORPORATIONS OF THE
FEDERAL/ PROVINCIAL GOVERNMENTS AS JOINT SECRETARY
(BS-20) IN SECRETARIAT GROUP
AS ON

Photo

In respect of Mr.

Designation on

Personnel No.

Name of Ministry/Division/Prov. Govt.

Domicile:

Service/Group/Cadre

Sen.No

Educational
Qualification
SERVICE PARTICULARS
Date of Joining Civil Date of promotion in
Services Academy/ Present ScaleBS-
Service/BS-17 20/equivalent

Date of Birth Age Date of Superannuation

Length of Service

Total in BS-17
and above

In present
Scale
BS-20

On
Deputation to
Federal Govt.

Previous Scale BS-
19/equivalent
Next previous Scale BS-
18/equivalent
Appointment in BS-19&20

BS-19

y-m-d

1.
2.

Punishment etc.

Penalties/Adverse remarks (if any)
Disciplinary Proceedings (E&D Rules, 1973)
NRO benefit, if any

NAB cases, if any

Training Courses (other than mandatory Training)

Last 10 Years

Existing Service

Gradings of mandatory training at: MCMC, if applicable

Number of PERs in BS-17/18, BS-19 & BS-20 (Last 17 years
Very Good Average Below
Average

Out -
Standing

Basic Scale Adverse
Report/

Remarks

Awaited reports (PERs) Additional Information (if any)

EFFICIENCY INDEX
Marks awarded for Interview by FPSC (out of 200)

Recommendations of CSB
Deferred for Induction

Not
recommended

Recommended for Induction

Prepared by: Checked by:
Countersigned

Secretary S&GAD

IP-E
QUANTIFICATION SHEET IN R/O MR. XXX
DESIGNATION:
BS-20 Ministry/Division/Prov. Govt.
BPS | Year | Period of PER Overall Assessment Score
17 1981 | 24-01-81 to 21-10-81 V. Good 08
1982 | 01-01-82 to 07-08-82 V. Good 7.60
08-08-82 to 31-12-82 Good
1983 | 01-01-83 to 10-08-83 Average 5.78
13-08-83 to 31-12-83 Good
1984 | 01-01-84 to 30-06-84 Average 5.99
05-07-84 to 31-12-84 Good
1985 | 01-01-85 to 10-07-85 Good 07
18 1985 | 14-07-85 to 31-12-85 Average 05
1986 | 01-01-86 to 17-05-86 Good 7.54
25-05-86 to 23-06-86 PLTM
20-07-86 to 31-12-86 V. Good
1987 | 01-01-87 to 16-07-87 Good 6.95
17-07-87 to 12-09-87 PLTM
17-09-87 to 31-12-87 Average
1988 | 01-01-88 to 28-05-88 Good 07
29-05-88 to 31-12-88 Good
1989 | 01-01-89 to 14-02-89 PLTM 08
15-02-89 to 01-10-89 V. Good
02-10-89 to 31-12-89 PLTM
1990 | 01-01-90 to 05-08-90 V. Good 08
20-08-90 to 30-11-90 V. Good
1991 | 01-01-91 to 02-08-91 Good 07
03-08-91 to 31-12-91 Good
1992 | 01-01-92 to 14-03-92 PLTM 08
15-03-92 to 31-12-92° V. Good
1993 | 01-01-93 to 25-07-93 V. Good 08
26-07-93 to 30-12-93 Awaiting Posting/RNR
01-11-93 to 31-12-93 Awaiting Posting /RNR
1994 | 01-01-94 to 20-04-94 Awaiting Posting /RNR | -
21-04-94 to 31-12-94 OSD/RNR
1995 | 01-01-95 to 08-11-95 OSD/RNR -
09-11-95 to 31-12-95 PLTM
1996 | 01-01-96 to 03-03-96 PLTM -
19 1996 | 04-03-96 to 10-07-96 V. Good 08
14-07-96 to 01-12-96 V. Good
02-12-96 to 31-12-96 Awaiting Posting /RNR

1997 | Full Awaiting Posting /RNR | -
1998 | Full Awaiting Posting /RNR | -
1999 | 01-01-99 to 14-06-99 Awaiting Posting /RNR | 07
15-06-99 to 31-12-99 Good
2000 | 01-01-0 to 20-08-00 Good 07
21-08-00 to 25-11-00 “NIPA/RNR
26-11-00 to 31-12-00 PLTM
2001 | 01-01-01 to 07-04-01 V. Good 08
08-04-01 to 22-05-01 PLTM
23-05-01 to 16-09-01 V. Good
17-09-01 to 31-12-01 V. Good
2002 | Full V. Good 08
2003 | Full V. Good 08
2004 | Full Awaiting Posting /RNR | -
2005 | 01-01-05 to 31-08-05 Awaiting Posting/RNR | -
01-09-05 to 31-12-05 Awaiting Posting/RNR
2006 | Full Awaiting Posting/RNR_ | -
2007 | 01-01-07 to 04-12-07 Awaiting Posting/RNR | -
01-09-07 to 31-12-07 DRO/RNR
2008 | Full DRO/RNR -
20 2009 | 04-03-2009 to10-07-2009 | V. Good 08
14-07-2009 to 01-12-2009 | V. Good
02-12-2009 to 31-12-2009 | Awaiting Posting/RNR
2010 | Full Awaiting Posting/RNR_ | -
SCORE OF OVERALL ASSESSMENT
BPS Number of Grading Mean Score of Score
OS VG _G AVG _ BA broken period
17(A) A=6.87 A+B=14.15
18(B) B=7.28
19(C) 3C = 7.67x3 23.01
20(D 5D= 8x5 40
Total Score of PERs={(5XD)+(3XC)+(A+B)}X.70 54.01
Audition for serving in Training Institution for two years.
Deduction for penalty / adverse Remarks.
FINAL SCORE 54.01

LEGEND
RND

= Report not required/Due,

PLTM = Period less than three months.

“Now NIM.

IP-F
QUANTIFICATION SHEET IN R/O MR.XXX_DESIGNATION:
BS-20 Ministry/Division/Prov. Govt.
BPS | Year | Period of PER Overall Assessment Score
17 1981 | 24-01-81 to 21-10-81 V. Good 08
1982 | 01-01-82 to 07-08-82 V. Good 7.60
08-08-82 to 31-12-82 Good
1983 | 01-01-83 to 10-08-83 Average 5.78
13-08-83 to 31-12-83 Good
1984 | 01-01-84 to 30-06-84 Average 5.99
05-07-84 to 31-12-84 Good
1985 | 01-01-85 to 10-07-85 Good 07
18 1985 | 14-07-85 to 31-12-85 Average 05
1986 | 01-01-86 to 17-05-86 Good 7.54
25-05-86 to 23-06-86 PLTM
20-07-86 to 31-12-86 V. Good
1987 | 01-01-87 to 16-07-87 Good 6.95
17-07-87 to 12-09-87 PLTM
17-09-87 to 31-12-87 Average
1988 | 01-01-88 to 28-05-88 Good 07
29-05-88 to 31-12-88 Good
1989 | 01-01-89 to 14-02-89 PLTM 08
15-02-89 to 01-10-89 V. Good
02-10-89 to 31-12-89 PLTM
1990 | 01-01-90 to 05-08-90 V. Good 08
20-08-90 to 30-11-90 V. Good
1991 | 01-01-91 to 02-08-91 Good 08
03-08-90 to 31-12-91 Good
1992 | 01-01-92 to 14-03-92 PLTM 08
15-03-92 to 31-12-92" V. Good
1993 | 01-01-93 to 25-07-93 V. Good 08
26-07-93 to 30-12-93 Awaiting Posting/RNR
01-11-93 to 31-12-93 Awaiting Posting /RNR
1994 | 01-01-94 to 20-04-94 Awaiting Posting /RNR | -
21-04-94 to 31-12-94 OSD/RNR
1995 | 01-01-95 to 08-11-95 OSD/RNR -
09-11-95 to 31-12-95 PLTM
1996 | 01-01-96 to 03-03-96 PLTM -
19 1996 | 04-03-96 to 10-07-96 V. Good 08
14-07-96 to 01-12-96 V. Good

02-12-96 to 31-12-96

Awaiting Posting /RNR

1997 | Full Awaiting Posting /RNR | -
1998 | Full Awaiting Posting /RNR | -
1999 | 01-01-99 to 14-06-99 Awaiting Posting /RNR | 07

15-06-99 to 31-12-99 Good
2000 | 01-02-0 to 20-08-00 Good 07
21-08-00 to 25-11-00 “NIPA/RNR
26-11-00 to 31-12-00 PLTM
2001 | 01-02-01 to 07-04-01 V. Good 08
08-04-01 to 22-05-01 PLTM
23-05-01 to 16-09-01 V. Good
17-09-01 to 31-12-01 V. Good
2002 | Full V. Good 08
2003 | Full V. Good 08
2004 | Full Awaiting Posting /RNR | -
2005 | 01-01-05 to 31-08-05 Awaiting Posting/RNR | -
01-09-05 to 31-12-05 Awaiting Posting/RNR
2006 | Full Awaiting Posting/RNR | -
2007 | 01-01-07 to 04-12-07 Awaiting Posting/RNR | -
01-09-07 to 31-12-07 DRO/RNR
2008 | Full DRO/RNR -
20 2009 | 04-03-2009 to10-07-2009 | DRO/RNR -
14-07-2009 to 01-12-2009 | OSD/RNR
02-12-2009 to 31-12-2009 | OSD/RNR
2010 | 01-01-10 to 05-11-10 OSD/RNR -
06-11-10 to 31-12-2010 PLTM

SCORE OF OVERALL ASSESSMENT

SCORE OFOVER ALL ASSESSMENT

BPS Number of Grading Mean Score of Score
OS VG _ G AVG _ BA broken period
17(A, A=6.87 A+B=14.15
18(B)| B=7.28
19(C)| 3C = 7.67x3 23.01
20(D 5D= 8x5 40
Total Score of PERs= {(5XD)+(3XC)+(A+B)}X.70 54.01
Audition for serving in Training Institution for two years.
Deduction for penalty / adverse Remarks.
FINAL SCORE 54.01

LEGEND
RND =Report not required/Due,
PLTM = Period less than three months.

“Now NIM.

IL. INDUCTION OF COMMISSIONED OFFICERS AND OTHER RANKS RECRUITED OR INDUCTED ON REGULAR OR CONTRACT BASIS IN CIVIL POSTS

9.1

Provisions Relating to Commissioned Officers and Other Ranks Recruited or Inducted on Regular Basis or on Contract in Civil Posts-Terms and Conditions

It has been decided that armed forces officers seconded to Civil Ministries (other than Defence), Departments of the Federal/ Provincial Governments, autonomous/ semi-autonomous bodies and corporations etc. will be governed by the following terms and conditions:—

1.
(a)

(b)

(c)

(d)

(a)

(b)

(c)

(a)

Tenure

Officers will normally be seconded for a period upto three years extendable, in exceptional circumstances, by one year by the government, after which the officer will normally either be recalled to the parent service or released. No extension in service will be allowed to officers who complete age/service limits for retirement during secondment.

If the deputation of an officer tends to become indefinitely prolonged, permanent absorption of the officer concerned in the civil cadre by retiring him from the parent service, would be considered.

In case of an emergency, the parent service will have the option of withdrawing a deputed officer without notice, if necessary.

An officer will have the option to request for return to his parent service if he feels that his service career is adversely affected by continued deputation.

Pay and Allowances

The deputationists will be entitled to pay of rank, Command/ Staff/Charge Pay, Instructional Pay, Qualification pay, Flying Pay/Submarine Pay/ Special Service Group Pay/Technical Pay/ Disturbance Pay, Kit Allowance and Non-Practicing Allowance drawn by them in the Military service immediately before their secondment in addition to 20% of pay of the rank as special compensatory allowance.

Entertainment Allowance. Entertainment Allowance may be allowed according to the equivalence of rank formula at the rate admissible on the civil side.

Senior Post Allowance.— This allowance will not be admissible in addition to Command/Staff/Charge/ Instructional pay etc.

Pension-Including Disability/Family Pension

Pension, including disability/family pension, will be granted to officers under relevant Military Pension Rules. They will count the period of service with the borrowing Ministries/Departments etc. as qualifying service for pension in the Army/Navy/Air Force.

(b) The claims that the officers or their families may have in respect of the disability or death during the period of their employment under the borrowing Ministry/Department etc., or arising out of any disability contracted in such service, shall be determined solely in accordance with the relevant Military Pension Rules, as amended from time to time, and the entire cost of any such pension shall be borne by borrowing Ministries/Departments etc. These Ministries/ Departments will also be liable to bear proportionate share of any gratuities/ pensions that may be admissible to these officers in respect of their service under Military Rules. In case of officers on deputation to a Non-Government body, the pension contribution for pension admissible to them under relevant Military Pension Rules, in respect of Service rendered by them on deputation will be payable by the borrowing agency.

4. Leave
(a) The officers will continue to be governed by Military Leave Rules.

(b) Leave account of the officers will be maintained by the parent services in consultation with the borrowing organisations and leave will be granted by the appropriate authorities in borrowing organisations under intimation to Service HQ/CORO*/Record Office concerned. Leave earned in the borrowing organizations will be availed of, as far as possible, before reversion to the services.

5. | Rank.— Acting/temporary rank will be retained/relinquished as if the officers had continued in Military Service in the appointment last held.

6. Promotion in the Services While on secondment they will not be entitled to acting/temporary promotions. However, substantive/ substantive temporary promotions will be made upto the rank held at the time they were seconded to civil department. This paragraph does not apply to AMC officers.

7. Traveling Allowance / Daily Allowance / Conveyance Allowance.—As admissible under civil rules.

8. Accommodation etc.

(a) Government accommodation will be provided under civil rules and rent will be paid under those rules.

(b) Normal water/electricity charges prevalent at the station will be paid.

(c) No Service accommodation/furniture will be provided.

9. Purchase of Rations from Service Sources and other Purchases from

Canteen Stores Deptts/Officers’ Shops etc.— They will not be entitled to make the above purchases.

10. Provision of Batman.— Batman will not be provided.

* CORO: Chief Officers’ Record Office.

1. Cost of Passage/TA for joining post in the Ministry/Department and returning therefrom.— This will be borne by the borrowing Ministry/ Department etc.

2. Defence Services Officers Provident Fund Contribution.— The officers will continue to contribute towards DSOP Fund.

3. Advance— The officers may be allowed House Building Advance/ Motor Car Advance from the relevant Services Budget as permissible under relevant Service Rules.

4. Discipline— The officers will continue to be governed by the provisions of their respective Service Act/Rules/Laws. Day to day conduct and discipline will be governed by the rules of the borrowing Ministries/Departments etc. concerned.

5. In addition to the above, all other special concessions or perquisites such as free residential accommodation, use of transport at government expense etc. which, otherwise normally go with a particular appointment to which the officer may happen to be seconded, will also be admissible to him.

6. The above perquisites are without prejudice to any improvements which the borrowing department may sanction in individual cases under special circumstances in consultation with their financial authorities.

7. Government letters containing the above terms will be issued in individual cases by the borrowing Ministries/ Departments etc.

8. The provisions of this *JSI are not applicable to:-

(a) _ officers serving in the civil armed forces (who will continue to be) governed by their existing rules; and

(b) officers who are absorbed in the civil department.
19. This JSI*shall take effect from 14-12-1981.

20. JSI* No. 46/59, PAC-666/60 and Ministry of Defence letter No. 401/64/ PS-3 (a) 4005/D-2-A dated the 5th June, 1965 may be treated as superseded by this JSI*.

[Authority:— JS 4/85-case No.F-2/70/D-24,(C-IV)/83, ASMF Dy.No.164/S/ASMF of 1985]

9.2. Terms and Conditions of Service of Army Engineer Officers Transferred to the Survey of Pakistan

1. General.— A fixed quota of 1/3™ of the available regular vacancies in the Central Service, Class I", of the Survey of Pakistan in the grade of Assistant Superintendent of Survey shall be reserved for the officers of the Corps of Engineers, Pakistan Army. Normally, the Corps of Engineers officers shall be of 5-6 years commissioned service, including antedate, if any, at the time of appointment in the Survey of Pakistan.

* Joint Services Instructions.
aod
BPS 17. Technically, Class I refers to BPS 1-22. Here the nomenclature of the post given implies BPS 17

2.

Selection.— The Surveyor-General shall intimate to the Military Secretary at

General Headquarters the number of vacancies in the grade of Assistant Superintendent of Survey reserved for army officers as and when they fall vacant. The Military Secretary shall then ask for volunteers from the Corps of Engineers and, in consultation with the Engineer-in-Chief, recommend suitable candidates to the Surveyor General. The appointment shall be made by the Government of Pakistan on the recommendations of the Surveyor-General.

3.
(a)

(b)

4.

Probation.—

On first appointment, officers shall be on probation for a period of two years. If an officer is found unsuitable and the Surveyor-General desires his reversion to the army or his services are required by the army during this period he may be reverted to the army by mutual agreement. The officers will have the option to revert to the army during the probationary period.

On successful completion of the probationary period, the officer shall be confirmed as Assistant Superintendent of Survey in the Survey of Pakistan.

Training. The officers shall be exempted by General Headquarters from

passing any army promotion examinations, etc. This concession shall, however, cease upon their reversion to the Army either during or on completion of the probationary period, when they may be given a maximum of two chances to pass the appropriate promotion examination.

5.

Conditions of Service During Probationary Period. During the

probationary period, the officers shall remain on the effective list of the Army and shall

be counted as supernumerary to the authorised strength o:
shall be governed by the following rules :-

(a)

(b)

(c)

(d)

the Corps of Engineers, and

Rank.—

(i) They shall retain rank (including temporary rank) held at the time their services are placed at the disposal of the Survey of Pakistan.

(ii) The grant of time-scale substantive promotion during this period shall be governed by the normal army rules, as may be in force from time to time. Temporary promotions will be allowed on the basis of the ‘next below rule with the prior approval of the Military Secretary.

Pay and Allowances (other than TA/DA).— They shall receive the pay and allowances (other than TA/DA) which they would have received in the army on duty.

TA/DA— They shall get TA and DA as are admissible to the officers of corresponding status in the Survey of Pakistan.

Pension. Any claim that these officers or their families may have in respect of their disablement or death during this period of service with the Survey of Pakistan or arising out of any disability contracted in such service shall be determined solely in accordance with the Central Civil Services (Extraordinary Pension) Rules, or any modification or amendment to those rules for the time being in force, and the entire cost of meeting

such claim shall be borne by the Survey of Pakistan. The Survey of Pakistan shall also be liable to pay the proportionate share of any service gratuity/pension that may be admissible to the officers in respect of their service with that Department.

(ec) House Rent.— Rent for accommodation provided by the government shall be recovered under the army rules.

(f) Medical Treatment.— The officers and their families shall be entitled to the same medical facilities as their civilian counterparts in the Survey Department.

(g) Leave. Leave shall be admissible as provided in the Military Leave Rules.

(h) Zonal Allowance.— The officers, if posted to the zone other than the zone of their domicile shall be entitled to receive a zonal allowance at the rate and subject to the conditions laid down by the Ministry of Defence.

(i) Discipline— For the purposes of discipline the officers shall be governed by the provisions of Rule 346 of the Army Regulation Volume I (Rules), 1960.

Gj) | Confidential Reports. Performance Evaluation Reports on the officers shall be rendered on the same forms as are in use in the Survey of Pakistan. A copy of the report shall be sent to the Military Secretary.

6. Rules Applicable After Confirmation.— The officers shall be released from the army without any pensionary benefits from the date of the confirmation in the Survey of Pakistan, and placed in the Pakistan Regular Reserve of Officers (PARRO) under the normal rules.

7. Seniority.— On first appointment, an officer shall be appointed as Assistant Superintendent of Survey in the Central Service, Class I*, of the Survey of Pakistan. His seniority in the Service shall count from his date of first commission, including antedate, if any.

8. Recall to Active Duty.— If the service of any military officer transferred to the Survey of Pakistan are required by the Army the Commander-in-Chief, Pakistan Army, may, at discretion order his recall to the Army.

9. | Pay.— Their pay on confirmation in the Survey of Pakistan shall be fixed under F.R. 22. For this purpose, the pay in the Army shall be taken to include pay of rank, Staff/Command/ Charge/Instructional Pay, Qualification Pay and Disturbance Pay.

10. Medical Treatment. On confirmation in the Survey of Pakistan, the officers shall be entitled to medical treatment under the rules and on the scale applicable to officers of the Central Government paid from the civil estimates.

11. Leave.— Officers permanently absorbed in the Survey of Pakistan shall be permitted to carry forward their privilege leave earned during Army service.

* BPS 17.

12. Confidential Reports— “Annual Confidential Reports on officers permanently absorbed in the Survey of Pakistan shall be rendered on the same forms as are in use in the Survey of Pakistan.

13. | Option.— Army officers already transferred to the Survey of Pakistan shall have the option to accept the terms and conditions circulated to them vide Engineer-in-Chief's Branch, General Headquarters O.M. No.1454/II/I/EI, dated 14% April 1952, or the new ones prescribed above.

[Authority:— Food & Agriculture Division Notification No.S.R.O.81(K)/65, dated 22-1-1965].

9.3. Use of Military Ranks by Military Personnel and Designation of Civil Employment

Military personnel who are employed in civil posts may use their military ranks in conjunction with their signature on official documents in the manner illustrated below:-

Major A.B.C.
or

Lieutenant Commander A.B.C., P.N.,
or
Squadron Leader A.B.C., P.A.F.

The rank and signature should, in each case, be followed by the designation in civil employment.

2. The provisions of paragraph 1 do not apply to officers of the Regular, the Supplementary and the Volunteer Reserves of Officers and the Territorial Army. Such officers may use their military ranks with their signature on official documents only while they are serving in a military capacity with the Army, Navy or Air Force.

[Authority:— Estt. Division’s O.M. No. 6/4/61-F.1, dated 4-12-1961].

9.4 Employment of Released/Retired Armed Forces Officers/ Personnel in Civil Posts

The Ministry of Defence desires that they should be consulted in regard to the employment of released/retired military officers, in civil posts under the various Ministries/Divisions. Accordingly, it has been decided that whenever any Ministry/ Division, or any authority under them propose to employ a released/retired military officer as a result of an application made to them direct (and not through the Ministry of Defence) the Ministry of Defence should be consulted by the Ministry/Division etc. concerned before such an officer is employed by them. The Ministry of Home Affairs

ae - .
Performance Evaluation Report.

etc. are, therefore, requested kindly to bring this decision to the notice of all concerned under them for their information and guidance.

[Authority:— Estt. Division's O.M. No. 10/4/60-E.XIII, dated 3-6-1961].

9.5 Employment of Armed Forces Officers/
Personnel — Provisions in Recruitment Rules

Attention of the Ministries/Divisions is invited to the Establishment Division O.M. No. 10/5/60-D.V.,dated 6" November, 1962, and Memo. No.10/2/60-D.V, dated 17" September, 1964. It is stated that in the light of the decisions contained therein

provisions on the following lines may be made in the recruitment rules.
(i) In Case of Ex-Cadre Gazetted Posts:

"The maximum age limit will be relaxed in the case of released/ retired officers of the armed forces of Pakistan upto a maximum of 10 years or by the number of years an officer has actually served the armed forces, whichever is less."

(ii) In Case of Non-Gazetted Civil Posts which are Filled Otherwise Than by a Competitive Examination Held by FPSC:

"The maximum age limit will be relaxed in the case of released/ retired personnel of the armed forces of Pakistan upto a maximum of 10 years or by the number of years a person has served the armed forces, whichever is less."

(iii) In Case of Both Ex-Cadre Gazetted Posts and Non-Gazetted Civil Posts:

Released/retired officers/personnel of the armed forces will be preferred to candidates from the open market provided they possess the requisite educational and other qualifications and are otherwise suitable.

Note.- For the purpose (i) above, ex-cadre posts means odd jobs or isolated posts.
[Authority:— Estt. Div.'s O.M. No. 5(1)/2/65-D.V., dated 10-3-1966].

9.6 Employment of Ex-servicemen in
Government Departments against
Posts in BPS 1-4

Attention is invited to the government decision notified in 1962 to the effect that in filling ex-cadre posts, released/retired officers of the armed forces should be preferred to candidates from the open market provided they possess the requisite educational and other qualifications and are otherwise suitable. Instructions were also issued in 1964 for according preference to released/retired armed forces (Non- Commissioned) personnel for employment in civil posts over candidates from the open market provided they possessed the educational and other qualifications and were otherwise suitable. The instructions provide that the maximum age limit may be relaxed up to a maximum of 10 years or the number of years a person has actually served in the Armed Forces whichever

is less. In respect of Class IV jobs, and Class III posts of staff car drivers, the instructions provide for reservation of 50% vacancies for ex-servicemen.

2. The Ministry of Defence have reported that despite these instructions, the efforts of GHQ to provide employment for the maximum number of ex-servicemen have not achieved the desired result. The above instructions are brought to the notice of all Ministries/Divisions, the Attached Departments and the Subordinate Offices with the request that all appointing authorities should ensure strict observance of these instructions so that the maximum possible number of ex-servicemen are absorbed in civil posts.

3. | There may also be vacancies both under the Federal Government and the Provincial Governments for which suitably-qualified and experienced candidates from the open market may not be readily available. GHQ is of the view that released/retired armed forces personnel who are not only experienced, energetic, discipline and reliable but also dutiful and willing to work under abnormal conditions, can be suitably employed in the existing vacancies. It is, therefore, requested that vacancies for which suitable departmental/direct recruits are not available should be reported to the Ministry of Defence, Rawalpindi, so that GHQ may be asked to provide a panel of suitable ex-servicemen for selection by the appointing authorities.

4. The instructions in para 3 above do not apply to posts recruitment to which is required to be made, under the relevant rules, through the Federal Public Service Commission. All vacancies in such posts should continue to be reported to the Commission. The eligible ex-servicemen may apply direct to the Commission when the posts are advertised. However, the Ministries/Divisions and the various Departments under them some time do make ad-hoc appointments against posts which are normally required to be filled through the Federal Public Service Commission, subject to replacement by the Federal Public Service Commission nominees and in accordance with the instructions regarding ad-hoc appointments issued by Establishment Division from time to time. It is requested that particulars of vacancies which are intended to be filled on ad-hoc basis, by appointment of persons not already serving in the department, may also be communicated to Ministry of Defence. The ex-servicemen, if appointed on ad-hoc basis, shall be subject to replacement by the F.P.S.C. nominees.

5. It is also requested that suitable instructions may be issued by the Ministries/Divisions to the various autonomous bodies and semi-autonomous bodies under them to employ ex-servicemen in as large a number as possible and for this purpose, details of the posts and the qualifications and experience required may be communicated to Ministry of Defence so that names of suitable ex-serving officers and men may be communicated to them for selection.

[Authority:— Estt. Division’s O.M. No. 17/1/68-D.III, dated 18-10-1971].

9.7 Employment of Ex-Servicemen and Pakistan Armed Services Board (PASB)

In supersession of the existing practice when a vacancy occurs against the quota reserved for ex-servicemen, the demand for filling in such a vacancy should be placed on the Pakistan Armed Services Board Secretariat in the Ministry of Defence. The P.A.S.B. Secretariat will meet the required demand from its own pool or its Provincial Directorate. In case an ex-serviceman with the required qualifications etc. is not available, the

P.A.S.B. Secretariat will inform the department, who has placed the demand of the non-availability of such a person.

2. A copy of the Defence Division Office Memo No. 52/D. 14(W)/1177/76, dated 30" September, 1976 is enclosed (Annex) for further guidance in the matter.

[Authority:— Estt. Division’s O.M. No. 14/1/76-D. III, dated 4-6-1976].
(ANNEX)

[Copy of Government of Pakistan, Ministry of Defence (Defence Division), Rawalpindi, O.M. No. 52/D-14 (W)/1177/76, dated the 30 September, 1976].

Reference is invited to the Establishment Division O.M.No. 14/1/76-D.III, dated the 4th June 1976 under which demand for re-employment of ex-servicemen are to be placed on the Pakistan Armed Services Board, Ministry of Defence, GHQ, Rawalpindi. The Board is in the process of instituting a system for providing suitable ex-servicemen for the required jobs. It will be appreciated that to meet the demand for re-employment of ex-servicemen at least one month's time is needed to enable the Board to call up candidates from their villages, conduct their interviews, select suitable personnel and forward their names to the requisitioning departments. At present the requisitioning departments are giving the Pakistan Armed Services Board only 3 to 4 days time within which all these formalities are to be completed. It is well nigh impossible to complete the required formalities within such a short time.

2. In case the demand is large it would always be available for the requisitioning departments to contact the Pakistan Armed Services Board and its subordinate offices at the provincial/district level, seek their advice and chalk out a coordinated plan for the accomplishment of the task.

3. It is requested that the Federal Ministries/Divisions may kindly be advised to instruct the departments/organizations under their control to allow a minimum period of one month to the Pakistan Armed Services Board for providing the names of suitable ex-servicemen for re-employment.

9.8 Reservation of 50% Vacancies in BPS 1-3 and in BPS 4 of Staff Car Driver/Despatch Rider for Armed Forces Personnel

Reference Establishment Division Office Memorandum No. 25/86/52-SE I, dated the 10 November, 1953. The decision contained in the Office Memorandum under reference has recently been reviewed by government and it has now been decided that 50% of the vacancies in “Class IV posts and the Class III posts of Staff Car Driver should be reserved for discharged, retired or demobilized armed forces personnel. The remaining 50% vacancies should be treated as open to all. However, ex-armed forces personnel may compete alongwith others for these vacancies as well.

* Now Category-IV.

2. It is clarified for information of all the Ministries/Divisions that the posts of Despatch Riders in BPS 4 are governed by the above instructions as well as those contained in this Division circulars issued subsequently.

[Authority:— Estt. Division's O.M. No. 1/8/58-D.V., dated 19-10-1962 and Estt. Division's O.M. No. 14/4/75-D. III, dated 3 1-3-1976].

9.9 Employment of Ex-Servicemen from Other Regions if Locally Not Available

According to the existing instructions, the vacancies reserved for ex-servicemen should not be filled by other persons unless the employing authority obtains a certificate from the Welfare and Rehabilitation Directorate, General Headquarters, Rawalpindi to the effect that suitable ex-servicemen are not available for employment. The vacancies in some of these grades are filled locally.

2. It has now been decided that if ex-servicemen are not available locally the vacancies reserved for them may be filled by ex-servicemen from other regions.

[Authority:— Estt. Division's O.M. No. 14/I/74-D.III, dated 23-12-1975].

9.10 Submission of Returns in Respect of Employment of Released/ Retired Armed Forces Personnel

The Ministries/Divisions were directed vide Establishment Division Office Memoranda No. 1/18/58 D.V., dated 19" October, 1962, No. 1/14/63-D.V., dated 28th February, 1964 and No. 1/14/63-D.V., dated 14th January, 1965 that 50% of the vacancies in BPS | to 3 posts and the posts of Staff Car Drivers (in BPS 4) should be reserved for discharge/ retired or demobilized armed forces personnel, and the procedure to be followed in this connection was described.

2. The Ministries/Divisions are requested that a half yearly return relating to the main Ministry/Division, its Departments and offices giving the following information in respect of grades" | to 4 should be sent to the Establishment Division on 31* July and 31" January:—

(1) Grade*.

(2) Total number of posts.

(3) Total number of ex-servicemen in the grade*.

(4) Number of vacancies occurred during the preceding six months.

(5) Number of vacancies filled in.

(6) Number of ex-servicemen employed during the preceding six

months.

(7) In case ex-servicemen are not appointed against the vacancies

reserved for them, the reasons therefor.

[Authority:— Estt. Division’s O.M. No. 17/1/68-D. IL, dated 9-5-1974 read with O.M. of even number dated 22-6-1974].

“BPS.

9.11 “Induction/Re-employment of Officers of Armed Forces of Pakistan in Civil Posts

The question of institutionalizing the induction and re-employment of officers of the armed forces of Pakistan in civil posts has been under consideration for some time past. The President has now been pleased to decide that induction of officers of the armed forces of Pakistan and their re-employment, as the case may be, shall be regulated by the following instructions:-

PART-I

2. Induction of young officers of armed forces of Pakistan upto 8 years commissioned service in civil posts shall be made in accordance with Part II.

3. Induction of officers of the rank of Major or equivalent who may retire or may have retired on completion of the prescribed age or service limit shall be made in accordance with Part III.

4. Re-employment of officers of the rank of Major or equivalent who may retire or may have retired before completion of the prescribed age or service limit and of retired officers of the rank of Lieutenant Colonel and above and equivalent shall be made in accordance with Part IV.

PART-II

5. Young officers of the armed forces upto 8 years of commissioned service will be eligible for induction in ** grade 17 on regular basis upto 10% of the annual direct recruitment vacancies in the specified occupational groups direct recruitment to which is made through the combined competitive examination held by the FPSC annually.

6. Induction will be made through the High Powered Selection Board constituted by the President for the purpose. The High Powered Selection Board will also determine the Occupational Groups to which the officers are allocated. For this purpose, each Service Chief may be asked to recommend by the 30th June every year names of officers for induction in “grade 17 in various groups, keeping in view their educational qualifications and experience. For each vacancy, a panel of preferably 3 officers may be recommended. The recommendations will be scrutinised by the Ministry of Defence before they are placed before the Board.

7. Officers inducted in various groups will be adjusted against vacancies allocated to the province or provinces to which they belong.

8. The officers will be appointed on regular basis, and the probation period shall be deemed to have been waived. On appointment to the civil post, the officers will sever their connection with the armed forces.

. [Note.- The instructions reproduced under this Serial Number may please be read with subsequent

amendments/clarifications].
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BPS.

9. The officers will receive the same training as is given to the probationers appointed on the results of the competitive examination held by the FPSC and will be required to pass completely the prescribed examinations during or on conclusion of the training. Their promotion to the higher “grade will be governed by normal rules, and will be subject to the further condition that they have completely passed the prescribed examinations during or on conclusion of the training.

10. The inducted officers will count their seniority from the year in which they are inducted, recruits of the same year retaining their seniority, inter se. They will be placed above the competitioners of the year with whom they receive the training.

11. (a) The pay of the inducted officers in civil *grade will be fixed on the basis of their pay in the substantive rank or temporary rank, if held for one year.

(b) Service rendered in Armed Forces will count towards civil pension.
“PART-IIL

2. The officers of the rank of Major and equivalent who may retire or may have retired on completion of the prescribed age or service limit will be eligible for induction in *grade 18 on regular basis upto 10% of the annual vacancies in the various groups and cadres in that *grade, as may be specified.

3. Induction will be made through the High Powered Selection Board in accordance with the procedure laid down in para 6.

4. Inselecting officers for induction, provincial quotas will be kept in view.

5. The inducted officers will count seniority in the *grade in which they are inducted from the date of their induction.

6. The pay of inducted officers will be fixed in the civil *grade on the basis of their pay of the substantive rank or temporary rank, if held for one year.

7. The inducted officers will continue to draw their military pension but it shall be deducted from the civil pay. In addition to the military pension, the officers will be entitled to a civil pension on their retirement from civil employment if they have completed the prescribed qualifying service (i.e. 10 years of minimum service). They will be entitled to receive gratuity if they have rendered more than 5 years and less than 10 years of service in the civil post.

PART-IV

18. Officers of the rank of Major/ equivalent who retire or may have retired before completion of the prescribed age or service limit and officers of the rank of Lieutenant Colonel and above and equivalent who may retire or may have retired either after completion of prescribed service or age limit or before such completion will be eligible for re-employment on contract for 3 to 5 years, renewable upto the age of 60, upto the maximum of 10% of annual vacancies in various groups and cadres, as may be specified, on the terms and conditions mentioned hereinafter.

“BPs.
* Dlease see revised instructions vide Estt. Div.’s O.M.No.1/19/80-IC.I, dated 4-12-1980.

19. Re-employment will be made in “grades equivalent to their substantive rank, or temporary rank, if held for one year, in accordance with the Army rank-civil grade equivalence formula already approved by the President. However, the officers will be eligible for being considered for a subsequent contract in higher grade.

“TRe-employment of officers may be considered for a higher grade* either at the time of subsequent contract or after completing service of three years in the existing contract whichever is earlier].

20. Re-employment on contract basis will be made through the High Powered Selection Board which will also determine the group or cadre in which re-employment is to be made. The procedure for selection will be the same as prescribed in para 6.

21. Inselecting officers for re-employment provincial quotas will be kept in view.

22. Re-employment on contract in various *grades shall be made by the authorities competent to make appointment to these *grades in accordance with rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

23. The re-employed officers will be eligible for such training as is given to their civilian counterparts.

24. Re-employed officers will not have any seniority and will not be placed on the regular Seniority list.

-r

25. Pay of the retired officers of the armed forces, who are re-employed in civil posts on contract in *grades equal to the substantive rank or temporary rank, if held for one year, may be fixed at the minimum of the grade in which re-employment is made and full service pension should be paid in addition. Service rendered on civil side shall not qualify for a second pension.]

26. The armed forces officers re-employed on contract shall be liable to serve anywhere within or outside Pakistan, in any post under the Federal Government or Provincial Government or local authorities, or a corporation or body set up or established by such government provided that nothing contained in this paragraph shall apply to an officer re-employed specifically to serve in a particular area or region and further provided that where such an officer is required to serve in a post other than the post in which he has been re-employed, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

* BPSipost.
“* added vide Estt. Division O.M.No.1(25)/80-IC.I, dated 7.3.1982.
““ Substituted vide Estt. Division’s O.M. No. 14/5/78-D.III, dated 5-5-1980.

27. *[Omitted].

28.*[In case no orders are received by the date on which the contractual period expires the contract shall be deemed to have been terminated; unless otherwise ordered].

29. The conduct of re-employed contract officer shall be regulated by rules made, or deemed to have been made or instructions issued, by Government or a prescribed authority as for civil servants under section 15 of the Civil Servants Act, 1973.

30. A re-employed contract officer shall be liable to such disciplinary action and penalties in accordance with the rules made or deemed to have been made under section 16 of the Civil Servants Act, 1973.

31. The armed forces officers re-employed on contract shall be governed by the leave rules contained in the Finance Division O.M. No. F. 1(2)-Rev. I/78, dated the 21* September, 1978 (Note 1 &2 below). However, provisions contained in para 3(ii) and (iii), 5, 6, 10, 11 and 17 shall not apply.

[Note 1: The Revised Leave Rules, 1980 will be applicable. Leave Rules, 1978: 3(ii) (Leave on half Pay) (iii) Leave Preparatory to Retirement, 5 (Leave not due), 6 (Special Leave); 11 (Extraordinary Leave, Leave Without Pay), 10 (Encashment of refused leave); 12 (In-service death), 17 (Authorities refusing leave preparatory to retirement).

Note 2: Revised Leave Rules, 1980: 6 (Leave on half pay), 9 (Extraordinary Leave, Leave without pay), 11 (Leave not due), 12 (Special leave), 16 (Leave preparatory to retirement),17 (Encashment of refused leave Preparatory to retirement),18 (Power to refuse leave preparatory to retirement)18-A (Encashment of leave preparatory to retirement) 19 (In-service death)].

32. The leave at the credit on an officer shall be carried forward in case a contract is extended without any interruption. However, all leave at the credit of an officer shall lapse on the date of final expiry or termination of the contract.

33. The officer will be entitled to T.A. on tour and transfer and to medical attendance and treatment on the scale applicable to civil servants of corresponding grade.

34. Where a right to prefer an appeal or apply of review in respect of any order relating to the terms and conditions of his service is provided to an officer of armed forces re-employed on contract under any rules made applicable to him such appeal or application shall, except as may be otherwise prescribed, be made within thirty days or the date of such order.

35. Where no provision for appeal or review exists under the rules in respect of any order or class of orders, a re-employed officer aggrieved by any such order may, within thirty days of the communication to him of such order made a representation against it to the authority next above the authority which made the order.

36. The existing officers of the category mentioned in this part who have already been appointed on contract in civil posts shall be eligible to elect terms and conditions

* Omitted & substituted vide Est. Division’s O.M.No. 1(3)/86/CP-6, dated 1-1-1987.

specified in this part. They shall be required to give their option either to elect their existing conditions of appointment or to elect the terms and conditions laid down in this part for the remaining period of their contract. The option shall be given within two months of the date of issue of this O.M. They will be brought on the terms and conditions laid down in this part with effect from 23rd December, 1979, the date on which the President was pleased to approve the scheme. Those who fail to submit their option by the prescribed date shall be deemed to have elected their existing terms and conditions. Option shall be final.

PART-V

37. Any major difficulties in implementing these decisions will be resolved by reference to a committee comprising Establishment Secretary, Finance Secretary and Law Secretary. The reference will be made through the Establishment Division, who will initially examine it and in case they are unable to remove the difficulty, the matter will be placed before the Committee.

38. This Office Memorandum issued with the concurrence of the Ministry of Finance.

[Authority:— Estt. Division’s O.M. No. 14/5/78-D. III, dated 10-2-1980]*.

9.12 Application of Instructions for Induction/ Re-employment of Armed Forces Officers to Autonomous Bodies

The President has also been pleased to decide that instructions contained in the Establishment Division O.M. No. 14/5/78-D. III, dated 10" February, 1980 will also apply, mutatis mutandis to the corporations and other autonomous bodies set up by the Federal Government or working under their administrative control.

2. All Ministries/Divisions are requested to advise the corporations and other autonomous bodies under their administrative control to draw instructions for induction or re-employment of officers of armed forces of Pakistan in various posts in the corporations on the lines of the instructions contained in the office memorandum under reference and issue them with the approval of the competent authority.

[Authority:— Estt. Division’s O.M. No. 14/5/78-D.III, dated 11-2-1980].

9.13 Guidelines for Re-employment of Retired Armed Forces Officers

As per policy circulated vide Establishment Division’s O.M. No. 14 (5)/78-D-III, dated 10-02-1980 as amended from time to time, the retired officers of the armed forces are eligible for re-employment, on the recommendations of the DSOSB, against 10% of the annual vacancies, in the specified Ministries/ Divisions/Departments/ Service Groups of the Federal Government as per procedure/instructions outlined therein. Separate Selection Boards are set up in the Provincial Governments and in the

* For amendments in this O.M. No. 14/5/78-D.III, dated 10-02-1980, see subsequent Sl. Nos. 9.12 to 9.26

corporations and autonomous/semi-autonomous bodies to select suitable retired officers of the armed forces for re-employment under these governments/corporations etc.

2.

The competent authority has been pleased to approve the following further

guidelines on the subject:—

@)

(i)

3.

As a matter of principle, all requests for re-employment of retired officers of the armed forces may invariably be sent to the Services HQ for proper scrutiny & placing before the DSOSB as per policy and individual requests may not be entertained. As per its existing charter, the Defence Services Officers Selection Board (DSOSB) shall consider cases strictly against 10% annual vacancies in the specified departments/ organizations/groups/ services listed in Annex.

Employments/re-employments of defence services officers in civil over and above 10% annual vacancies quota shall continue to be processed by the Establishment Division in coordination with the Defence Division and Services Headquarters/W&R Dte. of GHQ, after such proposals are cleared by the Prime Minister of Pakistan on merit of each case, and in the public interest.

It is requested that these instructions/guidelines may be noted for strict

compliance and circulated amongst all the departments/ organizations/ groups services etc. working under the Ministries/Divisions of the Federal Government/Provincial Governments for similar action.

[Authority: Establishment Division’s O.M. No. 3/69/2000-CP-7, dated 27-03-2001]

ANNEX

LIST OF SPECIFIED MINISTRIES/DIVISIONS/SERVICES GROUPS

oe P NADY YD BZ

Office Management Group (OMG) (BPS 18 only)
Secretariat Group (BPS 19 & above)
Information Group -do-

Foreign Service of Pakistan -do-

Ministry of Education -do-

Ministry of Health -do-

Ministry of Communications -do-

Intelligence Bureau (1.B) -do-

Ministry of Railways -do-

9.14 Inclusion of Commissioned Service in Armed Forces in Length of Service in Civil Posts

Under the existing policy army" service does not reckon for the purpose of move-over in respect of the officers inducted in civil posts on regular basis under Part-II of induction policy circulated vide Establishment Division's O.M.No.14/5/78-D.IIL, dated 10-2-1980. The matter has been examined in consultation with the Establishment Division and decided that the commissioned service rendered by an officer in the armed forces prior to induction into the civil post on regular basis under Part-II of Induction Policy, referred to above, may be included in the length of service for the purpose of grant of move-over subject to the following conditions:-

(i) There is no break in service between the previous commissioned service rendered by them in the existing government department besides such commissioned service has also been counted towards fixation of pay in the existing government department.

(ii) He is not drawing pension against the service rendered in the armed forces.

[Authority:— Finance Division's O.M.No.F.6(12)-R-3/89-Imp-I, dated 31-10-1990].

9.15 Secondment/Re-employment of Armed Forces Officers in Civil

Refer to Establishment Division's Office Memorandum No. 4/1/2008-E.4 dated 30-05-2008 on the subject noted above and to say that secondment of Armed Forces Officers in civil Organizations:—

a) That they would be second to civil posts where their role is essentially required due to special expertise in particular field, and similar expertise cannot be procured from other sources. The post that will be vacated after reversion of officers from secondment shall be filled through promotion/transfer/recruitment etc by the respective Ministries/ Divisions /Organizations, as prescribed.

b) Secondment of Armed Forces Officers would be allowed only against the earmarked posts, and all cases of secondment shall be routed through Establishment Division.

c) Any new proposal/request for secondment against posts other than the earmarked ones would be dealt with in accordance with the revised policy, and will require prior approval of the Prime Minister. The organization requesting for secondment shall give complete justification for their proposal and shall clarify that requisite expertise is not available on the civil side.

d) The re-employment/contract appointment of retired Armed Forces officers shall be made against 10% quota reserved in the specified Divisions/Occupational Groups through High Powered Selection Board, as prescribed in Establishment

"Pak. Army, PAF & Pak Navy to be read in view of the words 'armed forces' used.

Division O.M No. 14/5/78-D-III dated 10/02/1980 and No. 3/69/2000-CP-7, dated 27-03-2001.

e) Incase of the posts earmarked for secondment, it will be allowed in exceptional cases only after approval of the Prime Minister.

f) Where a particular expertise is not available through ordinary means, retired officers of the Armed Forces may be selected through open competition after advertisement of the posts.

[Authority:— Establishment Division’s O.M No. 4/18/2008-E-4 dated 06-11-2008.

9.16 Pay Fixation and Seniority of Armed Forces Officers Inducted in Civil Posts

The question of pay-fixation and seniority of the armed forces officers inducted on permanent basis into the civil in various groups prior to the promulgation of the induction policy, vide this Division's O.M. of even number dated 10" February, 1980 has been under consideration of the government. It has now been decided that pay-fixation and seniority of such officers will be determined on the following conditions:—

(i) | These officers will be deemed to have been inducted into their respective groups with effect from the date they started officiating against posts in the said groups on transfer from the army.

(ii) They will count their seniority in the relevant grades with effect from the ate of induction.

(iii) Their pay and allowances will be fixed in civil scales of pay in accordance with the rules on the subject.

(iv) In the case of officers who have continued to draw army pay, their present pay will be fixed after allowing them due increments. They will cease to raw army pay and allowances with effect from 1 August, 1981.

(v) Any pay and allowances drawn in excess of the civil rates of pay between the date of their induction and 1“ August, 1981 will be written off.

2. The above conditions will also apply to those Defence Services Officers inducted in various groups who have already retired from Defence Service.

[Authority:— Estt. Division’s O.M.No.14/5/78-D.IL.1 dated 14-7-1981].

9.17 Eligibility of Major/Equivalent Retired on Medical Grounds for Induction in Posts in BPS 18/Equivalent

Reference Part-III, para 12 of Establishment Division's Office Memorandum of even number dated 10" February, 1980 the President has been pleased to decide that officers of the rank of Major or equivalent retiring on medical grounds (Category C) before attaining the specified length of service/age will also be eligible for induction in grade 18 on regular basis in the various specified groups and cadres.

[Authority:— Estt. Division’s O.M. No.14/5/78-D.II, dated 16-7-1981].

9.18 Resignation by Armed Forces Officers Inducted in Civil Posts

According to para 27, Part IV of Estt. Division's O.M. No.14/5/78-D. III, dated 10" February, 1980 termination of contract, either on expiry of contract or otherwise, is to be done through the High Powered Selection Board.

2. The President has been pleased to decide that resignations tendered by contract officers need not be processed through the Defence Services Officers Selection Board and that such resignations should be submitted to the competent authority for acceptance without referring them to the aforesaid Board.

[Authority:— Estt. Division’s O.M. No. 1(19)/80-LC.I. dated 11-8-1981].

9.19 Pay Fixation of Armed Forces Officers Inducted in Civil Posts

Reference Establishment Division's O.M.No.14/5/78-D.3, dated 10th February, 1980 in modification of para 16, Part IL, of Estt. Division's O.M. referred to above, the President has been pleased to decide that the pay of serving officers of the armed forces of the rank of Major and equivalent inducted in civil posts on permanent basis, will be fixed as follows:—

(a) These officers will be allowed to get their army pay and allowances during the period of their training except kit allowances; and

(b) On the termination of their training and on regular posting their pay will be fixed in civil post in NPS-18* on the basis of their pay of substantive rank or temporary rank if held for one year, including the following as part of pay:

(i) Disturbance pay.
(ii) Qualification pay.
(iii) Command/Staff/Charge pay.
[Authority:— Estt. Division’s O.M. No. 8(4)/81-CP.V, dated 1 1-1-1983].

9.20 Termination of Contract of Armed Forces Officers in Civil Posts

Reference is invited to Establishment Division's O.M. No. 14/5/78-D III, dated 10th February, 1980. It is stated that the Prime Minister has been pleased to direct that the following amendments shall be made in the said office memorandum, namely:—

(a) Para 27 in Part IV shall be omitted, and
(b) for para 28, the following shall be substituted:-

“In case no orders are received by the date on which the contractual period expires, the contract shall be deemed to have been terminated, unless otherwise ordered.”

BPS.

2. To avoid any hardship to officers affected by the amendment in para 28 of the said memorandum, the Prime Minister has been pleased to direct that the said amendment shall not apply to officers whose contractual period has either expired or would expire within 3 months from the date of issue of this amendment but no orders extending or terminating such contracts have been received by the Ministries/ Divisions.

3. | The Ministries/Divisions are requested to identify and submit such cases, alongwith their recommendations, to the Establishment Division within the next fortnight for placing them before the Defence Services Officers Selection Board and obtaining orders of the competent authority.

[Authority:— Estt. Division’s O.M.No.1(3)86-CP-6, dated 1-1-1987].

9.21 Application of Instructions for Induction/Re-employment of Armed Forces Officers in Autonomous Bodies — Amendment in Recruitment Rules

With reference to the Establishment Division O.M. No.14/5/78-D. III, dated the 11" February, 1980 it is stated that the instructions contained in Estt. Division's O.M. of even number, dated the Ist January, 1987 will also apply, mutatis mutandis, to the corporations and autonomous bodies set up by the Federal Government or working under their administrative control.

2. All Ministries/Divisions are requested to advise the corporations and other autonomous bodies under their administrative control to make necessary amendments to the instructions issued by them for induction or re-employment of officers of armed forces of Pakistan in various posts in the corporations.

[Authority:— Estt. Division’s O.M.No.1(3)/86-CP.6,dated 14-1-1987].

9.22 Induction/Re-employment of Armed Forces Officers in Civil Posts — Specification of Groups and Cadres

Under Establishment Division's O.M.No.14/5/78-D.III, dated 10" February, 1980 10% of the annual vacancies in the specified Occupational Groups and cadres are required to be filled by the retired officers of the armed forces of Pakistan. Groups” and cadres to which these officers can be appointed have now been specified. It has been decided that:

(a) “Except the following, all Occupational Groups will be open to the armed

forces officers for induction/re-employment in “"“Grade 17 and 18:—

(i) | Economists and Planners Group.
(ii) Commerce and Trade Group.
(iii) Office Management Group.

(b) The following Groups only will be open for appointment in **Grades 19 and above:—

* Add “and Service”

“ Note: For revised instructions, please see SI.No. 9.21.

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(1) _ Secretariat Group.

(2) Foreign Affairs Group'.

(3) Information Group.

(4) "Accounts Group (for those Officers only who have experience of Finance and Accounts).

2. At present, the Defence Services Officers Selection Board headed by the Minister for Interior is required to select officers of the armed forces for induction/ re-employment in civil posts in the Federal Government, Provincial Governments, corporations and autonomous/ semi-autonomous bodies set up or established by such governments. It has been felt that there is a need to decentralize the powers for effective implementation of the policy regarding induction/ re-employment of the officers of the armed forces. It has therefore, been decided that:—

(a) The Defence Services Officers Selection Board should restrict itself to select officers only for the ***All Pakistan Unified Grades and the Federal Unified Grades.

(b) Separate Selection Boards should be set up in the Provincial Governments to select retired officers of the defence forces for re-employment under those governments.

(c) Separate Selection Boards should also be set up for re-employment of such officers in the corporations and autonomous/semi-autonomous bodies. These Boards will be headed by the Minister of the administrative Ministry (Division) concerned and should include the Secretary of that Ministry/Division and the Chairman/ Managing Director of the corpora-tion concerned.

3. Each Ministry and the Provincial Governments will intimate the number of vacancies allocated/reserved for the Armed Forces Officers by the 30" June each year to the Ministry of Defence under intimation to this Division. Ministry of Defence will recommend/propose a panel of names of the Armed Forces Officers, to be considered for appointment to the posts. Preferably three names should be recommended/proposed for each vacancy. This Division shall also be informed of the final selection made.

4. The Ministries/Divisions and the Provincial Governments are requested to take immediate action for implementing these decisions.

[Authority:— Estt. Division's O.M. No. 1/22/80-Ind.-Cell, dated 29-11-1980].

9.23 Induction/Re-employment of Armed Forces Officers in Civil Posts : Specification of Groups®

In partial modification of Establishment Division O.M. No.14/5/78-D.Ill, dated 10" February, 1980 it has been decided that;

"Now Foreign Service of Pakistan vide Notification No. SRO 936(1)/83 dated 29.9.1983.

sem NOW Pakistan Audit & Accounts Service vide Estt. Div.'s OM No. 1/17/92-CP II dated 10" Decembe

All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09-1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all Notifications and instructions issued on the subject from time to time were mutatis mutandis amended.
Read ‘Services’ and ‘Group’.

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(i)

(iii)

(iv)

(v)

In future, the induction of serving officers of the armed forces of Pakistan will be confined only to PAS, FSP and “Police Group in “’Grade 17 posts against the following annual intake:-

Pakistan Administrative Service.... 5
“Foreign Affairs Group..... 3
*Police Group... 2

No induction of serving armed forces officers in **Grade 17 & 18 will be made in any other occupational group or service in the Federal Government or provincial Governments.

Annual induction in **Grade-18 will not be a regular feature but a limited number of serving Majors or equivalent rank may be chosen by the President. Such cases will be processed through the Defence Services Officers Selection Board and put upto the President for approval.

Retired officers of the rank of Major or equivalent will be eligible for appointment only in autonomous bodies/ corporations either on contract or regular induction according to the option of the officers. They will also be eligible for appointment on contract basis against 10% vacancies of Section Officers in **Grade-18 in the Federal Secretariat.

Existing retired officers of the rank of the Major or equivalent, who have been inducted as Section Officers in the Federal Secretariat may also exercise the option for employment on contract basis for an initial period of three years with immediate effect. The last date for exercising this option is 31 March, 1982.

[Authority:— Estt. Div.’s O.M. No. 1/19/80-IC(Pt)/CP-5, dated 1-3-1982].

9.24

Induction of Armed Forces Officers
in Civil Posts — Modification in Instructions

In partial modification of Part III of the Estt. Division's O.M.No. 14/5/78-D.IL, dated 10" February, 1980 on the subject, it has been decided that:

(a)

(b)

The officers of the rank of Major and equivalent, who may retire or may have retired on completion of the prescribed age or service limit, will be eligible only for induction in **Grade 18 on regular basis in civil posts under the Federal Government and Provincial Governments upto 10% of the annual vacancies in the various groups/cadres, as may be specified.

The officers of the rank of Major and equivalent who may retire, or may have retired on completion of the prescribed age or service limit will be eligible also for induction on regular basis as well as re-employment on

* Police Service of Pakistan.
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BPS.

Foreign Service of Pakistan.

contract in “Grade-18 or equivalent posts in corporations and autonomous/ semi-autonomous bodies under the Federal and Provincial Governments upto 10% of the annual vacancies. Both the regular induction and re-employment on contract will be made on recommendations of the High Powered Selection Board.

(c) If selected for appointment to posts in corporations or autonomous/ semi-autonomous bodies, the officers will be asked to exercise an option whether they want to be re-employed on contract or permanently inducted on regular basis upto the age of superannuation. Option once exercised shall be final.

(d) Such officers as are re-employed on contract will be governed by the terms and conditions mentioned in Part IV of the Establishment Division O.M. referred to above.

[Authority:— Estt. Division’s O.M.No.1/19/80-IC-Ldated 4-12-1980].

9.25 Extension in Re-employment on Contract of Armed Forces Officers

Attention is invited to the Establishment Division's Office Memorandum No. 14/5/78-D.II, dated 10" February, 1980, as amended from time to time. It is stated that according to the existing instructions all cases of induction/ re-employment on contract of serving retired officers of the armed forces in civil posts are required to be processed through the Defence Services Officers' Selection Board. It has now been decided by the Prime Minister that cases of extension in contract re-employment should also be processed through the Board.

2. Cases for extension in contract re-employment are placed before the Board after obtaining a panel of two or more officers in each case from the Ministry of Defence. The Board considers such cases in the light of recommendations of the administrative Ministries/Divisions/Departments, performance/ service record of the officer and exigencies of the service. Recording of minutes of the meetings and completion of other formalities such as submission of summaries to the Prime Minister and soliciting his orders take sufficiently long time. According to amended para-28 of the Policy vide Establishment Division's Office Memorandum of even number dated 01-01-1987 if no orders are received by the date on which the contractual period expires, the contract is deemed to have been terminated. It is also not possible to convene the meetings of the Board frequently and at a short notice.

3. To ensure that cases of extension in contract re-employment are finalized before the maturity of contract appointments, it is imperative that such cases should be initiated well in advance.

4. In view of the position explained above, all Ministries/ Divisions/ Departments are advised to submit cases of extension in contract re-employment of retired officers of armed forces at least four months in advance of the date of expiry of contract, to ensure timely decision.

[Authority:— Estt. Division’s O.M.No.1(3)/88-CP.6, dated 14-3-1988].

“BPS.

9.26 Induction/Re-employment of Armed Forces Officers into Civil Posts

The methodology of induction of officers of the armed forces in civil remained under active consideration of the Establishment Division. The issue was also examined thoroughly by the Recruitment Policy Committee. On the recommendations of the Recruitment Policy Committee, the Prime Minister has been pleased to approve as under:—

(a) Officers of the armed forces, irrespective of their rank, will be eligible for induction in the civil to posts in pay scale 17 only provided—

(i) _ their overall service record in the armed forces is not below “High Average” and

(ii) they are below 32 years of age.
(b) Induction will be allowed only in the following occupational groups:—

“Gi) Pakistan Administrative Service
(ii) Foreign Service of Pakistan
(iii) Police Service of Pakistan

(c) Induction will be equal to 10% of annual vacancies in each of these groups with a minimum of 2 vacancies in each group.

(d) Induction/allocation to various Occupational Groups™ will be through FPSC instead of Defence Services Officers Selection Board (DSOSB).
(e) Each Service Headquarter shall have a Board which will examine the

cases of officers willing to be considered for induction in civil and who ulfill the conditions indicated above.

(f) | Each Board shall recommend to the Ministry of Defence names equal to double the number of available vacancies.

(g) The FPSC will select officers and allocate them to occupational groups’ on the basis of psychological test, viva voce and regional/provincial quota.

(h) ““[Re-employment of the retired officers of the armed forces in civil besides Office Management Group, Secretariat Group, Foreign Service of Pakistan and Information Group has also be extended upto 10% of the annual vacancies in Ministries of Health, Education, Communications and Intelligence Bureau. There will be no re-employment in “Accounts Group in future].

2. Policy governing induction/re-employment of the officers of armed forces in civil stands amended to the extent discussed above.

3. | The Prime Minister has desired that the nominations already forwarded by the Ministry of Defence for induction in the civil may be treated as the nominations for the year 1991 and forwarded to FPSC for consideration. The needful has been done.

* Previous District Management Group.

"With ref, to para | (b) above, it should read ‘Group and Services’ insofar as it relates to induction.
“** Subs. vide Estt. Division O.M.No.8/5/96-CP.6/7, dated 30-8-1997.

Pakistan Audit & Accounts Service.

4. The Majors nominated by Ministry of Defence vide Annex-C to O.M.No.2/25/D-24(C.IV)/91, dated 6" July, 1991 will also be considered for induction provided they are below 32 years of age, their overall record in the armed forces is not below “High Average” and they are willing to be inducted in posts in BPS 17.

[Authority:— Estt. Division’s O.M.No.10(1)/91-CP.I, dated 9-9-1991].

9.27 Induction of Armed Forces Officers in Pakistan Administrative Service, Police Service of Pakistan and Foreign Service of Pakistan BS-17

Refer to Establishment Division’s O.M No. 10(1)/91-CP.I dated 09-09-1991 and to state that the competent authority i.e. Prime Minister of Pakistan has been pleased to approve that in future the ratio of 4:1:1 (Pakistan Army, Pakistan Air Force, Pakistan Navy) be implemented while strictly observing the regional/provincial quota on the subject.

[Authority:— Estt. Division’s 7/3/2006-CP-4/CP-5, dated 27-08-2020].

9.28 Re-employment of Retired Armed Forces Officers in Civil in Specified Service Groups/Ministries through Defence Services Officers Selection Board (DSOSB)

Attention is invited to the Establishment Division's O.M.No.14/5/78-D-III, dated 10" February, 1980 on the subject amended from time to time. The Prime Minister has been pleased to approve that the employment of the retired armed forces officers will be on cyclic basis upto a maximum period of 05(five) years in each case (commencing from the date of the re-employment of the first officer against that vacancy) or till the date of attaining the age of 60 years, whichever is earlier.

2. Policy governing induction/re-employment of the officers of armed forces in civil stands amended to the extent as mentioned in para 1 above.

[Authority:— Estt. Division’s O.M.No.4/1/96-CP.7, dated 14-2-1998].

9.29 Constitutions and Functions of the Departmental Promotion Committees

The Cabinet has decided that Departmental Promotion Committees should be set up in all Ministries to make recommendations in respect of posts which must be filled by selection and which do not come within the scope of the Selection Board.

2. | The scope of Departmental Promotion Committees shall include promot-ions within Class I* or from Class II* to Class I and within Class II. It is not, however, intended that in respect of services which have a senior and a junior time-scale, the

* Class - Gazetted Posts Corresponding Grades
Gazetted Posts

BPS 17 to 22

- BPS 16

Non-Gazetted Posts

- BPS 11 to 15

- BPS 3 to 10

-- BPS | and2

ordinary movement of an officer from the junior to the senior time-scale should come before the Committee's purview. Recommendations of Departmental Committees concerning promotions from Class II to Class I shall, also be subject to the approval of the Federal Public Service Commission.

3. The Committee to be established in each Ministry should consist of the Secretary or an officer nominated by him and at least two other officers who preferably should be officers familiar with the work of candidates for promotion.

4. — It will be open to each Ministry to have more than one Committee for dealing with promotions to different categories of posts, e.g., one Committee for promotion to posts of Superintendents and another for promotion to other posts. Where separate Committees are set up, it will be desirable to maintain liaison between them by having, for example, a common member.

5. The Public Service Commission should be associated with these Committees to the greatest extent possible. The Commission should invariably be invited to depute a member to sit on all Committees dealing with promotions to and within any Central Service, Class I. It may not be practicable for the Commission, at any rate at present, to be represented on all Committees in connection with promotions to and within the Central Service, Class II, but the list of such services under the control of each Ministry should be examined in order to determine whether or not there are any services in making promotions to which it is particularly desirable to have the Commission represented in the relevant Committee.

6. The promotions recommended will, to the extent desired by the Minister, be subject to the approval of the Minister in charge.

7. The association of the Commission to the extent contemplated, with these departmental promotion Committees is not intended to remove the necessity for a formal reference of a proposal to the Commission in cases where the consultation with the Commission is necessary under statutory rules.

8. The Committees should follow the method of maintaining a list of persons fit for promotion and no departure from the order in that list should be made without the authority of the Committee provided that when the public interest demands an officer not in the list and not next in the order of the list may be appointed for a period not exceeding four months. The list should be revised and brought up-to-date annually.

9. As regards Class III services, Ministries and Heads of Departments should consider organizing Committees on such similar or other lines as might appear suitable to them. It is left open to them to make their own arrangements in regard to Class III appointment.

10. Ministries are requested to proceed with the formation of Departmental Promotion Committees and to supply the Establishment with copies of relevant orders not later than the end of February, 1948.

[Authority:— Establishment Division's Office Memorandum No. 33/1/47-Ests-SE II, dated the 29" January, 1948].

CHAPTER 4

APPOINTMENTS
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CHAPTER 4
APPOINTMENTS

In pursuance of provisions in the Constitution as in Chapter-1, the Government of Pakistan has promulgated the Civil Servants Act,1973. This Act applies to all Government Servants who are holders of civil posts in connection with the affairs of the Federation excluding those who are:—

i. On deputation from the Provinces;

ii. Persons employed on contract or on work-charged basis or who are paid from contingencies; and

iii. “Workers” or ‘Workmen’ as defined under the Factories Act,1934 or the Workmen’s Compensation Act,1923.

1.1 *Civil Servants Act, 1973
(Act No. LXXI of 1973)

An Act to regulate the appointment of persons to, and the terms and conditions of service of persons in, the service of Pakistan.

WHEREAS it is expedient to regulate by law, the appointment of persons to, and the terms and conditions of service of persons in, the service of Pakistan, and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

1. Short title, application and commencement— (1) This Act may be called the Civil Servants Act, 1973.

(2) _ Itapplies to all civil servants wherever they may be.
(3) It shall come into force at once.
CHAPTER I
PRELIMINARY

2. Definitions._(1) In this Act, unless there is anything repugnant in the subject or context,—

(a) “ad hoc appointment” means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment, pending recruitment in accordance with such method;

(b) “civil servant” means a person who is a member of an All Pakistan Service or of a civil service of the Federation, or who holds a civil post in connection with the affairs of the Federation, including any such post connected with defence, but does not include—

“The Act received assent of the President on the 26" September, 1973 and was published in the Gazette Pakistan, Extra Part I, September, 29, 1973.

(i) a person who is on deputation to the Federation from any Province or other authority;

(ii) a person who is employed on contract, or on work-charged basis or who is paid from contingencies; or

(iii) a person who is a “worker” or “workman” as defined in the Factories Act, 1934 (XXV of 1934), or the Workman's Compensation Act, 1923 (VIII of 1923);

(c) “initial appointment” means appointment made otherwise than by promotion or transfer;

(d) “pay” means the amount drawn monthly by a civil servant as pay and includes technical pay, special pay, personal pay and other emoluments declared by the prescribed authority to be pay;

(e) “permanent post” means a post sanctioned without limit of time;
(f) “prescribed” means prescribed by rules;

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(g) “rules” 'means rules made or deemed to have been made under this Act;

(h) “selection authority” means the Federal Public Service Commission, a departmental selection board, departmental selection committee or other authority or body on the recommendation of, or in consultation with which any appointment or promotion, as may be prescribed, is made; and

(i) | “temporary post” means a post other than a permanent post.

(2) For the purposes of this Act, an appointment, whether by promotion or otherwise, shall be deemed to have been made on regular basis if it is made in the prescribed manner.

CHAPTER II
TERMS AND CONDITIONS OF SERVICE OF CIVIL SERVANTS

3. | Terms and conditions.— *[(1)] The terms and conditions of a civil servant shall be as provided in this Act and the rules.

“[(2) The terms and conditions of service of any person to whom this Act applies shall not be varied to his disadvantage].

“[(3)The Federal Government may transfer a civil servant of a devolved Ministry or Division, in an Attached Department or Subordinate Office situated in a

* Re-numbered and added vide Civil Servants (Amendment) Act V of 1996, s.2, dated 17-3-1996.
™ Added by Civil Servant (Amendment) Act,2016 (IX of 2016)s.2 dated 21-03-2016.

Province, to the Province concerned, in consequence of the devolution of functions pursuant to the Constitution (Eighteenth Amendment) Act,2010 (X of 2010) and thereby he shall become the civil servant of the respective Province, on the same terms and conditions of service as were applicable to him before such transfer.

(4) The Federal Government may transfer a civil servant working in a Ministry, Division, Attached Department or Subordinate Office located in the Islamabad Capital Territory to any other Ministry, Division, Attached Department or Subordinated Office, in consequence of the abolition of such Ministry, Division, Attached Department or Subordinate Office pursuant to the Constitution (Eighteenth Amendment) Act,2010 (X of 2010) and thereby he shall become the civil servant of the respective Ministry, Division, Department or Office to which he is so transferred, on the same terms and conditions of service as were applicable to him before such transfer.

(5) The seniority of the civil servants transferred by virtue of sub-sections (3) and (4) shall be determined by the concerned Province, Ministry or Division, as the case may be, in accordance with the rules.

(6) The cases of civil servants of a Ministry, Division, Attached Department or Subordinate Office devolved in pursuant to the Constitution (Eighteenth Amendment) Act,2010 (X of 2010) and working in FATA, Gilgit Baltistan and AJK shall be dealt with in the manner as may be provided by an Order made by the President in this behalf.]

4. Tenure of office of civil servants.— Every civil servant shall hold office during the pleasure of the President.

5. | Appointments. Appointments to an All-Pakistan Service or to a civil service of the Federation or to a civil post in connection with the affairs of the Federation, including any civil post connected with defence, shall be made in the prescribed manner by the President or by a person authorised by the President in that behalf.

6. Probation.— (1) An initial appointment to a service or post referred to in section 5, not being an ad hoc appointment, shall be on probation as may be prescribed.

(2) Any appointment of a civil servant by promotion or transfer to a service or post may also be made on probation as may be prescribed.

Where, in respect of any service or post, the satisfactory completion of probation includes the passing of a prescribed examination, test or course or successful completion of any training, a person appointed on probation to such service or post who, before the expiry of the original or extended period of his probation, has failed to pass such examination or test or to successfully complete course or the training shall, except as may be prescribed otherwise,-

(a) if he was appointed to such service or post by initial recruitment, be, discharged; or

(b) if he was appointed to such service or post by promotion or transfer, be reverted to the service or post from which he was promoted or transferred and against which he holds a lien or, if there be no such service or post, be discharged:

Provided that, in the case of initial appointment to a service or post, a civil servant shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

7. Confirmation.—(1) A person appointed on probation shall, on satisfactory completion of his probation, be eligible for confirmation in a service or, as the case may be, a post as may be prescribed.

(2) A civil servant promoted to a post “[**] on regular basis shall be eligible for confirmation after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not, merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing therefrom.

(5) Confirmation of a civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiation, in such service or post, whichever is later.

8. Seniority.—(1) For proper administration of a service, cadre or *[post] the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or *[post] to be prepared, but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or *[post], as the case may be.

(2) Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same *[service or cadre] whether serving in the same department or office or not, as may be prescribed.

(3) Seniority on initial appointment to a service, cadre or post shall be determined as may be prescribed.

(4) Seniority in *[a post, service or cadre] to which a civil servant is promoted shall take effect from the date of regular appointment to that post:

Provided that civil servants who are selected for promotion to a higher *[post] in one batch shall, on their promotion to the higher *[post], retain their inter se seniority as in the lower *[post].

9. Promotion.—(1) A civil servant possessing such minimum qualifications as may be prescribed shall be eligible for promotion to a *[higher] post for the time being reserved under the rules for departmental promotion in “[ ] the service or cadre to which he belongs *""[:]

“The words "or Grade" omitted & subs. vide Civil Servants(Amdt.) Ordinance No.III of 1984 (w.e.f.1-7-198
os
Omitted vide Civil Servants (Amendment) Ordinance No. III of 1984, s.4, (w.e.1. 1-7-1983).
see

Subs. vide Civil Servants (Amendment) Ordinance No. XXXIII of 2001, dated 4-8-2001.

“ [Provided that the posts of—

(a) Additional Secretary and Senior Joint Secretary may, in the public interest, be filled by promotion from amongst officers of regularly constituted Occupational Groups and services holding, on regular basis, posts in Basic Pay Scale 20; and

(b) Secretary may, in the public interest, be filled by, promotion from amongst officers of regularly constituted Occupational Groups and services holding, on regular basis, posts in Basic Pay Scale 21;

In such manner and subject to such conditions as may be prescribed.]

(2) A post referred to in sub-section (1) may either be a selection post or a non selection post to which promotions shall be made as may be prescribed—

(a) in the case of a selection post, on the basis of selection on merit; and
(b) in the case of a non-selection post, on.the basis of seniority-cum-fitness.

““[(3) Promotion to posts in basic pay scales 20 and 21 and equivalent shall be made on the recommendations of a Selection Board which shall be headed by the Chairman, Federal Public Service Commission].

10. Posting and transfer.- Every civil servant shall be liable to serve any where within or outside Pakistan, inany ““[equivalent or higher] post under the Federal Government, or any Provincial Government or local authority, or a corporation or body set up or established by any such Government:

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that, where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

@[10A.° Restriction on service in international organization.- (1) No civil servant shall, during his service, serve in any international organization, including an international non-governmental organization, international financial institution and foreign donor agency.

(2) The restriction under sub-section (1) shall not apply to a civil servant who is posted or deputed in such an organization on behalf of Pakistan or with prior permission of the Federal Government in accordance with rules, which shall be laid before both Houses of Majlis-e-Shoora (Parliament).]

* added vide Civil Servants (Amendment) Ordinance No. XXXII of 2001, dated 4-8-2001.
*™ Added vide Civil Servants (Amendment) Ordinance No. XLIII of 2000, dated 6-7-2000.
*" ths, vide Civil Servants (Amendment) Act V of 1996, s.3, dated 17-3-1996.

Ins. by Civil Servant (Amendment) Act,2016 (XVII of 2016) s.2.

11. Termination of Service—(1) The service of a civil servant may be terminated without notice—

(i) during the initial or extended period of his probation:

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one “[service], cadre or post to another “[service] cadre or post, his service shall not be so terminated so long as he holds a lien against his former post in such “[service] cadre or post but he shall be reverted to his former “[service], cadre or post as the case may be;

(ii) on the expiry of the initial or extended period of his employment; or

(iii) if the appointment is made ad hoc terminable on the appointment of a person on the recommendation of the selection authority, on the appointment of such person.

(2) Where, on the abolition of a post or reduction in the number of posts in a cadre or * [service] the services of a civil servant are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or * [service].

(3) Notwithstanding the provisions of sub-section (1), but subject to the provisions of sub-section (2), the service of a civil servant in temporary employment or appointed ad hoc shall be liable to termination on fourteen days' notice or pay in lieu thereof.

“[11-A. Absorption of civil servants rendered surplus.—Notwithstanding anything contained in this Act, the rules, agreement, contract or the terms and conditions of service, a civil servant who is rendered surplus as a result of re-organization or abolition of a Division, department, office or abolition of a post in pursuance of any Government decision may be appointed to a post, carrying basic pay scale equal to the post held by him before such appointment, if he possesses the qualifications and fulfils other conditions applicable to that post:

Provided that where no equivalent post is available he may be offered a lower post in such manner, and subject to such conditions, as may be prescribed and where such civil servant is appointed to a lower post the pay being drawn by him in the higher post immediately preceding his appointment to a lower post shall remain protected].

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11-B. (1) Where it is brought to the notice of the appointing authority that appointment of a person to a civil post was made without observing the prescribed procedure or without fulfilling the prescribed qualification, experience and age limit, it may send a reference to the Federal Public Service Commission for determination whether he is fit to hold the post to which he was appointed and, if not, whether he is fit to hold any other post compatible with his qualification and experience.

* Subs. vide Civil Servants (Amendment) Ordinance No. III of 1984 (w.e.f. 1-7-1983).
“Inserted vide Civil Servants (Amendment) Ordinance No. XX of 2001.
*"" Added vide Civil Servants (Amendment) Ordinance No. CXXX of 2002 promulgated on 13.11.2002.

(2) On receipt of the advice of the Federal Public Service Commission on a reference made under sub-section (1), the appointing authority may pass such order of appointment or termination of service as may be considered by it to be just and equitable:

Provided that if it is proposed to pass order of termination of service in the light of the advice of the Commission, a reasonable opportunity of showing cause against the order of termination, shall be provided.

(3) Where an order of appointment is made on the advice of the Commission, it shall be treated as a case of fresh appointment and seniority of such an appointee shall be

determined in accordance with the Civil Servants (Seniority) Rules, 1993].

12. “[Reversion to a lower post ete— (1) A civil servant appointed to a higher

post on ad hoc, temporary or officiating basis shall be liable to reversion to his lower post.

(2) No civil servant shall be dismissed or removed from service or reduced in rank by an authority subordinate to that by which he was appointed.

(3) No such civil servant as aforesaid shall be dismissed or removed from service, or reduced in rank, until he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided that this sub-section shall not apply:—

(i) | Where a civil servant is dismissed or removed from service or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

(ii) Where the President or any person authorised by him under the rules is satisfied, for reasons to be recorded in writing, that in the interest of the security of Pakistan or any part thereof, it is not expedient to give to that civil servant such an opportunity].

12-A. “Ts * * * * * *]

13. “*[Retirement from service.—(1) A civil servant shall retire from service—

(i) on such date after he has completed @[twenty] years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; or

(ii) where no direction is given under clause (i), on the completion of the sixtieth year of his age.

* Subs. vide Civil Servants (Amendment) Act V of 1996, s.4, dated 17-3-1996.

“* Omitted by Act IX of 2016 s.4 21-03-2016.

** Subs. vide Civil Servants (Amendment) Ordinance No. XX of 2000, dated 1-6-2000.

© subs. vide Civil Servants (Amendment) Ordinance No. XXXIV of 2001, promulgated on 4-8-2001.

(2) No direction under clause (i) of sub-section (1) shall be made until the civil servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

Explanation: In this Section, “competent authority” means the appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973].

14. Employment after retirement.—(1) A retired civil servant shall not be re-employed under the Federal Government, unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority:

Provided that, where the appointing authority is the President, such re-employment may be ordered with the approval of the President.

(2) Subject to the provisions of sub-section (1) of section 3 of the ex-Government Servants (Employment with Foreign Governments) (Prohibition) Act, 1966 (XII of 1966), a civil servant may, during leave preparatory to retirement, or after retirement from Government service, seek any private employment:

Provided that, where employment is sought by a civil servant while on leave preparatory to retirement or within two years of the date of his retirement, he shall obtain the prior approval of the prescribed authority.

5. Conduct.— The conduct of a civil servant shall be regulated by rules made, or instructions issued, by Government or a prescribed authority, whether generally or in respect of a specified group or class of civil servants.

6. Efficiency and discipline— A civil servant shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure.

7. Pay. A civil servant appointed to a post “[* *] shall be entitled, in accordance with the rules, to the pay sanctioned for such post *[* *] :

Provided that, when the appointment is made on a current charge basis or by way of additional charge, his pay shall be fixed in the prescribed manner:

Provided further that where a civil servant has under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall, on the setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.

18. Leave.— A civil servant shall be allowed leave in accordance with the leave rules applicable to him, provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority.

* The words “or Grade" Omitted vide Civil Servants (Amendment) Ordinance No.III of 1984, w.e.f. 1-7-198

19. Pension and Gratuity. (1) On retirement from service, a civil servant shall be entitled to receive such pension or gratuity as may be prescribed.

(2) In the event of the death of a civil servant, whether before or after retirement, his family shall be entitled to receive such pension, or gratuity, or both, as may be prescribed.

(3) No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two-thirds of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

(4) If the determination of the amount of pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualifies for pension or gratuity; and any over payment consequent on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

20. Provident Fund.— (1) Before the expiry of the third month of every financial year, the accounts officer or other officer required to maintain provident fund accounts shall furnish to every civilservant subscribing to a provident fund the account of which he is required to maintain a statement under his hand showing the subscriptions to, including the interests accruing thereon, if any, and withdrawals or advances from his provident fund during the preceding financial year.

(2) Where any subscription made by a civil servant to his provident fund has not been shown or credited in the account by the accounts or other officer required to maintain such account, such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.

21. Benevolent Fund and Group Insurance.— AII civil servants and their families shall be entitled to the benefits admissible under the Federal Employees Benevolent Fund and Group Insurance Act, 1969 (II of 1969), and the rules made thereunder.

22. Right of appeal or representation.— (1) Where a right to prefer an appeal or apply for review in respect of any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed be made within thirty days of the date of such order.

(2) Where no provision for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may, within thirty days of the communication to him of such order, make a representation against it, to the authority next above the authority which made the order:

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

CHAPTER III
MISCELLANEOUS

23. Saving.— Nothing in this Act or in any rule shall be construed to limit or abridge the power of the President to deal with the case of any civil servant in such manner as may appear to him to be just and equitable:

Provided that, where this Act or any rule is applicable to the case of a civil servant, the case shall not be dealt with in any manner less favourable to him than that provided by this Act or such rule.

“[23A. Indemnity.— No suit, prosecution or other legal proceedings shall lie against a civil servant for anything done in his official capacity which is in good faith done or intended to be done under this Act or the rules, instructions or directions made or issued thereunder.

23B. Jurisdiction barred.— Save as provided under this Act and the Service Tribunals Act, 1973 (LXX of 1973), or the rules made thereunder, no order made or proceedings taken under this Act, or the rules, made thereunder by the President or any officer authorized by him shall be called in question in any Court and no injunction shall be granted by any Court in respect of any decision made, or proceedings taken in pursuance of any power conferred by, or under, this Act or the rules made thereunder].

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

Provided that no such power shall be exercised after the expiry of one year from the coming into force of this Act.

CHAPTER IV
RULES

25. Rules.— (1) The President or any person authorised by the President in this behalf, may make such rules as appear to him to be necessary or expedient for carrying out the purposes of this Act.

(2) Any rules, orders or instructions in respect of any terms and conditions of service of civil servants duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, in so far as such rules,

* Added vide Civil Servants (Amendment) Ordinance No. LXI of 2001 dated 7-11-2001.

orders or instructions are not inconsistent with the provisions of this Act, be deemed to be rules made under this Act.

26. Repeal.— The Civil Servants Ordinance, 1973 (XIV of 1973), is hereby repealed.

[Authority:— The Act received assent of the President on the 26"" September, 1973 and was published in the Gazette of Pakistan, Extra Part I, dated 29-9-1973.]

1.2. Civil Servants (Appointment, Promotion and Transfer) Rules, 1973

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

PART I— GENERAL

1. These rules may be called the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

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

(a) “appointing authority”, in relation to a post.means the person authorized under rule 6 to make appointment to that post;

(b) * [selection board” means a Board constituted by the “[Prime Minister], for the purpose of selection for promotion or transfer to posts in basic pay scales 19 to 21 and equivalent, consisting of such persons as may be appointed **[**]from time to time].

(c) “commission” means the Federal Public Service Commission;

(d)_... [“departmental promotion committee” means a Committee constituted for the purpose of making selection for promotion or transfer to posts under a Ministry, Division, Department or Office of the Federal Government in basic pay scales 18 and below and equivalent; and].

(e) *[“departmental selection committee” means a Committee constituted for the purpose of making selection for initial appointment to posts under a Ministry, Division, Department or Office of the Federal Government in basic pay scales 1 and above other than appointments which fall within the purview of the Federal Public Service Commission under rule 3 of the Federal Public Service Commission (Functions) Rules, 1978; and]

() “"""[Omitted].

. Subs. vide Estt. Div.’s Notification S.R.O. No. 430(1)/2000, dated 26-6-2000

ee “subs. & omitted vide Estt. Div.’s S.R.O No. 855(1)/2019 dated 19-07-2019.
“Omitted clause (f) vide Estt. Div.’s Notification SRO No. 146(1)/84, dated 9-2-1984. Related to promotion posts in BPS 18 with special pay through CSB.

3. (1) Appointments to posts shall be made by any of the following methods, namely:—

(a) “[by promotion [- « » «] in accordance with Part II of these rules;
(b) _ by transfer in accordance with Part II of these rules, and
(c) _ by initial appointment in accordance with Part III of these rules].

(2) The method of appointment and the qualifications and other conditions applicable to a post shall be as laid down by the Ministry or Division concerned in consultation with the Establishment Division.

“[(3) “Notwithstanding anything contained in sub-rule(1), or the method of appointment laid down in the recruitment rules, a person who is rendered surplus as a result of the reorganization or abolition of a Division, Department, Office or permanent post in pursuance of any ““[decision made through enactment or by the Cabinet or by the Prime Minister, or by the authority otherwise competent to do so, as the case may be] or as a measure of economy may be appointed to a post in the basic pay scale to which he belonged, if he possesses the qualifications, and fulfils other conditions, applicable to that post”).

@[(4) Where a person referred to in sub-rule (3),—

(i) possesses educational qualifications which are considered interchangeable with, or equivalent to, the qualification prescribed in the relevant recruitment rules; or

(ii) fulfils the prescribed qualifications and the conditions for initial appointment to the post in the relevant rules except the condition relating to prescribed experience, the appointing authority may, for reasons to be recorded in writing, relax the requirement of educational qualifications or, as the case may be, the prescribed experience].

4. (1) In each Ministry, Division, Department or Office of the Federal Government, there shall be one or more Departmental Promotion Committees, and Departmental Selection Committees, the composition of which shall be determined by the Ministry or Division concerned in consultation with the Establishment Division.

(2) Each such Committee shall consist of at least three members one of whom shall be appointed Chairman.

5. Where an appointing authority for ““[posts in basic pay scales 15 and below and equivalent] does not accept the recommendation of a Departmental Selection or Departmental Promotion Committee, it shall record reasons therefor and obtain orders of the next higher authority.

. Subs. vide Establishment Division Notification S.R.O. No. 742(1)/2002, dated 28-10-2002.
“added vide Establishment Division Notification $.R.O. No. 57(1)/93, dated 25-1-1993.

*"" Subs. vide Estt. Div.’s S.R.O No. 855(1)/2019 dated 19-07-2019.

@ Added vide Establishment Division Notification S.R.O. No. 961(1)/99, dated 25-8-1999.
ee Added vide Establishment Division Notification S.R.O. No.961(1)/99, dated 25-8-1999,

*

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

TABLE

S.No.	Basic Pay Scale of Posts	Appointing Authority
qd)	(2)	(3)
1.	Posts in basic pay scales 20 and above or equivalent.	“**Prime Minister.
2.	Posts in basic pay scales 17 to 19 or equivalent.	Secretary of the Ministry or Division concerned.
3.	Posts in basic pay scale 16 or equivalent.	An officer notified by the Secretary of the Ministry or Division concerned.
4.	Posts in basic pay scales 3 to 15 or equivalent.	An officer notified by the Secretary of the Ministry or Division concerned.
5.	Posts in basic pay scales 1 and 2 or equivalent.	An officer notified by the Secretary of the Ministry or Division concerned].

@[Provided that appointment to posts in Basic Pay Scales 20 and above or equivalent in the President’s Secretariat shall be made by the President].

@@@Q) Notwithstanding anything contained in sub-rule (1), the Appointing Authority specified in column (4) of the table below shall be competent to make appointments to the posts specified in column (3) of that table in the department specified in column (2) thereof.

. Subs. vide Estt. Div.’s Notification S.R.O.No.276(1)/2000, dated 25-5-2000.

“ Renumbered vide Estt. Div.’s Notification S.R.O. No.829(1)/2000, dated 16-11-2000.

*" Subs. vide Estt. Div.’s Notification S.R.O. No.1(D/2003, dated 1-1-2003 w.e.f. 23.11.2002.
© Added vide Estt. Div.’s Notification $.R.0. No.607(1)/2002, dated 10-9-2002.

© Added vide Estt. Div.’s Notification $.R.0. No.829(1)/2000, dated 16-11-2000.

TABLE

SL#	Name of Department	Basic Pay Scale of posts	Appointing Authority
1	2	3	4
1.	Pakistan Audit Department of — Inter-Departmental Cadre of Pakistan Audit & Accounts Group - A	(i) 17 to 19 or equivalent. (ii) 16 or equivalent. (iii) 3 to 15 or equivalent. (iv) 1 to 2 or equivalent.	Auditor-General of Pakistan. An officer notified by the Auditor-General of Pakistan. An officer notified by the Auditor-General of Pakistan].
“D2.	Intelligence Bureau	(i) 17-19 or equivalent (ii) 1-16 or equivalent Officer(s) notified by the Director General, Intelligence Bureau].	Director-General Intelligence Bureau.
“B.	Controller General of Accounts	(i) BS-17 & 18 and Accounts equivalent posts in the offices specified in Section 6 of the Controller General of Accounts (Appointment, Functions and Powers) Ordinance, 2001 (XXIV of 2001).	Controller General of Accounts
		(i) BS 1-16 > . Apivalegpposeuy the offices specified ~ in Section 6 of the Controller General of Accounts (Appointment, Functions and Powers) Ordinance, 2001 (XXIV of 2001).	(Officer(s) notified by Controller General of Accounts.
4.	Directorate General, Inter Services Intelligence	(i) BS-17 to BS-19 (ii) BS-1 to BS-16	Director General, ISI Director General (Personnel), ISI

PART IT— APPOINTMENTS BY PROMOTION OR TRANSFER

7. @@[Promotions and transfer to posts in basic pay scales 2 to 18 and equivalent shall be made on the recommendation of the appropriate Departmental

* Now Pakistan Audit and Accounts Service vide Estt. Div.’s OM No. 1/17/92-CP I dated 10-12-2002.
" Added vide Estt. Div.’s Notification S.R.O. No.891(1)/2000, dated 14-12-2000.

Substituted vide S.R.O. No. 630(1)/2011, dated 13-6-2011.

© added vide S.R.O No. 720 (1)/2021 vide Notification No. F.16/38/99-R-II dated 04-06-2021.

ee Subs vide Estt. Div.’s Notification S.R.O. No. 430(1)/2000, dated 26-6-2000.

Promotion Committee and promotions and transfer to posts in basic pay scales 19 to 21 and equivalent shall be made on the recommendation of the Selection Boards].

“[7-A. (1) The Competent Authority may approve the promotion of an officer or official from the date on which the recommendation of the Central Selection Board or, as, the case may be, the Departmental Promotion Committee was made.

Notwithstanding anything in FR 17 the officer or official who expires or superannuates after the recommendations of the Central Selection Board or the Departmental Promotion Committee and before the issuing of the notification, shall stand exempted from assumption of the charge of the higher post. The Principal Accounting Officer or an Officer so authorized, will give a certificate to the effect that the officer or official has expired or superannuated].

8. Only such persons as possess the qualifications and meet the conditions laid down for the purpose of promotion or transfer to a post shall be considered by the Departmental Promotion Committee or the Central Selection Board, as the case may be.

“[8-A. No promotion on regular basis shall be made to posts in basic pay scales “"*[17] to 22 and equivalent unless the officer concerned has completed such minimum length of service, attended such training and passed such departmental examination, as may be prescribed from time to time].

8-B. (1) Where the appointing authority considers it to be in the public interest to fill a post reserved under the rules for departmental promotion and the most senior civil servant belonging to the cadre or service concerned who is otherwise eligible for promotion does not possess the specified length of service the authority may appoint him to that post on acting charge basis.

(2) “[omitted]

(3) _ In the case of a post in “@[basie pay scales 17 to 22 and equivalent], reserved

under the rules to be filled by initial appointment, where the appointing authority is satisfied that no suitable officer “[drawing pay in basic pay scale] in which the post exists is available in that category to fill the post and it is expedient to fill the post, it may appoint to that post on acting charge basis the most senior officer otherwise eligible for promotion in the organization, cadre or service, as the case may be, in excess of the promotion quota.

(4) Acting charge appointment shall be made against posts which are likely to fall vacant for a period of six months or more. Against vacancies occurring for less than six months, current charge appointment may be made according to the orders issued from time to time.

. Added vide Estt. Division’s Notification No. S.R.O 733(1)/2005, dated 22-7-2005.
* Subs. vide Estt. Div.’s Notification $.R.O. No.850(1/98, dated 25-7-1998.
“*" amended vide Estt. Div.’s Notification SRO No. 835(1)/2000, dated 17-11-2000.
Omitted vide Establishment Division’s Notification S.R.O No.269(1)/2000, dated 19-5-2000. It provided th
long as a civil servant holds the acting charge appointment, a civil servant junior to him shall not be consi
gear promotion but may be appointed on acting charge basis on a higher post.
Subs. vide Establishment Division’s Notification S.R.O. No. 146(1)/84, dated 9-2-1984.

(5) Appointment on acting charge basis shall be made on _ the recommendations of the Departmental Promotion Committee or the Central Selection Board, as the case may be, save in the case of “[post in basic pay scale 22 and equivalent]

(6) Acting charge appointment shall not amount to appointment by promotion on regular basis for any purpose including seniority.

(7) Acting charge appointment shall not confer any vested right for regular promotion to the post [ ] held on acting charge basis.

9. Appointments by transfer shall be made from amongst the persons holding appointment on a regular basis in *[posts in the same basic pay scale or equivalent to or identical with the posts to be filled].

PART III — INITIAL APPOINTMENT

10. **[Initial appointment to the All-Pakistan Services, the Civil Services of the Federation and posts in connection with the affairs of the Federation in basic pay scales 16 & above or equivalent, except those which under the Federal Public Service Commission (Functions) Rules, 1978, do not fall within the purview of the Commission, shall be made on the basis of tests and examinations to be conducted by the commission] ; and

11. ““[Initial appointments to posts in basic pay scales 1 to 15 and equivalent, shall be made on the recommendations of the Departmental Selection Committee after the vacancies have been advertised in newspapers].

12. A candidate for initial appointment to a post must possess the educational qualifications and experience and, except as provided in the rules framed for the purpose of relaxation of age limit, must be within the age limit as laid down for the post *""[ ] ;

***(Provided that unless otherwise specified in the method of appointment, qualifications and other conditions applicable to a post as laid down under sub rule (2) of rule 3, the experience prescribed for initial appointment shall be the post-qualification experience].

@[12-A. Alteration in the date of birth—The date of birth once recorded at the time of joining government service shall be final and thereafter no alteration in the date of birth of a civil servant shall be permissible].

13. A candidate for appointment shall be a citizen of Pakistan;

Provided that this requirement may be relaxed with the approval of the Establishment Division:

Provided further that, in the case of candidates to be appointed on temporary basis to posts in the Pakistan Missions abroad, such relaxation shall not be accorded for a period exceeding one year at a time.

* Subs. vide Establishment Division Notification $.R.O. No. 146(1)/84, dated 9-2-1984.

i Subs. vide Establishment Division Notification S.R.O. No. 773(1)/2013, dated 28-07-2003.
“** Omitted and added vide Est. Div.'s Notification $.R.O No. 970(1)/98, dated 9-9-1998,

e Subs. vide Establishment Division Notification S.R.O. No. 520(1)/2000, dated 31-7-2000.

14. Vacancies in the undermentioned posts shall be filled on All-Pakistan

basis in accordance with the merit and provincial or regional quotas ‘[as prescribed

below:

Merit 7.5%
Punjab (including Federal Area of Islamabad) 50%
Sindh 19%

The share of Sindh will be further
Sub-allocated in the following ratio:

Urban areas namely Karachi, Hyderabad 40% of 19%
and Sukkar or 7.6%
Rural areas i.e. rest of Sindh excluding Karachi 60% of 19%
Hyderabad and Sukkar. or 11.4%
Khyber Pakhtunkhwa 11.5%
Balochistan 6%

Newly merged Districts of Khyber Pakhtunkhwa (Ex-FATA) 3%

(This share shall not be merged into Khyber Pakhtunkhwa and be observed independently for next 10 years in conjunction with the ten-year Development Plan devised to bring the Ex-FATA at par with the Khyber Pakhtunkhwa socially and economically).

Gilgit-Baltistan 1%

Azad Kashmir 2%]

(i) All posts in “[basic pay scales 16 and above and equivalent].

(ii) Posts in **[basic pay scales [6 to 15] and equivalent] in offices, which serve the whole of Pakistan.

@[Provided that if no suitable person holding the domicile of the Province or

Region to which a vacancy has been earmarked and fulfilling the prescribed qualifications is found even after the vacancy has been advertised twice, the appointing authority may fill up the vacancy on open merit on contract in the following manner, namely:—

(i) contract appointment shall be made initially for a period of one year, and if the post falls under the purview of the Federal Public Service Commission, the Commission shall be informed about contract appointment;

(ii) if nomination is not received from the Federal Public Service Commission within one year, contract appointment may in the public interest be extended for another one year; and

(iii) the Federal Public Service Commission shall ensure that the

nominations of the qualified candidates are made within a period of two years. If Federal Public Service Commission does not find a

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Subs. & Inserted vide Establishment Division's S.R.O No. 747(1)/2020 dated 19-08-2020.
eq bubs. vide Establishment Division's Notification S.R.O NO. 146(1)/84, dated 9-2-1984.
Subs.vide Estt. Div.'s S.R.O No. 634(1)/2019 dated 17-06-2019.
Subs. and added vide Establishment Division's Notification S.R.O. No. 784(1/2002, dated 7-11-2002.

suitable candidate, it shall advise the appointing authority, for the extension in the contract].

“[Provided further that where the post of Head of an Organization is reserved for promotion and in the absence of suitable person, the post is required to be filled by initial appointment in accordance with the provisions of Recruitment Rules, the appointing authority may fill up the vacancy on open merit on contract basis and where such post is reserved for initial appointment, it may be filled on regular basis on open merit.]

15. Vacancies in posts in “[basic pay scales ““[6 to 15] and equivalent] in offices which serve only a particular province or region shall be filled by appointment of persons domiciled in the province or region concerned *" [strictly in accordance with the provisions contained in the recruitment rules of the post concerned] ©f:]

@(Provided that vacancies in such posts in basic pay scales 6 to 15 and equivalent which serve only the region of Islamabad Capital Territory (ICT) shall not, at any time by initial appointment, be filled less than fifty percent of persons domiciled in the ICT.

Provided further that the first proviso shall not be applicable to the vacancies in posts, as specified in clause (ii) of rule 14, in such offices of the Federal Government whose functional jurisdiction extends beyond the region of Islamabad Capital Territory e.g. Federal Ministries/Divisions, Regulatory Authorities, Corporations/Departments with a federal charter extending beyond Islamabad Capital Territory. In such organizations, regional/provincial quotas shall be applicable.]

16. Vacancies in posts in **[basic pay scales @@1 to 5] and equivalent] shal ordinarily be filled on local basis @@9[**] “[:]

“(Provided that vacancies in such posts in basic pay scales 1 to 5 and equivalent in all offices situated within ICT shall not, at any time by initial appointment, be filled less than fifty percent from amongst the persons domiciled in the ICT.]

17. “[Except any law provides otherwise, a candidate for] appointment must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties. A candidate who after such medical examination as Government may prescribe is found not to satisfy these requirements, shall not be appointed.

PART-IV.— AD-HOC AND TEMPORARY APPOINTMENTS

18. ““[When under the Federal Public Service Commission (Functions) Rules, 1978, a post is required to be filled through the Commission, the appointing authority

* Inserted vide S.R.O No. 208(1)/2017 dated 28-03-2017.

* Subs.vide Establishment Division Notification $.R.O. No. 146(1)/84, dated 9-2-1984.

*"" Subs. & Ins. vide Estt. Div.’s $.R.O No. 634(1)/2019 dated 17-06-2019.

e Subs. & added vide Establishment Division’s S.R.O No.791(1)/2020 dated 24-08-2020.

ee Subs. vide Estt. Div.’s S.R.O No. 634(1)/2019 dated 17-06-2019.

@@@ The word “through balloting” Omitted vide Estt. Div.’s S.R.O No. 198(1)/2020 dated 11-03-2020.
* Subs. & added vide Establishment Division’s S.R.O No.791(1)/2020 dated 24-08-2020.

ae Subs.vide Estt. Div.’s S.R.O No. 855(1)/2019 dated 19-07-2019.

*** Subs. vide Establishment Division $.R.O. No.122(1)/2000, dated 15-3-2000.

shall forward a requisition to the Commission on a prescribed form immediately. In exceptional cases, ad-hoc appointment may, however, be made for a period of six months or less with prior clearance of the Commission as provided in rule 19.

19. When the appointing authority considers it to be in public interest to fill a post falling within the purview of the Commission urgently pending nomination of a candidate by the Commission, it may proceed to fill it on ad-hoc basis for a period of six months or less after obtaining prior clearance of the Commission. The post shall be advertised and the same procedures as laid down for initial appointment in Part III shall be followed in making ad-hoc appointments].

20. Short term vacancies in the posts falling within the purview of the Commission and vacancies occurring as a result of creation of temporary posts for a period not exceeding six months, may be filled by the appointing authority otherwise that through the Commission on a purely temporary basis after advertising the vacancy.

“20A. Appointment on deputation — (1) A person in the service of a Provincial Government or an autonomous, semi-autonomous. body or corporation or any other organization set-up, established owned, managed or controlled by the Federal Government who possesses the minimum educational qualifications, experience or comparable length of service prescribed for a post shall be eligible for appointment to the said post on deputation for a period not exceeding three years which may be extended for another period of two years on such terms and conditions as may be sanctioned “[by the appointing authority] in consultation with the lending Organization.

(2) Subject to any rule or orders'on the subject **[*****] a civil servant who fulfills the conditions and is considered suitable may be sent on deputation to an autonomous, semi-autonomous body or corporation established by law or to the Provincial Government on such terms and conditions as may be decided by the lending and borrowing organizations.

(3)...In case of appointment under sub-rule (1) or sub-rule (2) pension contribution shall invariably be made by the borrowing organizations.

** Provided that posting of serving husband and wife at the same station, unmarried female government servants at the place of residence of their parents/family and that of married female government servants at the place of residence/posting of their husbands who are not in government employment shall be exempted from the said rule.

@PART V -- PROBATION

21. (1) Persons appointed by initial appointment, promotion or transfer shall be on probation for a period of one year.

(2) The period of probation may be curtailed for good and sufficient reasons, to be recorded, or, if considered necessary, it may be extended for a period not exceeding one year as may be specified at the time of appointment.

. Inserted vide Estab. Div. Notification No. 3/54/2006-R.2, dated the 3“ May, 2007.
** Subs. & omitted vide Estt. Div.’s S.R.O No. 855(I)/2019 dated 19-07-2019.
Inserted vide Estt. Division’s Notification S.R.O No.375(1)/2012 dated 16-04-2012.
Added vide Establishment Division Notification S.R.O. No. 968(1)/82, dated 21-9-1982.

(3) On the successful completion of probation period, the appointing authority shall, by specific order, terminate the probation.

(4) If no order is issued under sub-rule (3), on the expiry of the first year of probation period, the period of probation shall be deemed to have been extended under sub-tule (2):

Provided that, subject to the provisions of proviso to sub-section (2) of section 6 of the Civil Servants Act, 1973 in the absence of an order under sub-rule (3), the period of probation shall, on the expiry of the extended period under sub-rule (2), be deemed to have successfully been completed.

[Authority:— Estt. Div.'s Notification S.R.O.No.1498(D/73, dated 20-10-1973].

1.3. Amendment in the Recruitment Rules of Civil Posts

In pursuance of sub-rule(2) of rule 3 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 recruitment rules of civil posts are made by Ministries/Divisions in consultation with the Establishment Division. Where the recruitment rules provide for filling a post through promotion, the following standard proviso is laid down in Rule-2 (Method of Appointment):—

"Provided that if no suitable person is available for promotion, the post or posts reserved for promotion shall be filled by initial appointment and failing that by transfer."

2. Sometimes it may be necessary, in the public interest, to fill promotion posts through temporary transfer / posting of a highly qualified civil servant or by deputation of a highly qualified employee of a public sector corporation. In order to make an enabling provision for this purpose in the recruitment rules, the Chief Executive has been pleased to approve that the following proviso shall be added below the above cited proviso in the recruitment rules of all civil posts:-

"Provided further that if no suitable person is available for promotion to a post, it may be filled, in the public interest, by temporary transfer/ posting of a civil servant, or by deputation of an employee of a public sector corporation, in consultation with his appointing authority"

3. Similar proviso may be incorporated in recruitment rules that may be made by Ministries/Divisions in future.

[Authority:— Estab. Div.'s OM No. 9/2/2002-R.5, dated 28" October, 2002]

1.4 Civil Servants (Confirmation) Rules, 1993

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

1. Short title, Commencement and application. (1) These Rules, may be called the Civil Servants (Confirmation) Rules, 1993.

(2) They shall come into force at once.
(3) | They shall apply to all civil servants.

2. Definitions.— In these Rules, unless there is anything repugnant in the subject or context,

(a) “Foreign Service” means service in which a civil servant receives his pay with the sanction of Government from any source other than the Federal Consolidated Fund; and

(b) “lien” means the title of a civil servant to hold substantively a post on which he has been confirmed.

3. General Principles of confirmation.— (1) A civil servant initially appointed to a post, on probation including a civil servant promoted or appointed to a post on transfer, shall on satisfactory completion of his probation, be eligible for confirmation in that post:

Provided that the confirmation shall be made only against a permanent post:

Provided further that two or more civil servants shall not be confirmed in the same post and at the same time or in a post on which another civil servant holds a lien:

Provided also that a civil servant shall not be confirmed on two or more posts at the same time.

(2) A civil servant shall be considered for confirmation strictly in order of his seniority.

(3) No confirmation shall be made against the post vacated on dismissal, removal or compulsory retirement of a civil servant until his appeal against such dismissal or, as the case may be, removal or retirement is finally decided.

4. — The confirmation shall be made on the recommendations of the Confirmation Committee constituted for the purpose and with the approval of the authorities specified below:—

Confirming authorities			
1	2	3	4
Posts	Composition of the Committees		Remarks
Posts in BPS 20 and above	Secretary of the Administrative Ministry or an authority controlling the Service/ Cadre/Post as Chairman, Additional Secretary or a Joint Secretary where there is no Additional Secretary in the Ministry concerned, and Addl. Secretary Estt. Division as Members.		Prime Minister

Attached Department or Subordinate Office, the Head of the Attached Department or Head of Office, who controls the particular Service/ Cadre/Post may be appointed as Co-opted Member.

Posts	Composition of the Committees	Remarks
1	2	4
Posts in BPS 17 to 19 where there is no Additional Secretary in the Administrative Service/Cadre/ Post	Additional Secretary or Joint Secretary in the Administrative Ministry controlling the Ministry/Division who controls the particular Service/ Cadre/Post as Chairman, and a Joint Secretary and a Senior Deputy Secretary of the Ministry concerned as Members. If posts are in an Attached Department or a Subordinate Office, the head of the Attached Department or Head of Office who controls the particular Service/ Cadre/Post may be appointed as Co-opted Member.	Secretary of the Administrative Ministry/ Division who controls the particular Service/ Cadre/Post.
FOR POST IN BPS 3 TO 16		
Posts in BPS 11 to 16	An Officer holding the post in BPS 20 as Chairman and two officers holding the post in BPS 19 as Members.	Secretary of the Ministry/ Division concerned or Head of Deptt. or Head of Office provided he is holding the post in BPS 19 or above.	The Administrative Ministry will constitute separate committees for posts in the Ministries/ Divisions and Attached Departments/ Subordinate Offices.
Posts in BPS 10 and below:	An Officer in BPS 19 as Chairman and two Officers in BPS 18 as Members.	BPS 20 or above.	
FOR POSTS IN BPS 1 TO 2			

“[Provided that in case no post of Joint Secretary or Deputy Secretary exists or the number of such officers in less than the required number in the administrative Ministry or Division for the constitution of the Confirmation Committee, other officers of BPS 20 and BPS 19 in the concerned Ministry or Division may be included in the Committee:

Provided further that in case there is no post in BPS 20 and BPS 19, officer of one-step below status in the concerned Ministry or Division may be included in the Confirmation Committee with the approval of Establishment Division].

5. Acquiring of lien.- (1) On confirmation in a permanent post, a civil servant shall acquire a lien in that post and shall retain it during the period when he—

* Added by SRO No. 104(1)/97, dated 4.2.1997.

(a) holds a temporary post other than a post in a service or cadre against which he was originally appointed;

(b) holds a post on deputation with a foreign government, an international organisation, a multinational corporation or any other organisation outside Pakistan;

(c) _ holds a post in Foreign Service in Pakistan';
(d) is on leave;

(e) is called for duty in the Armed Forces as reservist of Armed Forces of Pakistan;

(f) is under suspension; and
(g) is on joining time on transfer to another post.

(2) A civil servant acquiring lien as referred in sub-rule (1), shall cease to hold lien acquired previously on any other post.

6. Termination of lien.- (1) The lien of a civil servant who is reduced in rank or reverted to a lower post as a consequence of action taken against him under the Government Servants (Efficiency and Discipline) Rules, 1973, shall be terminated against the post from which he is reduced in rank or, as the ease may be, reverted to a lower post:

Provided that such civil servant shall acquire a lien against the lower post.

(2) A civil servant shall cease to hold lien against a post if he takes up an appointment on selection in an autonomous body under the control of Federal Government, Provincial Government, local authority or private organisation.

(3) Notwithstanding the consent of a civil servant, his lien on a post under the Federal Government shall not be terminated until he acquires lien on any other post.

(4) Aconfirmed civil servant who, of his own accord, joins some other service, post or cadre on regular basis shall have, after being selected through a regular selection process, the right of reversion to the previous post against which he shall hold lien only during the period of his probation on his new service, post or cadre.

7. Repeal.—All existing orders and instructions relating to confirmation of civil servants issued from time to time are hereby repealed.

[Authority:— Estt. Div.'s Notification No. S.R.O. 285(1)/93, dated 15-4-1993].

* Implies deputation.

I. GENERAL CONDITION FOR APPOINTMENTS

2.1 Conditions for Appointment, Promotion and Transfer Rules for Assistant Incharge, Stenotypist, Assistant, UDC and LDC

In exercise of the powers conferred by sub-rule (2) of rule-3 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, the following method, qualifications and other conditions are laid down for appointment to the under-mentioned ministerial posts in the Ministries/ Divisions/Departments of the Federal Government:—

SI. No. Designation of Post BPS
Lo | poy +r]
2. Stenotypist 14

(Upgraded BPS-14 w.e.f. 23 December,2011. vide Finance Division's O.M.No.19(55) Legal-II/2010-

1055)

3. Assistant *15
4. U.D.C. *11
5. L.D.C *09

METHOD OF APPOINTMENT
2. The method of appointment to the posts shall be as under:—

Sl. No.	Designation and BPS of the post	Method of Appointment By Promotion %	By initial appointment %
1.	*peery +p] +r]		
2.	Stenotypist (BPS 14)	—_	100%
3.	Assistant *(BPS 15)	50%	50%
4.	U.D.C. *(BPS 11)	50%	50%
5	L.D.C. *(BPS 09)	*20%	*80%

Provided that:
(i) if no suitable person is available/eligible for promotion to the posts of

Assistant Incharge the posts shall be filled in by transfer.

(ii) failing promotion, the posts of Assistant, U.D.C. and L.D.C. shall be filled in by initial appointment and failing that by transfer:

(iii) failing initial appointment, the post of Stenotypist shall be filled in by appointment by transfer.

"Deleted & subs. vide Estt. Div.'s Notification $.R.O No.920(D/2016 dated 22-09-2016.

CONDITIONS FOR PROMOTION

3. Promotion to posts in column (2) below shall be made by selection from amongst persons holding posts specified in column (3) on a regular basis and fulfill the conditions prescribed in column (4).

SL. No.	Designation and BPS of the post	Person eligible	Conditions of eligibility
Q)	(2)	Q)	(4)
1.	bey *[***] +		
2.	Assistant (BPS 15)*	U.D.C (BPS-11)*	03 years service as U.D.C *[6 weeks Basic IT Training Course (including MS Office conducted by NITB)]
3.	U.D.C. (BPS 11)*	L.D.C. (BPS-09)*	03 years service as L.D.C *[3 weeks Basic IT Training Course (including MS Office conducted by NITB)]
“T4. |	L.D.C. (BPS 09) posts in BPS-08 and below.	Employees holding (i) Matric with a minimum typing speed of 30 w.p.m. (ii) 3 weeks Basic IT Training Course (including MS Office conducted by NITB)]	

ord

[Provided that, subject to prescribed eligibility criteria, an official who is likely to retire, within two years from service, on attaining the age, of superannuation, shall be exempted from the mandatory training of NITB.]

QUALIFICATION, EXPERIENCE AND AGE LIMIT FOR INITIAL APPOINTMENT

4. On the closing date for receipt of applications as fixed in the relevant advertisement, a candidate for initial appointment to a post must possess the educational qualifications and experience and must be within the age limit as mentioned against the post concerned in the Schedule to this notification:

Provided that the maximum age limit shall be relaxed in respect of the candidates specified, and to the extent indicated, in the Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993, as amended from time to time.

QUALIFICATIONS / CONDITIONS FOR APPOINTMENT BY TRANSFER

5. | Appointment by transfer shall be made in accordance with the provisions of Rule-7 and 9 of Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

PROBATION

6. — Persons appointed by promotion or initial appointment or transfer shall be

on probation in accordance with the provision of Section 6 of Civil Servants Act, 1973 read with Rule 21 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

* Deleted & subs. vide Estt. Div.'s Notification S.R.O No. 920(1)/2016 dated 22-09-2016.
ao
Subs. vide Establishment Division's S.R.O No. 286(1)/2020 dated 12" March, 2020.
seer
Inserted vide Establishment Division's Notification S.R.O No. 1455(1)/2020 dated 29-12-2020.

7. The Recruitment Rules of Ministerial posts notified vide S.R.O. No. 1077(1)/2005, dated 15-10-2005, amended from time to time, are hereby repealed.

SCHEDULE
(See para 4)

S. No.	Designation and BPS of the post	Qualification/ Experience Minimum	Age Limit Maximum
1.	Stenotypist(BPS-14)	(i) Intermediate. (ii) Minimum speed of 80/40 w.p.m in shorthand/typing respectively. (iii) Must be computer literate	18 years	25 years
2.	Assistant (BPS-15)	Graduate *[6 weeks Basic IT Training Course (including MS Office conducted by NITB)]	18 years	28 years
3.	U.D.C (BPS-11)*	Intermediate *[3 weeks Basic IT Training Course (including MS Office conducted by NITB)]	18 years	25 years
4.	L.D.C. (BPS-09)*	(i) Matric. (ii) Minimum typing speed of 30 w.p.m (iii)*[3. weeks Basic IT Training Course (including MS Office conducted by NITB)]	18 years	25 years

[Authority:— Estt. Div.’s SRO 139(1/2012, dated 31 January, 2012]

2.2 Conditions for Appointment, Promotion and Transfer Rules for Private Secretary, Superintendent and ™ Assistant Private Secretary

In exercise of powers conferred by sub-rule (2) of rule-3 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, and Section-7 (1)(b)(i)&(ii) of FPSC Ordinance, 1977 (XLV of 1977), the following method, qualifications and other conditions are laid down for appointment to the following posts in the Ministries/Divisions/ Departments of the Federal Government:—

S.No.	Designation	BPS
1.	Private Secretary	17
2.	Superintendent	16

Grant BPS-17. w.e.f. 10" September,2014 vide Finance Division O.M.No.1(3)/R-1/2010/2014.

3. “Assistant Private Secretary 16

(Upgraded BPS-16 w.e.f. 23"! December, 2011 vide Finance Division’s O.M.No.19(55) Legal-I/2010-1055 and re-designated as Assistant Private Secretary w.e.f. 28" Feb.,2013 vide Finance Division’s O.M.No.1(110)-R-1/2012-124-13).

* Subs. vide Estt. Div.’s Notification S.R.O No.920(1)/2016 dated 22-09-2016.

“The brackets/words/figures “Stenographer (BPS-16)”, wherever occurring shall be substituted with the brackets/words/figures “Assistant Private Secretary (BPS-16)” vide Establishment Division’s S.R.O No. 785(1)/2013 dated 23-07-2013.

METHOD OF APPOINTMENT

2. The method of appointment to the posts shall be as under:—

SL. Designation and BPS of the post Method of Appointment
No. By Promotion By initial
(%) appointment
(%)

dd) Q) G3) (4)

1. Private Secretary (BPS-17) 100% —_

2. Superintendent (BPS-16) 100% —_

3.__| “Assistant Private Secretary (BPS-16) 50% 50%
Provided that:—

(i) if no suitable person is available/eligible for promotion to the posts of Superintendent and Private Secretary the posts shall be filled by transfer.

(ii) failing initial appointment the posts of *Stenographer shall be filled in by transfer.

CONDITIONS FOR PROMOTION

3. Promotion to posts in column (2) below shall be made by selection from amongst the persons who hold the posts specified in column (3) on a regular basis and fulfill the conditions of eligibility.as prescribed in column (4):—

Sl. Designation and BPS

No. of the post Person eligible Conditions of eligibility
@ Q) @ @
1. | Private Secretary (BPS-17) | *Assistant Private Secretary (BPS-16) |03 years service as *Assistant

Private Secretary.
*Assistant Private Secretary|Stenotypist (BPS-14) 03 years service as
(BPS-16) Stenotypist.

3. | Superintendent (BPS-16)

tant Incharge (BPS-15)/ 03 years service as Assistant
ant (BPS-15) Incharge or 05 years service

as Assistant.

QUALIFICATION, EXPERIENCE AND AGE LIMIT
FOR INITIAL APPOINTMENT

4. A candidate must possess the educational qualifications and must be within the age limits as mentioned against the posts concerned in the Schedule to this Notification provided that:—

(i) the maximum age limit shall be relaxed in respect of the candidates specified and to the extent indicated in the Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules,1993 as amended from time to time; and

“The brackets/words/figure:
brackets/words/figures “A:
785(1)/2013 dated 23-07-2013.

*™ Subs. vide Est. Div.’s Notification S.R.O No.920(1)/2016 dated 22-09-2016.

tenographer (BPS-16)”, wherever occurring shall be substituted with the ant Private Secretary (BPS-16)” vide Establishment Division’s S.R.O No.

(ii) eligibility of candidates shall be reckoned, as on the closing date fixed for submission of applications in accordance with these Recruitment Rules and the Instructions issued by the Federal Government and the Federal Public Service Commission from time to time.

APPOINTMENT BY TRANSFER

5. Appointment by transfer shall be made by selection from amongst the persons holding appointment on a regular basis under the Federal Government in the same basic pay scale in which the post to be filled exists, provided that the person concerned possesses the qualifications and experience prescribed for initial appointment to the post concerned.

PROBATION

6. Persons appointed by initial appointment or promotion or transfer shall be on probation for a period of one year. This period may be curtailed for good and sufficient reasons to be recorded, or if considered necessary, it may be extended for a period not exceeding one year as may be specified at the time of appointment. Appointment or probation shall be subject to the provisions of Section 6 of the Civil Servants Act, 1973 read with Rule 21 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

7. This Notification issues with the concurrence of the FPSC vide its letter No.F.2-4/2012-RR, dated 18-04-2012 and supersedes Establishment Division's S.R.O 1077(1)/ 2005, dated 15-10-2005 as amended from time to time to the extent of the post of "Assistant Private Secretary and Superintendent and S.R.O 99(KE)/87, dated 22"¢ October, 1987.

SCHEDULE
(See Rule 4)

S.No.	Designation and BPS of the post	Qualification/ Experience	Ace Limit Minimum	Ace Limit Maximum
a)	Q)	@)	(4)	6)
1.	* Assistant Private Secretary (BPS-16)	(i) Second class or Grade "C" Bachelor's degree from a University recognized by HEC. (ii) A minimum speed of 100/50 w.p.m in __ shorthand/typing respectively. (iii) Must be computer literate.	20 Years	28 Years

[Authority:— Estt. Div's S.R.O. No. 526(I)/2012 dated 18-04-2012].

* The brackets/words/figures "Stenographer (BPS-16)", wherever occurring shall be substituted with the brackets/words/figures "Assistant Private Secretary (BPS-16)" vide Establishment Division's S.R.O No. 785(1)/2013 dated 23-07-2013.

2.3. Method and Conditions of Appointment to Posts in BPS 4 and Below

In pursuance of sub-rule (2) of rule 3 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, the following method, qualifications and other conditions are laid down for appointment to the post in BPS 4 and below in the Ministries and Divisions, Attached Departments and Sub-ordinate Offices under the Federal Government:

METHOD OF APPOINTMENT

2. (1) The method of appointment to the posts shall be as follows:

1. (i) Staff Car Driver (BPS 4) 100% by initial appointment
(ii) “Omitted
2. (i) Despatch Rider (BPS 4) 100% by initial appointment

(ii) “Omitted

3. (i) Duplicating Machine 50% by promotion,
Operator (BPS 4) 50% by initial appointment
(ii) Omitted
4. (i) Daftry (BPS 2) 100% by promotion

(ii) *Omitted

5. (i) Qasid (BPS 2) 100% by promotion.
(ii) * Omitted
6. Naib Qasid (BPS 1) 100% by initial appointment including 10% by Farashes having 10 years satisfactory service

2. Provided that if no suitable person is available for promotion, the post or posts reserved for promotion shall be filled by initial appointment and failing that by transfer.

3. Vacancies in posts in [BPS 1 and 2] shall ordinarily be filled on local basis.

4. Upto 50 percent of the vacancies in posts in BPS 1- 4 shall be reserved for ex-servicemen.

“Omitted vide SRO 1231(1)/2006.
Note: 'Qasid’, literally means 'Messenger’, hence Naib (Deputy/Assistant) Qasid.

“As per Recruitment Policy,2014 see Chapter-03 SI.No. 1.1 para (iv), BPS-01 to BPS-05 are to be filled o
local basis.

CONDITIONS FOR PROMOTION

3. Promotion to the posts in column 2 below shall be made by selection from amongst the persons who hold the posts specified, in column 3 on a regular basis and possess the qualifications and experience prescribed in column 4 :-

Sl.No.	Name & BPS of the Post	Persons eligible	Conditions of eligibility
1.	preheating achine Operator . . . (BPS 4) Duplicating Machine	“[(i) Daftry (BS- 02) (ii) Qasid (BS-02)]	(i) 3 years service BPS 2 (ii) Knowledge of operating essential.
2.	Dafiry (BPS 2)	Nib Qasid (BPS 1)	"3 years service in BPS 1
3.	Gasid (BPS)	Naib Oasid7 Farash (BPS Tj	

QUALIFICATION, EXPERIENCE AND AGE LIMITS FOR INITIAL APPOINTMENT

4.(1) A candidate must possess the educational qualifications and experience and must be within the age limits as mentioned against the post concerned in the schedule to this notification.

(2) Provided that the maximum age limit shall be relaxable in accordance with the provisions of Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993.

(3) ‘Omitted
(4) ***Omitted
(5) All the vacancies in posts in BPS 1 - 4 shall be advertised in the press.

QUALIFICATION / CONDITIONS FOR TRANSFER

5. Appointment by transfer shall be made from amongst the persons holding posts under the Federal Government on a regular basis in the same Basic Pay Scale in which the post to be filled exists provided the person concerned possesses the qualifications/experience prescribed for initial appointment or promotion to the post concerned.

PROBATION

6. — Persons appointed by promotion or initial appointment or transfer shall be on probation for a period of one year. This period may be curtailed for good and sufficient reasons to be recorded or if considered necessary, it may be extended for a

“amended vide Estt. Division’s Notification S.R.O.No.1152(D/2009 dated 31-12-2009.
“ Subs. Estt. Div.’s Notification SRO 1231(1)/2006, dated 7-12-2000.
*“““ Omitted vide Est. Div.’s Notification SRO 719(1)/2005, dated 13-07-2006.

period not exceeding one year as may be prescribed at the time of appointment. Appointment on probation shall be subject to the provisions of section 6 of Civil Servants Act, 1973, read with rule 21 of the Civil Servants (Appointment, Promotion and Transfer), Rules, 1973.

7. The other provisions specifically applicable to the employees holding posts in BPS | to 4 are given in the Appendix to this Notification.

8. These rules shall not apply to those Government Organisations who have their own recruitment rules in respect of the posts included in this Notification. However, the terms and conditions specifically applicable to the said employees as given in the Appendix to these rules shall also be applicable to them.

9. This Notification issues with the concurrence of the Establishment Division (R-Wing) as contained in U.O No. F.9/4/90-R-5 dated 29" October, 1990.

SCHEDULE
(See para 4)

S.No.	Designation and BPS	Qualification and Experience	Max age limit of the post
1.	Staff Car Driver (BPS 4)	(i) Primary Pass (ii) Valid driving license holder and well versed in the traffic rules.	30 years
2.	Despatch Rider (BPS 4) :	(i) Primary Pass. 7 (ii) Valid. driving license holder and well versed in the traffic rules.	30 years
3.	Duplicating Machine Operator	S. 25 years (ii) Knowledge of operating duplicating machine essential.	
4.	Daftry (BPS 2)	Pri S :	25 years
5.	Qasid (BPS 2)	"Pri 7	25 years
6.	Naib Qasid (BPS 1)	~ Primary Pass. :	25 years

Note = 1. The candidates should be put through an elementary test in reading and writing and an interview by the Departmental Selection Committee, Marks should be awarded in ratio of 40% for the test and 60% for interview.

Note — 2. In case of technical appointment such as Drivers, Despatch Riders, Duplicating Machine Operators etc. marks may be awarded in the ratio of 60% for practical and reading and writing test and 40% for interview.

Note — 3. In case of Drivers/Despatch Riders, in addition to the routine medical examination, the report shall also cover drug addicts. Drivers/Despatch Riders shall be required to undergo such medical test every year to ensure safe driving. However, if considered necessary, the Drivers/ Despatch Riders may be required to undergo the said medical examination during any period of the year in addition to their annual medical examination.

Note — 4 “Omitted

Note — 5 The minimum academic qualification for initial appointments to BPS 1 posts (other than the post of Naib Qasid) shall be primary pass and the maximum age limit shall be 25 years.

[Authority:— Estt. Div.’s $.R.O 1302(1)/90, dated 15th December, 1990].

2.4 Physical Fitness

Please consult Fundamental “Rules 10 and 10-A and Supplementary Rules”™* 3, 4 & 4-A of the Compilation of Fundamental & Supplementary Rules, Vol.I, regarding determination of physical fitness of government servants on first appointment and during service.

2.5 Verification of Antecedents on First Appointment

Revised procedure for verification of antecedents of government employees— In supersession of all previous instructions on the subject, it has now been decided, in consultation with the Intelligence Bureau, to introduce a simplified and less time-consuming procedure for the verification of antecedents of employees at the time of their first appointment in government service.

2. According to the revised procedure, all Federal Government Ministries/ Divisions/Departments, including Federal Public Service Commission, will make simultaneous references for security clearance of fresh employees to the following agencies:-

(a) Intelligence Bureau, Government of Pakistan.
(b) District Police.

(c) Special Branch of Provincial Police concerned.

3. The Intelligence Bureau has undertaken to give a political record check of the candidates direct to the departments concerned within a maximum period of one month. In case a report from the Intelligence Bureau is not received within one month, the department concerned will allow the selected candidates to join their posts on production of character certificates from two government officers not below BPS_17. It will, however, be understood that the appointees will remain on probation for a period of six months or till the receipt of their vetting report. During the probationary period, the new appointees will not be entrusted with sensitive duties/assignments.

“Omitted vide Estt. Div.’s Notification SRO 1231(1)/2006, dated 7-12-2006.

““FR 10, 10-A: Medical Certificate of health on appointment to government service; appearance before a

medical authority for medical examination.
“SR 3, 4, 4-A: Medical Certificate of fitness for government service to be signed by a medical officer;

exemptions from producing medical certificate to specified classes of government servants or nature of appointment e.g. temporary/short term or re-employment.

4. The District Police and the Special Branch concerned will be required to give clearance in respect of the character and antecedents of fresh/entrants in government service within a maximum period of two months. These agencies will return the verification rolls, after conducting local enquiries, direct to the department concerned and not through the Intelligence Bureau except in cases where the conduct of the candidate has come to adverse notice and this aspect is considered relevant to his appointment in government service.

[Authority Cabinet Division’s letter No. 12(3)/76-MW(S), dated 3 1-5-1977].

[Note.- The prescribed form for verification of character and antecedents of candidates selected for appointment under the Federal Government is Form S. 190.

(ANNEX)

(See SI. No. 2.5)
Form S.190(Revised)

PHOTO

GOVERNMENT OF...
Federal Public Service Commission
Ministry/Division/Office

Verification Roll for candidates for appointment under the Government to be filled

in by the candidate in his own handwriting.

1.

The name of the post in which the candidate to be appointed.....:cceseeeee

Full name (in block letters) with surname and aliases if any
Mr./Miss/MIS.....c0csceseeseeseeseese

Previous name (if any) and reasons for Change.....ci..sessecsseseeseseeseeeeeeeeeeeee

Father's name in full with occupation and income (if any).....ceeeeneeee

Date and place of birth of the candidate
give full address.....sceeeeessesseeseesseeneesees

7.

8.

Description

a. (1) Height...
(2) Build i.e., heavy/medium/light.....
(3) Frame i.e., large/medium/thin.....
(4) Complexion.... .
(5) Colour of hair.

(6) Colour of eyes.....
(7) Visible marks of identification.....

b. (1) Religion by birth...
(2) Present Religion....

Residential address (with telephone number if any)

a. Present.....
b. Permanent.

Nationality:

a. Pakistan National by birth/migration/naturalization

b. If naturalized/migrated:
qd) Previous nationality and address.....
(2) Date of migration.....
(3) Citizenship/Naturalization Certificate Particulars i.e No. date and

place of issue CtC..... eee
c. National Identity Card No., date and place of issue.
9. Local and other addresses during the last 10 years where the candidate has stayed

for more than six months.

Address

From To

0. Educational qualifications showing places of education from the age of 10 years.

Name and place of
school and college
etc.

Major field Certificate/
of study diploma degree obtained

Note.- A certificate of good character from the Head of Educational Institution last attended by the candidate (to be attached).

11. Knowledge of language:
Can understand Can speak Can write
12. Special training, any field..
13. Any distinctions obtained in literary, sports or miscellaneous fields:
14. a. Are you capable of sustained physical and mental activity?
b. Have you had any serious illness or any operation in the past three years?
c. How many days you lost from work in the past three years?
15. Has there been any case of mental/nervous illness in your close relatives?
16. a. Do you take alcohol?
b. Do you gamble?
17. a. Government offices or firms, with full description and addresses where

the candidate previously worked, and the reasons for leaving:

Offices/ Designation and Pay From To Reasons for leaving
Firms
b. Present occupation if any:
Offices/ Designation and Pay | From To Reasons for leaving
Firms

Note.- Certificate of performance from the Head of the Institution last served by the applicant (to be attached).

18. Offices/firms with full descriptions and addresses where the candidate previously applied without success:

Office/Firm	When applied for Job	for which applied

19. Particulars of wife (or husband as the case may be) of the candidate:

a. Full name with father's name... cies

b. Nationality

d.

e.

f. Occupation, if am

g. Income, if any.

20. Particulars of children:

Name	Sex	Date of Birth	Recent Address
Cn. ED, Wenner nneen			
Ly Te _ ET			
(C.D. nee			
(| A. <n ne			

21. Particulars of children or dependents educated or receiving education:

a. b. c d. e

a. Name of Child

b. Relationship

c. Name of institution

d. City/country

e. Period of education abroad

f. How financed

22. Full particulars of the candidate's near relations, who are in Government service in Pakistan and elsewhere, specifying the posts held, and where posted.

Name of relations Relationship Post held Place of duty
23. Particulars of near relatives/dependents abroad:
Name with Nationality Occupation Place of
Relationship Resident
a.

b..
c..

o

e
g..
h

24. (a) Assets:

Immovable Value Mode of acquiring

(b) Movable of more than Rs. 10,000/-

Total Value... ccceccesseseeeseesecseeeesteneeneseeneeneeeee

25. Membership of Clubs, Political Parties and Associations (Past and Present) (Name of Organization with date of joining and leaving):

Name of Club, Party From To

26. Details of Travels Abroad (including travels for education or training):

a. Passport particulars, if any...
including No., date and place of issue.....
b. Countries for which valid.
c. Issuing authority.
d. Period of validity.

27. Names with addresses of at least two references in Pakistan who can testify to the candidate's character and antecedents:
Name Address

28.

Name Address

29. Whether arrested, prosecuted, convicted, restricted or externed in any case, political or otherwise, if so full particulars including dates should be furnished.....

30. Finger prints:

Place---------- Date---------- Signature----------=---

a. Licecceeceeeeeeeeees candidate for appointment to..... hereby certify and solemnly affirm that my answers to the above questions are correct to the best of my knowledge and belief.

b. I fully understand that if the above statement is false in any material respect, or

omits any material information my appointment is liable to be rejected/ terminated and shall render me to legal and disciplinary action including dismissal if I am already in Government service.

To be filled in by the Superintendent of Police, etc. concerned at the request of Ministry/Division/office/Federal Public Service Commission.

Remarks by:

Superintendent of Police
D.LG. Special Branch

Director Intelligence Bureau

Annex
FAMILY PARTICULARS

Note.- Full information in respect of Wife (husband in case of female employees), Father, Mother, Brothe
furnished as under. In case of wife (or husband as the case may be) additional information in respect of h
marriage, nationality and religion before marriage should also be furnished in remarks column.

Full | Relationship | Age Nationality | Religion | Sect | Occupation with | Whether dependent | Residential
Name complete details on you if any
qd) (2) @) (4) (5) (6) 7) (8) (9) (10) qd)

2.6 Recognition of Defence/Staff Colleges Qualifications as Equivalent to University Degree for Government Employment

Where some posts were advertised by the Establishment Division in the past, the minimum requirement for which was a university degree, some senior officers of the armed forces, who wanted to apply for these posts, did not hold a university degree but they had qualified in various service courses e.g. National Defence College' Course, Imperial Defence College Course (now called Royal College of Defence Studies Course), Army War Course, Joint Services Staff College Course, Staff College Course etc.

2. In view of the above position, a proposal made by the Services to the effect that Staff College qualifications may be recognized as equivalent to a university degree for government employment, was considered by the Defence Council, in its meeting held on 11" August, 1973. The President was pleased to approve the proposal to recognize Staff College and other higher defence institutions qualifications given to officers of the Pakistan Armed Forces (Army, Navy and Air Force) as equivalent to the university degree for government employment. The President, however, was further pleased to direct that this recognition would, in no way, encourage the serving officers of the Pakistan Armed Forces (Army, Navy and Air Force) to apply for employment in the civil services, except for their rehabilitation after retirement. The above decision of the Defence Council is conveyed for information and guidance.

[Authority:— Defence Division's O.M. No.111/73/D-A, dated 14-6-1974].

. National Defence University (NDU).

Il. RELAXATION OF UPPER AGE LIMIT

3.1 Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993

“In exercise of powers conferred by sub-section (1) of section 25 of the Civil ServantsAct,1973 (LXXI of 1973), the President is pleased to make the following rules, namely :—

PART I - GENERAL

1. These rules may be called the Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993.

2. They shall come into force with immediate effect:

Provided that nothing in these rules shall apply to the appointment to the posts in BPS 17 to be filled through C.S.S. Competitive Examination.

PART II - GENERAL RELAXATION

3. | Maximum age limit as prescribed in the recruitment rules shall be relaxed in respect of the candidates mentioned in column (2) below to the extent mentioned against each under column (3):—

SI. No.	Category of candidates	Age relaxation admissible
(i)	a) Candidates belonging to Scheduled Castes, Buddhist Community, recognized tribes of the Tribal Areas, Azad Kashmir and_ Gilgit Baltistan for all posts under the Federal Government.	3 years.
	b) Candidates belonging to Sindh(R) and Balochistan for posts in BPS 15 and below under the Federal Government.	3 years.
(ii)	Released or Retired Officers personnel of the Armed Forces of Pakistan.	“*[15] years or the number of years actually served in the Armed Forces of Pakistan, whichever is less.
(iii)	Government servants who have completed 2 years continuous Government service on the closing date for receipt of applications.	10 years, upto the age of 55 years.
(iv)	Disabled persons for appointment to posts in BPS 15 and below.	10 years
(vy)	Widow, son or daughter of a deceased civil servant who dies during service	05 years

(4) Where a candidate is entitled to age relaxation under more than one categories specified in rule 3, he shall be allowed relaxation in age only in one category.

“ Subs. vide Estt. Div.’s Notification SRO No. 519(1)/98 dated 25-05-1998.
““ Amended vide Estt. Div.’s Notification SRO No.576(1)/2000 dated 17-08-2000.
“Added vide Est. Div.’s Notification SRO No.1055(1)/2007, dated 24-10-2007.

“[4A. (1) Subject to sub-rule (2) the maximum age limit prescribed for initial appointment under any rules for the time being in force shall be relaxed by a period of five years;

(2) | The relaxation in upper age limit shall be over and above the relaxation of age admissible to candidates specified in rule 3 or in any other rules for the time being in force].

“T4B. Notwithstanding the provisions contained in these rules or any other tules for the time being in force, the President or the Prime Minister may, on extreme compassionate grounds, grant age relaxation to an individual candidate for a period not exceeding three years over and above the relaxation in upper age limit already admissible, if any].

week

[4C. Notwithstanding anything contained in these rules, or any other rules for the time being in force, one-time relaxation in the upper age limit shall be admissible to the persons appointed to the posts, on ad-hoc basis, from the 1 October, 1981, to the 31st December, 1995, to the extent they are overage for initial appointment to the posts, held by them, as and when advertised by the Federal Public Service Commission].

®[4D. Notwithstanding anything contained in these rules or any other rules for the time being in force, the President or the Prime Minister®@ may grant age relaxation to the widow, son or daughter of a deceased civil servant who dies during service for such period as may be considered appropriate].

[4E.The relaxation in upper age limit for widow/widower of the deceased government servant shall be relaxed upto the age of 50 years, for appointment under the Prime Minister Assistant Package.]

(5) | Repeal.— All existing rules, orders and instructions relating to age relaxation issued from time to time are hereby repealed.

[Authority:— Estt. Div.’s Notification No. S.R.O 1079(1)/93, dated 4-11-1993].

3.2 Clarification Regarding General Relaxation of 5 Years in Upper Age Limit Prescribed in Recruitment Rules

Refer to the Establishment Division’s O.M. No.9/2/91-R-5 dated 28" November,2000 on the above cited subject directing the Ministries/Divisions/ Departments that whenever vacancies are advertised by them, it should be clearly highlighted in the advertisement that a general relaxation of five (5) years in upper age limit SHALL be admissible to all the candidates and to state that the Senate Standing Committee on Cabinet Secretariat, Inter Provincial Coordination and Special Initiatives, in its meeting

. Subs. vide Estt. Div.’s Notification S.R.O No.586(1/99 dated 18-05-1999.

“* Added vide Estt. Div.’s Notification $.R.O No.79(1/95 dated 23-01-1995.

“* Added vide Estt. Division Notification No. S.R.O. 798(1/98, dated 10-7-1998.
© Added vide Estt. Division Notification No. S.R.O. 294(1)/2002, dated 31-5-2002.

@@

The words ‘Chief Executive’ subs. with the words ‘Prime Minister’ vide Estt. Div.’s Notification SRO 1056(1)/2007, dated 24-10-2007.

@@@ Added vide Estt. Division Notification No. $.R.O. 1004(1)/2016 dated 25-10-2016.

held on 11-06-2010, observed that Departments, while advertising various posts had fixed the age limit as 25 years. The Ministries/Divisions did not mention in their advertisements that the candidates shall be entitled to 5 years relaxation in age over and above the age limit prescribed in the Recruitment Rules. The Committee took serious view of this on part of the Departments due to which injustice could have been caused to the people.

2. In light of the recommendations of the Senate Standing Committee, the Ministries/Divisions/Departments are advised that henceforth, the concession of 5 years

general relaxation in upper age limit shall be clubbed with the maximum age limit of the post in their advertisements. In case usual upper age limit of posts in various Basic Pay Scales is as in column(2) below, the maximum
age limit shall be as in column (4) below:—

Basic Pay Scale	Age Limit	General Age Relaxation	Maximum Age Limit
d)	(2)	(3)	(4)
1-15	25 years	+5 years	30 years
16	28 years	+5 years	33 years
17	30 years	+5 years	35 years
18	35 years	+5 years	40 years
19	40 years	+5 years	45 years
20	45 years	+5 years	50 years
21	50 years	+5 years	55 years

3. | The Ministries/Divisions are further advised that the following relaxation age limit available to the category of candidates specified below (to the extent mention each) should be clearly mentioned in their advertisements for vacant posts:—

SL. No.	Category of candidates	Age relaxation admissible
(i)	a) Candidates belonging to Scheduled Castes, Buddhist Community, recognized tribes of the Tribal Areas, Azad Kashmir and Gilgit Baltistan for all posts under the Federal Government.	3 years.
	b) Candidates belonging to Sindh(R) and Balochistan for posts in BPS 15 and below under the Federal Government.	3 years.
(ii)	Released or Retired Officers/ personnel of the Armed Forces of Pakistan.	15 years or the number of years actually served in the Armed Forces of Pakistan, whichever is less.
(iii)	Government servants and contract employees who have completed 2 years continuous Government service on_ the	10 years, upto the age of 55 years.

SL. No.	Category of candidates	Age relaxation admissible
	closing date for receipt of applications.	
(iv)	Disabled persons for appointment to posts in BPS 15 and below.	10 years
(v)	Widow, son or daughter of a deceased civil servant who dies during service	05 years

Note: Where a candidate is entitled to age relaxation under more than one categories specified above, he shall be allowed relaxation in age only in one category.

4, In addition to above, the President/Prime Minister may, on extreme compassionate grounds, grant age relaxation to an individual candidate for a period not exceeding three years.

5. Further, where the Ministries/Divisions/Departments have recently advertised various posts and the candidates have appeared in written test but their interviews are yet to be held i.e. their selection process is not over, the said posts may be re-advertised for additional applications with clear rule position about age limit and age relaxations as at paras 2 and 3 above.

6. It may be added that the upper age limit relaxations mentioned at paras 2 and 3 above have been provided in the Initial Appointment to Civil Posts (Relaxation of Upper age Limit) Rules,1993 which are not applicable for recruitment to posts to be filled through Annual Competitive (CSS) Examination conducted by the FPSC.

7. For recruitment to BS-17 posts to be filled through the Annual Competitive (CSS) Examination, the upper age limit is presently 28 years which is relaxable by 2 years for Government Servants, Armed Forces Personnel and other specified categories of candidates.

8... The Ministries/Divisions are requested to strictly observe the above mentioned instructions and also bring the same to the notice of the Departments/ Organizations under their administrative control for strict compliance.

[Authority:- Establishment Division’s O.M No.9/2/91-R-5 dated 24-06-2010.]

3.3. Relaxation in Upper Age Limit to Persons Employed in Government Department on Contract Basis

Sub rule (iii) of rule 3 of Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993, notified vide SRO 1079(1)/93 dated 4" November, 1993 provides ‘[15] years relaxation upto 55 years in the upper age limit prescribed in the recruitment rules for Government Servants who have completed 02 years continuous government service on the closing date for receipt of applications.

2. A question has arisen whether the above mentioned relaxation in upper age limit is also available to those persons who are employed on contract basis in government departments? The matter has been examined and it is clarified that the above mentioned relaxation in upper age limit is admissible to “government servants”. The

“Substituted vide Establishment Division’s Notification SRO No. 576(1)/2000, dated 17.8.2000.

persons employed in a government department, (as distinct from a body corporate established by or under an Act of Parliament) on contract basis are “government servants,” and are eligible for and entitled to relaxation in upper age limit under sub rule (iii) of rule 3 of the Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993, subject to fulfilling the other conditions laid down in the said rules.

[Authority.— Establishment Division’s O.M.No.9/2/90-R.5, dated 1 1-9-2000].

Ill. CONTRACT APPOINTMENTS
4.1 Appointment on Contract Basis

The standard terms and conditions of appointment on contract were last circulated vide Establishment Division's O.M.No. F.10/55/82-R.2, dated 15th January, 1985. These have since been reviewed in consultation with Finance Division and Law and Justice Division.

2. All Ministries/Divisions are requested that, henceforth, the Revised Format (Annex-I) may be used in case of contract appointments in the Ministries, Divisions and their Attached Departments and other Organisations under them.

[Authority.— Establishment Division’s O.M.No.F.10/52/95-R.2,dated 18-7-1996].
Annex-I

Revised Format

GOVERNMENT OF PAKISTAN
Name of Ministry.

NO... eee eee ee eee Islamabad/Rawalpindi _,20.....

Subject: EMPLOYMENT ON CONTRACT BASIS

Sir,

I am directed to say that you have been selected for appointment on contract as .... under the Federal Government on the following terms and conditions:—

1. Post aseeeeeseseeeeeseees

2. Place ofposting: ou... or anywhere within or outside Pakistan as the competent authority may decide.

3. Period of contract: ..... (not exceeding two years) from the date of assumption of charge.

4. Pay: Minimum of the relevant scale of pay. Annual increment shall be admissible as under the normal rules.

5. Allowances: As admissible to corresponding civil servants. However,

Qualifications Pay/ Allowance, Senior Post Allowance and Orderly Allowance shall not be admissible in case these allowances were taken into account while calculating pension after retirement from previous service.

6. Traveling Allowance:

7. Seniority:

8. Leave:

9. Medical Facilities:

0. Pension:

1. General Provident Fund:

2. Conduct and Discipline:

3. Appeal:

4. Termination of contract:

5. Whole Time employment posting and transfer:

16. Other matters:

As admissible to civil servants of the corresponding pay scale under the rules.

This contract appointment does not confer any right for being placed in the gradation/ seniority list of the cadre/group to which the subject post belongs.

As admissible under the Revised Leave Rules, 1980. However, provisions contained in Rules 5(c), 8, 11, 14, 16,17, 18, 18-A, 19, 27, 33, 34, 35, 36 and 39 of Rules ibid shall not apply.

All leave at your credit will lapse on the termination of this contract.

As admissible to officers of the Federal Government under the rules.

Service rendered under this contract shall not qualify for a pension or gratuity.

Pension in respect of previous service, if any, shall continue to be drawn in addition to pay.

No contribution towards G.P Fund shall be required.

Rules made and instructions issued by the Government or a prescribed authority as for civil servants under Section 15 and 16 of the Civil Servants Act, 1973 as amended from time to time shall apply.

Civil Servants (Appeal) Rules 1977 with amendments if any shall apply.

The appointment during the period of contract shall be liable to termination on 30 days notice on either side or payment of basic pay in lieu thereof, without assigning any reason.

Whole time of the contract appointee would be at the disposal of the Government. He may be employed in any manner required by appropriate authority without claim for additional remuneration. He shall at all times obey the tules prescribed for the time being for the regulation of the service or cadre to which the post in which he has been employed belongs.

In respect of other matters not specified in this contract, the tules/regulations as applicable to federal civil servants shall apply.

“[17. Accommodation _ (i) Persons appointed on contract to civil posts relating to the affairs of the Federation, may be provided the same facility of government owned or hired residence as is admissible to persons of corresponding grade in the civil service.

(ii) Autonomous/semi-autonomous bodies/ corporations under the Federal Government may also be advised to follow the aforesaid policy subject to such modification as may be permissible under their prescribed service regulations.]

2. If the above terms and conditions of appointment are acceptable to you, please send your written confirmation by registered post or personally so as to reach the undersigned within one month of the date of this letter.

3. This offer of appointment will be treated as cancelled if you do not convey acceptance thereof or resume duty within the time specified in para 2 above.

Your obedient servant

42 Guidelines for Appointment on Contract Basis

It has been noticed with concern that contract appointments were made in the past indiscriminately without proper examination of the need therefor and without ensuring observance of the principle of open merit, and equality of opportunity. It has now been decided by the Chief Executive that the following guidelines should be strictly observed in future while proposing contract appointments to civil posts under the Federal Government:—

(i) | The department concerned should specifically justify why it is not possible to fill in a vacancy in accordance with the procedure laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and the recruitment rules and where it is considered necessary to fill in a post on contract, it shall only be for a period not exceeding two years. The professional qualifications, experience, and age limit (where necessary) required for the post, shall be prescribed in consultation with the Establishment Division.

(ii) The decision to fill the vacant post on contract basis shall be taken at the level. of the Secretary of the Ministry/Division and/or head of the departments/ organizations etc.

The post should be advertised and selection made by a Departmental Selection Committee as per following composition:—

Amended vide Estt. Div.’s O.M.No.10/52/95-R.2 dated 25-06-2001.

Basic Pay Scales Composition of the Selection Committee

> BPS 20 and above Minister - Chairman
Secretary - Member
J.S (Admn) - Member-cum-Secy.

Note— In case the post(s) is/are in an Attached Department/Subordinate Office, Head of the Department will be co-opted as member.

> BPS1to19 Selection should be made by the Selection Committees/Boards which have been constituted for regular appointments in BPS 19 and below.

(iii) (a) “The condition of open advertisement may be dispensed with, with the approval of the Chief Executive’’, if it is proposed to appoint a retired civil servant or a retired officer of the armed forces or a retired judge of a superior court, on contract basis.

“(b) The condition of open advertisement may be relaxed by the **Chief Executive for the purpose of appointment on contract basis of widow, or one child of a deceased civil servant who dies during service provided that such special dispensation may be allowed only for appointment to posts in BS-10 and below.

(c) @[The condition of open advertisement may also be relaxed by the Prime Minister for the purpose of appointment on contract basis of widow/widower or one child of a deceased civil servant who dies during service and wife/husband or one child of a serving civil servant who becomes “permanently disabled during service” and he/she takes retirement from service provided that such special dispensation may be allowed only for appointment to posts in BPS 10 and below @@[the widow/widower or a child of a civil servant who dies during service may be entitled to apply for contract appointment as per maximum age limit prescribed for Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules,1993].

Provided further that the widow/widower or a child of a civil servant who dies during service and wife/husband or a child of a serving civil servant who becomes “permanently disabled during service” and he/she takes retirement from service will have to apply for contract appointment within one year after the death of a civil servant or retirement of a permanently disabled civil servant. In case of a minor

“ added vide Estt. Div.’s corrigendum F.No.8/10/2000-CP.I, dated 02-03-2000 and O.M.No.810/2000-CP. dated 12-08-2005.
“Prime Minister.
*** Subs. vide Establishment Division’s O.M. No. F. 8/10/2000-CP.I dated 05-01-2002.
@ Subs. vide Establishment Division’s O.M.No.4/1/2005-CP.I, dated 13.4.2005.
Amended vide Establishment Division’s O.M No. 8/12/2016-E-2 dated 17-04-2018.

(iv)

(vy)

2.

child of a civil servant, the one year period will start from the date he/she attains the age of 18 years].

All contract appointments shall be made with the approval of the appointing authority prescribed under the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

As a matter of general policy, the period of contract shall not be extended beyond two years but in exceptional cases where it is considered necessary to extend such appointments beyond the period of two years, the advice/concurrence of the FPSC may be sought at least six months in advance of expiry of the period of original appointment, and thereafter approval of the competent authority may be sought. It is clarified that the requirement of seeking advice/concurrence of FPSC is applicable only in respect of posts which fall under the purview of FPSC in accordance with rule 3 of FPSC (Functions) Rules, 1978.

Policy guidelines for contract appointments in Autonomous Bodies/ Semi-

Autonomous Bodies, Corporations, Public Sector Companies efc. owned and managed by the Federal Government shall be issued separately.

3.

The “Chief Executive may allow contract appointment of a retired civil

servant or a retired officer of the armed forces or a retired judge of a superior court or any other person on MP pay package in the public interest and merit.

[Authority:— O.M. No.8/10/2000-CP.I, dated 21-3-2000 as amended from time to time].

43

Policy Guidelines for Contract Appointments for

Posts in Autonomous/ Semi-Autonomous Bodies, Corporations, Public Sector Companies etc. Owned

and Managed by the Federal Government

In order to regulate contract appointments in autonomous/semi-autonomous bodies, corporations, public sector companies etc., owned and managed by the Federal Government, the *Chief Executive has been pleased to lay down the following policy

guidelines:—

@)

(ii)

In the case of tenure posts, appointment to which is regulated by specific provisions of a law, rule and policy instructions, contract appointments may be made in the manner prescribed in the applicable law, rules and policy guidelines/directions issued by the Federal Government.

For projects which have a limited life, appointments may be made on contract basis by the prescribed appointing authority after open advertisement of the vacancies. The advertisement should indicate prescribed academic and professional qualifications, experience, age, provincial/ regional quotas, special quotas etc. where applicable, as per rules/ government policy.

Now Prime Minister.

(iii) For posts other than those mentioned at (i) and (ii) above, contract appointments should be made only subject to fulfillment and observance of the following conditions:

(a) Where the nature of a particular job/vacant position requires contract appointment for a specific period, standing instructions should be issued by the administrative Ministry/ Division concerned, after consultation with the Chairman of the Board of Directors/ Board of Governors, specifying such posts and the parameters governing appointment on contract basis against such posts.

(b) Vacancies should be advertised in the leading national and regional newspapers.

(c) Selection should be made through regularly constituted Selection Committees/Boards.

(iv) In the case of contract appointments/re-employment of retired civil servants, retired armed forces officers and retired judges of superior courts, the condition of open advertisement shall not be applicable, provided that such appointments shall be made by or with the prior approval of the prescribed authorities in the Federal Government.

*[(v) The contract appointment, where justified, may be made for a period of two years initially, on standard terms including termination clause of one month's notice or one month's pay in lieu thereof. Extension may be made on two yearly basis].

2. Ministries/Divisions are requested to circulate the above policy guidelines to all Autonomous/Semi-Autonomous Bodies, Corporations, Public Sector Companies etc., owned and managed by the Federal Government for strict compliance.

[Authority.— Estt. Div.'s O.M. No.6/2/2000-R.3, dated 6-5-2000].

4.4 Protection of Pay of Contract Employees on Regularization/ Appointment on Regular Basis

The proposals for protection of pay last drawn by the contract employees on their regularization/appointment on regular basis are received in Finance Division and considered/decided on case to case basis. The existing rules/orders on the subject do not provide for protection of pay of contract employees on their regularization. The Courts have held from time to time that the pay of contract employees on _ their regularization/appointment on regular basis should be protected. The matter has been examined in the light of Court's Judgments and it has been decided to issue general policy guidelines in this regard. Pay of a non-Gazetted contract employee on_ his regularization/appointment on regular basis will be protected subject to the following conditions:-

* Subs. vide Establishment Division's O.M.No.6/2/2000-R.3, dated 29-4-2002.

i)

iii)

iv)

)

vi)

2.

That the contract appointment has been made on standard terms and conditions circulated by Establishment Division as amended for time to time.

That the contract employee has applied through proper channel and has been properly relieved by the appointing authority. This condition shall not apply in case of regularization on the same post.

That regularization/regular appointment has been made with the approval of competent authority.

That there is no break/interruption between contract service and regular service.

That the service rendered on contract basis shall not qualify for pension/gratuity.

That in case of regular appointment in lower grade pay shall not be protected.

Ministries/Divisions/Departments are authorized to protect/ fix pay in terms

of above guidelines. Only those cases may be referred to Finance Division where some

clarification

4.5

or advice of Finance Division is required.

[Authority:- Finance Division’s O.M.No.7(9)R-I/2012 dated 31-05-2013]

Extension in the Period of Contract Appointments for Posts Outside the Purview of FPSC

The guidelines for contract appointments issued vide Establishment Division O.M.No.8/10/2000-CP.I, dated 21-3-2000 lay down inter alia, that:-—

(vy)

2.

“As a matter of general policy the period of contract shall not be extended beyond two years but in exceptional cases where it is considered necessary to extend such appointments beyond the period of two years, the advice/concurrence of the FPSC may be sought at least six months in advance of expiry of the period of original appointment, and thereafter approval of the competent authority may be sought”. It is clarified that the requirement of seeking advice/concurrence of FPSC is applicable only in respect of posts which fall under the purview of FPSC in accordance with rule 3 of FPSC (Functions) Rules, 1978”.

The above caveat is only applicable to such posts which fall within the

purview of the FPSC in terms of rule 3 of the FPSC (Functions) Rules, 1978 i.e. posts in BPS 16 and above and posts in BPS 11 to 15 in the departments specified vide SRO No.415/2000 dated 19.6.2000.

3.

In terms of sub para (iv) of para 1 of above said O.M dated 21-03-2000

contract appointments are required to be made with the approval of the appointing authority prescribed under rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. This means that contract appointment to posts in BPS 20 and above are required to be

approved by the Chief Executive*, and extension of such appointments beyond two years would also require the approval of the Chief Executive'.

4. As regards appointments beyond two years to posts in BPS 19 and below falling outside the purview of the FPSC following instructions may be followed:—

(i) _ extension of contract appointments beyond two years to posts in BPS 17 to 19 shall be subject to the approval of the Establishment Secretary;

(ii) extension of contract appointments beyond two years to posts in BPS 16 shall be subject to approval of the Secretary of the administrative Division concerned and heads of departments in BPS 21;

(iii) extension of contract appointments beyond two years to posts in BPS 15 and below shall be subject to approval of a BPS 21 officers designated by Secretary in the case of Ministries/ Divisions and Head of Department in the case of Attached Departments and subordinate offices;

(iv) the case for extension shall be moved at least two months in advance of the expiry of original appointment.

[Authority: Estt. Div.'s O.M. No.8/10/2000-CP.I, dated 23-12-2000].

4.6 Standard Terms and Conditions of Contract Appointments — Case of Retired Civil Servants, Retired Officers of the Armed Forces, Retired Judges of Superior Courts

Reference Standard Terms and Conditions of Contract Employment, issued vide Establishment Division's O.M.No.10/52/95-R.2, dated 18.7.1996, as amended from time to time, the matter has been reviewed in consultation with the Finance Division, and it has been decided with the approval of the competent authority that the terms of re-employment of retired civil servants, retired officers of the armed forces and retired judges of superior courts shall henceforth be as under:—

I. Re-employment on a civil post relating to the affairs of the Federal Government:

(a) A retired civil servant and a retired officer of the armed forces, re-employed on a civil post equivalent to the post from which he retired, may be allowed the pay, allowances and perquisites sanctioned for the post. His pay may be fixed at that stage of the time scale of the post at which he was drawing his pay before retirement.

(b) A retired judge of the superior courts may be allowed pay, allowances and perquisites sanctioned for the post, and his pay may be fixed at the maximum of the pay scale of the post.

*(c) A retired civil servant or a retired officer of the armed forces, re-employed against a higher post, may be allowed the last pay drawn plus allowances and perquisites sanctioned for the post.

* Prime Minister.
. Subs. vide Estab. Div.'s OM No. 10.52/95-R-2(pt) dated 6th October 2003.

Il. Re-employment in Autonomous Bodies:

(a) A retired civil servant and a retired officer of the armed forces and a retired judge of the superior courts, on re-employment in an autonomous body administered or controlled by the Federal Government, may be allowed pay as determined at (a), (b) and (c) above plus the allowances and perquisites sanctioned for the post.

(b) Where the terms and conditions of a post are prescribed in a statute or a statutory notification, the provisions of the statute or the statutory notification, as the case may be, should prevail.

Ill. Existing Pensionary benefits to continue.

The terms and conditions proposed above should have no bearing on the pension to which a retired civil servant or a retired officer of the armed forces or a retired judge of the superior courts may be entitled in accordance with the applicable law and the rules.

2. The standard terms and conditions of contract appointment circulated vide O.M.No.F.10/52/95-R.2, dated 18-7-1996 stand amended to the above extent.

[Authority.— Estt. Div.'s O.M. No.10/52/95-R.2(Pt), dated 21-8-2001].

4.7 Standard Terms and Conditions of Contract Appointments — Case of Retired Civil Servants, Retired Officers of the Armed Forces, Retired Judges of Superior Courts

Reference the instructions contained in Establishment Division's O.M. No. 10/52/95-R-2 (Pt), dated 21 August, 2001 as amended vide O.M. No. 10/52/95-R-2 (Pt) dated 6" October, 2003 on the above subject. A question has arisen whether on re-employment on contract, annual increment is admissible or otherwise. The matter has been considered in consultation with the Finance Division and it has been decided that annual increment shall be admissible as under the normal rules.

[Authority: Estab. Div.'s OM No. 10/17/2007-R-2, dated 19th July, 2007]

4.8 Standard Terms and Conditions of Contract Appointment-Case of Retired Civil Servants, Retired Officers of the Armed Forces, Retired Judges of Superior Courts

Reference Establishment Division's O.M No. 10/52/95-R-2, dated 21-8-2001 as amended vide O.M of same number dated 6-10-2003 laying down the criteria for fixation of pay of retired civil servants, retired officers of the armed forces and retired judges of the superior courts re-employed on contract against equivalent or higher posts. It is to clarify that the instructions contained in Establishment Division's O.M referred to above are applicable to all retired civil servants and retired employees of armed forces re-employed on contract against equivalent or higher post on standard terms and conditions. However, there is no such provision regarding fixation of pay of such officers re-employed on contract against a lower post. In such like cases persons re-employed on

contract against a lower post are entitled to the pay of the post against which their re-employment has been made.

49

[Authority: Estt. Div.'s O.M. No. 10/7/2005-R.2, dated 12th January, 2008]

Clarification on Protection of Pay of Gazetted

Contract Employees on Regularization/Appointment

on Regular Basis

noted above.

2.

AGPR, Islamabad are conveyed as under.

Refer to this Division's O.M of even number dated 07-04-2015 on the subject

The clarifications to the queries raised by Ministries / Divisions/ Departments and

S.No.	QUERIES RAISED	CLARIFICATION
1	Finance Division's OM dated 07-04-21015 does not contain effective date of implementation from which date will it take effect.	The said O.M will take effect from the date of its issuance i.e. 07-04-2015.
2	Whether the officer regularized from contract service prior to issuance of the said OM i.e. 07-04-2015 will also be entitled for protection of pay or otherwise.	Yes However, no arrears are admissible prior to 07-04-2015
3	Whether the officer whose services were regularized from development side to non-development side on regular basis (development post to regular post) are entitled to pay protection.	Pay is protectable for those employees only whose contract appoint-ment on development side, was made in BPS on standard terms and conditions issued by Establishment Division.
4	Whether arrears/back benefits to those employees are admissible whose service were regularized prior to the issuance of the said O.M on 07-04-2015.	No arrears/back benefits are admissible prior to the issuance of the said O.M on 07-04-2015.
5	Whether the concurrence of FPSC is required for all the cases of contract appointment/re-appointment beyond 02 years against civil post in BS-16 to BS-22 made or continue after	Being an administrative nature of issue, relates to Establishment Division/ FPSC.

25-03-2010.
[Authority:— Finance Div.’s O.M. No.4(2)R-2/2014-241, dated 20-09-2016].

IV. CURRENT/ADDITIONAL CHARGE AND ACTING CHARGE APPOINTMENTS

5.1 Current/Additional Charge and Acting Charge Appointments

According to the existing instructions all appointments by promotion in higher posts are to be made through regular selection process i.e. with the approval of the Central Selection Board*/ Departmental Promotion Committee and the authority competent to make appointment to the BPS in which the vacancy exists. However, in those cases where a vacancy in a higher post occurs for less than two months and it is considered impossible for good reasons to make arrangements for day to day work of that post to be carried on otherwise, the current charge of the duties of that post may be given temporarily, with the approval of the authority competent to make appointments to the said post, to the most senior officer in the cadre present at the place or in the organization where the vacancy may have occurred if he is otherwise fit and eligible for promotion.

2. Situations arise in various departments where higher posts have to be filled urgently for short periods independently of the normal promotion and appointment procedure which takes time. The matter has been considered in consultation with the Ministry of Finance. In order to overcome the difficulty, the President has been pleased to delegate the power to make current charge appointments as follows:-

(i) Secretaries/Additional Secretaries.....	
(ii) | Heads of Attached Department not below BPS 21 including	
Chairman, FPSC and Chairman Federal Inspection Commission in respect of their own	For BPS 17 to 20
OffiCerS.... cece	
(iii) Auditor General of Pakistan Pakistan Audit Department..	
(iv) Military Accountant General for Military Accounts Departments.....	Upto BPS 20
(v) Member Finance, Railway Board for Railway Audit Department.....	
(vi) Head of Department as defined in S.R.2(10) not below BPS-20.....	For BPS 17 and 18

3. The exercise of the powers as delegated shall be subject to the observance of the following conditions:—

* or Selection Board for posts in BPS 19.

(i) _ the arrangement should not be made for a period of less than one month and should not exceed three months; however, it may be extended by another three months with the approval of the next higher authority;

(ii) as soon as the current charge is given, a proposal for regular appointment should be initiated and referred to DPC/CSB* within a month; and

(iii) in making current charge arrangement, the senior most officer available in the organization and present at the place where the vacancy may have occurred, if he is otherwise fit and eligible for promotion, should be considered.

4. An officer appointed to hold current charge of a higher post shall be allowed, in term of F.R. 35 and proviso to Section 17 of the Civil Servants Act, 1973 pay in his own grade“ plus additional pay equal to "20% of his grade pay “(In case of Additional Charge of Identical post 20% of the Basic Pay subject to maximum Rs.12,000/- and in case of Additional Charge of Non-Identical post 10% of the Basic Pay subject to maximum Rs.12,000/- w.e.f 01-07-2016.

5. The existing orders on the subject are modified to the above extent.

[Authority:— Estt. Division’s O.M.No.1/21/76-AR.I/R-II, dated 18-6-1980, as amended vide O.M. of even number dated 10-4-1981].

5.2 Clarification Regarding Length of Service for Current Charge

With reference to the Establishment Division's Office Memorandum No.1/21/76- AR.V/R.II dated the 18" June 1980 it is clarified that for the purpose of making current charge arrangements, it is not necessary to insist on completion of the length of service as prescribed for promotion.

[Authority:— Estt. Division’s O.M. No. 1/4/84-R.2 dated 3-7-1984].

5.3 Enhancement of Special Pay Admissible to an Officer Appointed to Hold Current Charge of a Higher Post

Under the existing orders, an officer appointed to hold current charge of a higher post in addition to the duties of his own post, is allowed in terms of F.R. 35 and proviso to section 17 of Civil Servants Act, 1973, pay of his own post plus special pay equal to 10% of his pay. The position has been reviewed and in order to afford sufficient compensation to a person performing duties of higher post carrying higher responsibilities, it has been decided, with the approval of the competent authority, that in case of current charge appointments to higher posts, special pay shall be admissible at the rate of 20% of pay subject to a maximum of ***[Rs.12,000/- p.m. with effect from 1-7-2016].

2. | However, it is emphasized that the current charge arrangements should be made with the approval of the competent authority strictly in accordance with the orders contained in the Establishment Division's O.M.No.1/21/76-A.R.I/R.II, dated 18-6-1980.

[Authority:— Finance Division’s O.M. No. F.2(9)-R.3/85, dated 15-3-1987].

‘or Selection Board for posts in BPS 19.

BPS.
Revised & added vide Finance Division O.M. No. F.1(2)/Imp/2016-333, dated 01-07-2016.

5.4 Current Charge Appointment — Determination of Seniority Within an Organization

Reference Establishment Division's O.M. No. 1/21/76- AR.I/R.II, dated 1s" June, 1980 which provides that “the current charge of the duties of that post may be given temporarily, with the approval of the authority competent to make appointment to the said post, to the most senior officer in the cadre present at the place or in the organisation where the vacancy may have occurred if he is otherwise fit and eligible for promotion”. Queries have been received as to the definition of the word “place” and “organization”.

2. The matter has been considered. The word “place” refers to the area in which the office in which the vacancy has arisen is located, e.g., Rawalpindi, Islamabad, Karachi etc. The word “organization” refers to each distinctive administrative unit of department. For instance in a Division which is divided into different Wings each as a distinct entity, the organization will refer to each such Wing.

[Authority:— Estt. Division’s O.M. No. 1/21/76-AR-I/R.IL, dated 14-3-1981].

55 Extension in Current Charge Appointment

With reference to the Establishment Division O.M. No. 1/21/76-AR.I/R.II, dated the 18" June, 1980 as amended vide Establishment Division O.M. of 10 April, 1981 a question has been raised as to which authority is competent to extend current charge appointment beyond 6 months.

2. The delegation made vide the Establishment Division O.M. No. 1/21/76- AR.I/R.II, dated the 18th June, 1980 as amended vide O.M. dated 10" April, 1981 is in partial modification of the Establishment Division O.M. No. 7/22/70-AVII, dated 7" August, 1970. The cases of extension of current charge appointment beyond 6 months will, therefore, continue to be sanctioned by the Establishment Secretary in respect of posts in BPS 17 to 19 and by the President” in respect of posts in BPS 20 and above.

3. The current charge arrangement is made as a temporary measure pending appointment of a person to the post on a regular basis. It is expected that the case for regular appointment will be simultaneously initiated and finalised within the period of 6 months which is considered sufficient for the purpose. Normally, therefore, there should be no occasion for extending current charge arrangement beyond 6 months. In those cases only where it is necessary to continue the current charge arrangement beyond this period cases, should be referred to the Establishment Division. Such cases should indeed the rare. The case should be referred in the form of a summary for the President™ in the case of posts in BPS 20 and above and for Establishment Secretary in the case of posts in BPS 17 to 19, stating what action was taken to fill the post on a regular basis, the reasons why it has not been possible to make a regular appointment within the prescribed period of 6 months and full justification for further extension of temporary arrangement. The period for further extension should be as short as possible necessary to make regular arrangements.

“ Now the Prime Minister for posts in BPS 20 and Secretary of the Ministry/Division concerned for posts i
BPS 17 to 19.

we .
Prime Minister.

4. The proposal to continue payment of additional pay beyond 6 months will also require approval from the Ministry of Finance. The proposals may therefore be referred initially to the Ministry of Finance for their concurrence before referring the case to the Establishment Division.

[Authority:— Estt. Division's O.M. No 1/21/76-AR-I/R-II dated 6-4-1987].

5.6 Grant of Current Charge of the Post of Section Officer to Superintendents/Assistants in Ministries/Divisions

Refer to the Establishment Division's O.M No. 6/2/90- OMG.II dated 16" May,1990 on the above subject and to state that references have been received in the Establishment Division enquiring whether the current charge of the post of Section Officer can be granted to Stenographer (BPS-15)/Stenotypist (BPS-12) also.

2. The matter has been considered, it is accordingly advised that the current charge of the post of Section Officer in the Ministries/Divisions shall be given only to the Superintendents (BPS-16/17). Alternatively, additional charge may be given to another Section Officer, by the Ministries/Divisions.

[Authority:— Estt. Division's O.M. No 1/19/96-R-II dated 30-01-1997].

5.7 Correct Designation of Officers Holding Current Charge of Higher Posts

It has been decided in consultation with the Law Division that an officer holding a higher post on current charge basis may use the designation of that post in relation to a duty attached to that post.

[Authority:— Estt. Division's O.M. No. 1/3/82-R.2, dated 16-12-1982].

5.8 Appointment of Officers on Current Charge Against Higher Posts and Payment of Additional Remuneration Therefor

Reference instructions contained in para 3 of Establishment Division O.M. No. 1/21/76-AR-I/R -II dated 6-4-1987 which provide that the extension of current charge arrangement should be sought from the *President and the Establishment Secretary in case of posts in BPS 20 and above and posts in BPS 17-19, respectively. It is stated the aforesaid instructions have been reviewed in consequence of amendment in rule 6 of the Civil Servants (Appointment, Promotion & Transfer) Rules 1973 notified vide SRO No.276(1)/2000 dated 25.5.2000 under which Secretaries of the Ministries/ Divisions have been authorized to make appointments to posts in BPS 17 to 19, and it is clarified that extension of current charge arrangement to posts in BPS 17 and above is now required to be sought from the appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973.

2. While approving/extending current charge arrangements, the following guidelines are required to be strictly observed:-

(i) Current charge arrangement is a temporary measure pending appointment of a person on regular basis in the prescribed manner.

(ii) Proposal for regular appointment in the prescribed manner should be initiated at the earliest opportunity and current charge arrangement should not be considered as a justification for delay in filling the posts on regular basis in the prescribed manner.

(iii) Six months is considered a sufficiently long period for the purpose of filling of posts on regular basis and, therefore, there should, normally, be no occasion or necessity, for seeking extension of current charge arrangement beyond six months.

(iv) Extension of current charge beyond six months requires prior consultation with the Finance Division before seeking the orders of the competent appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973.

(v) Current charge of a higher post can be given only to those persons who fulfill eligibility conditions for regular promotion to that higher post.

(vi) Normally the most senior persons available in the Wing/Unit where higher post falls vacant should be given current charge or higher post.

3. | While issuing formal sanction for grant of additional remuneration on account of current charge, it may be specifically certified that the above mentioned guidelines have been kept in view while approving/extending current charge arrangement.

[Authority: Estab. Div.'s OM No. 1/17/2000-R-2, dated 21" Nov., 2000]

5.9 Guidelines for Appointment of Officers on Current Charge Against Higher Post and Payment of Additional Remuneration Therefor

The administrative instructions regarding current charge appointments contained in Establishment Division's O.M No. 1/21/76-AR-I/R-II dated 18-06-1980 read with O.M No. 1/21/76-AR-I/R-II dated 06-04-1982 read with O.M No. 1/17/2000-R-II dated 21-11-2000 on the subject provide that all appointments by promotion in higher posts are required to be made through regular selection process i.e. with the approval of CSB/DPC and the Authority competent to make appointment to the grades in which the vacancy exists. However, in those cases where a vacancy in higher posts occurs for less than two months and it is considered impossible for good reasons to make arrangements for day to day work of that post to be carried on otherwise, the duties of that post may be given temporarily with the approval of Authority competent to make appointments to the said posts, to the senior most officer in the cadre present at the place or in the organization where the vacancy may have occurred, if he is otherwise fit and eligible for promotion. In order to overcome the difficulties, authorities competent to approve such arrangements from BS-17 to BS-20 have also been prescribed. The above referred instructions also provide that the said arrangements should not be made for a period of less than one month and should not exceed three months. However, the arrangements can be extended with the approval of the Appointing Authority for another

period of three months. Extension beyond six months requires prior consultation with the Finance Division before seeking orders of the competent authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973.

2. It has been observed that the said instructions are not being compiled with in letter and spirit and the current charge arrangements are extended with a gap of couple of days for one reason or the other which amounts to deviation from the above mentioned administrative instructions on the subject.

3. The Prime Minister has taken a serious notice of the above practice and has been pleased to observe that current charge is a temporarily arrangement to run day to day work of Organizations. Extensions are frequently made without any cogent reasons and without making arrangements for regular appointment to the post.

4. In view of the above, all Federal Secretaries/Additional Secretaries Incharge of Ministries/Divisions are requested to ensure that the administrative instructions regarding current charge arrangements as mentioned above are being compiled with in its letter and spirit in the Ministries/Divisions/Departments and Organizations under their administrative control and current charge arrangements are made only for cogent and valid reasons while simultaneously making arrangements for regular appointment to that post.

[Authority.— Establishment Division's O.M No. 8/9/2004-R-II dated 02-02-2017]

5.10 Combination of Appointments"

Reference paras of the instructions contained in Establishment Division O.M.No.1/21/75-AER.R.2 dated 19.8.1989 which provide that additional charge arrangement in non-identical post in BPS 17 to 19 requires approval of the Establishment Secretary. The above instructions have been reviewed in the light of amendment in rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 notified vide SRO No.276(1)/2000, dated 25.5.2000 under which Secretaries of the Ministries/ Divisions concerned have been authorized to make appointment to posts in BPS 17 to 19 consequent upon the aforesaid amendment in rules additional charge arrangement in non-identified posts to BPS 17 to 19 now requires approval of Secretary of the Ministries/ Divisions concerned. Cases involving additional charge of posts borne on the cadre of "APUG and OMG shall, however, continue to be submitted for the approval of Establishment Division. The instructions contained in Establishment Division O.M. No.1/21/76-AR-1/R-II dated 19.8.1989 stand amended accordingly.

2. Ministries/Divisions are requested to bring the above instructions to the notice of all departments concerned.

[Authority:— Establishment Division's O.M.No.1/15/2000-R.2, dated 02.10.2000].

"For foundation of the concept 'Combination of Appointments' see FR 49 and Government decisions reproduced below FR 49, PP 82-86 Compilation of Fundamental Rules and Supplementary Rules, First Edition (Second Reprint), Manager of Publications, Karachi, 1979. For financial compensation. All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09-1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi issued on the subject from time to time were mutatis mutandis amended.

5.11 Combination of Appointments* -
Authorization to Secretaries

Reference the Establishment Division's OM No. 1/21/76-AR/I/R,2 dated 19.8. 1989 as amended vide its OM No.1/15/2000-R.2, dated 2.10.2000 on the subject according to which additional charge arrangements in non-identical posts in BPS 17 to BPS 19 can be made with the approval of the Secretary of the Ministry/Division concerned and for the posts borne on the cadre of ""APUG and "OMG with the approval of Establishment Secretary and those in BPS 20 and above with the approval of

Prime Minister.

2. In view of the current policy of decentralization of the government, the instructions contained in the above referred OM have been reviewed. The Prime Minister has been pleased to authorize the Secretaries of the Ministries/ Divisions to approve additional charge arrangements in non-identical posts in BPS 17 to BPS 20. This arrangement should not be made for a period of less than one month and should not exceed three months. However, it may be extended by another three months with the concurrence of the Establishment Division. Extension of such arrangements beyond six months shall be made with the approval of the Prime Minister.

3. The instructions contained in para 2 & 3 of the Establishment Division's OM No. 1/21/76-AR.I/R2 dated 19.8.1989 and No. 1/15/2000-R.2 dated 2-10-2000 stand modified to the extent indicated above.

[Authority: Estt. Div.'s OM NO. 3/89/2004-R-2, dated 01-01-2005]

5.12 Additional Charge Appointment:
Procedure and Remuneration

Reference Finance Division's circular O.M. No. F. 4(14)-R. 4/68, dated the 9" September,1971%, the position has been reviewed and in order to afford sufficient compensation to a government servant entrusted with the additional charge®® of a vacant identical post, it has been decided, with the approval of the competent authority, that in case of additional charge arrangement, special allowance shall be admissible at a uniform rate of 20% of basic pay not exceeding "Rs. 12,000/- p.m. with effect from 1" July 2016 @@@(In case of Additional Charge of Identical post 20% of the Basic Pay subject to maximum Rs.12,000/- and in case of Additional Charge of Non-Identical post 10% of the Basic Pay subject to maximum Rs.12,000/- w.e.f 01-07-2016), subject to the fulfillment of the following conditions: —

" For foundation of the concept 'Combination of Appointments', FR 49 and Government decisions reprodu
below FR 49, pages 82-86, Compilation of the Fundamental Rules and Supplementary Rules, First Editio
(Secondary Reprint), Manager of Publications, Karachi : 1979. For financial compensation.

"All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(D/73 dated 14-09-

1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi

«,ssued on the subject from time to time were mutatis mutandis amended.

Office Management Group.
age 85 of the FR & SR.

Current charge appointment is now regulated.
©@ Revised & added vide Finance Division O.M. No. F.1(2)/Imp/2016-333, dated 01-07-2016.

(i) | The work of the vacant post, may, as far as possible, be distributed among more than one government servant of the same status and designation available in the Ministries/ Divisions/Departments.

(ii) Where the distribution of the work among more than one government servant is not feasible, the charge of the vacant post may be entrusted, in its entirety, to another government servant. This arrangement should not be made for a period less than one month and should not exceed three months, and it should be allowed with specific approval of the Secretaries/Additional Secretaries/Heads of Attached Departments / Heads of Department not below BPS 21. However, it may be extended by another three months with the approval of next higher authority.

(iii) Immediately on the expiry of six months of the full additional charge of the particular vacant post, the post shall be treated as having been abolished and its duties automatically becoming part of the normal duties of the other existing posts of the same category in the Divisions/Departments concerned. The post so treated as abolished shall not be reviewed without the concurrence of the Financial Adviser concerned.

2. Finance Division's O.M. No. 4(14)- -R.4/68, dated the 9" September, 1971 shall be deemed to have been cancelled with effect from 1“ February, 1987.

[Authority:— Finance Division’s O.M. No. F.2(9)-R-3/85, dated 18-3-1987].

5.13 Combination of Charge/Additional Charge
Appointment not to be Notified

The Finance Division's O.M.No.F.4(14)R.4/68, dated 9-9-1971 authorizes grant of Special Pay at various specified rates in cases in which, in accordance with para 2(ii) of that circular, the charge of the vacant post of an officer in an establishment is entrusted in its entirety to another officer of the same status, category and designation in that establishment. A question was raised whether this combination of charges, where the post and the officer concerned belong to a BPS higher than Grade 15, needs or does not need to be notified in the gazette, in order for the above special pay to become payable. The matter has been considered in consultation with the Establishment Division. The position is that the combination of charge in the above category of cases [unlike the combination of appointments under F. R. 49 or under para 1(2) (c) of the pre-Independence Government of India, Finance Department's O.M. No. F.7(3)-EII/46, dated 26-9-1946] would not have the effect of bringing about any change either in the status of the officer concerned or in his competence to perform official duties. It has accordingly been held that notification, in the gazette, of the combination of charges authorised under para 2(ii) of the above mentioned circular dated 9-9-1971, would be uncalled for.

2. It follows that in cases of the kind referred to in the preceding para, issue of an official letter conveying the approval of the competent authority to the combination of charges in question and to the grant of special pay in accordance with para 2(ii) of the circular dated 9-9-1971 referred to above, would constitute sufficient authority for the Audit to allow the relevant rate of special pay to the officer concerned.

[Authority: Finance Division’s O.M.No.D.907-R.4/76-F.4 (19)R.1/76, dated 6-10-1976].

5.14. Appointment on Acting Charge Basis

Reference rule 8-A of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, and to state that a civil servant, on appointment to hold a post on Acting Charge basis, shall —

(a) assume full duties and responsibility of the post and exercise all statutory, administrative and financial powers vested in the regular incumbent of the post; and

(b) during the period of such appointment, be entitled to draw fixed pay equal to the minimum stage of the pay at which his pay would have been fixed, had he been appointed to that post on regular basis. Service rendered on acting charge basis in the scale applicable to the post shall not count for purposes of drawal of increments in that BPS. It shall, however, count towards increments in the scale of pay held immediately before appointment on acting charge basis so that on reversion from acting charge appointment his pay in the lower BPS should be fixed at the same stage which he would have reached, but for appointment to the higher BPS;

Provided that if at any time during his appointment on acting charge basis, his substantive pay exceeds his pay fixed on acting charge appointment, he will draw his substantive pay.

[Explanation.— For the purpose of this proviso, officiating pay drawn in a post held on regular basis continuously for three years (including period of leave) or which would have been drawn for that period but for appointment on acting charge basis shall be treated as substantive pay].

[Authority:— Estt. Division’s O.M.No.1/9/80-R II(B), dated 12-1-1981 as amended vide O.M.No.1/1/82-R 2 dated 15-8-1983].

5.15 Acting Charge Appointment — Counting of Service

Reference sub-para (b) of Establishment Division's O.M.No. 1/9/80-R.II(B) dated 12" January, 1981 as amended vide O.M.No. 1/1/82/R.2, dated 15" August, 1983. It is stated that, in partial modification of the said orders, it has been decided that the service rendered on acting charge basis in respect of appointments falling under rules 8-B(1) and 8-B(3) of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 count in the pay scale applicable to the post for the purposes of accrual of increments subject to fulfillment of the following:—

(i) In case of acting charge appointments to posts carrying BPS 18, the incumbents shall have completed 5 years service in BPS 17.

(ii) In case of acting charge appointments to posts carrying BPS 19 and above the incumbents shall have completed the prescribed length of service for respective posts as under:-

(a) Posts in BPS 19 “12 years service in BPS 17 and above.

* Amended vide Estt. Division’s O.M.No.1/25/83-R 2 dated 31-03-1986.

(b) Posts in BPS 20 17 years service in BPS 17 and above.
(c) Posts in BPS 21 22 years service in BPS 17 and above.

2. The above decision shall be effective from the First January, 1985.
However, in cases of acting charge appointments made during the period from 12" January, 1981 to 31* December, 1984, the increments shall be restored from the due dates but no arrears due on account of restoration of increments prior to 1* January, 1985 shall be allowed.

[Authority:— Estt. Division’s O.M.No.1/25/83-R.2, dated 27-3-1985].

5.16 Clarification About the Look After Charge

Refer to the subject cited and to say that a number of instances have come to the notice of Establishment Division where the Ministries/Divisions have been foun indulging in the practice of assigning look after charge of higher post to an officer during the absence its actual incumbent which cause administrative/ financial inconvenience.

2. In this context it is clarified that there is no provision of look after charge in Civil Servants Act,1973 and Rules made thereunder, rather an officer can be depute temporarily as an internal arrangement to look after the work of another post for disposa of day to day work of urgent and routine nature in the Ministry/Division/Organization concerned.

3. As a matter of principle, the senior most officer is normally asked by the hea of the Division/Department to look after the work of a post when its incumbent is temporarily away. Regarding the decision making process, there may be certain issues which are of quasi-judicial nature and decision cannot be taken by an officer not formally designated to exercise those powers. Likewise, certain financial and administrative powers can only be exercised by an officer to whom additional/current charge of the post is entrusted in the prescribed manner. An officer looking after the work cannot exercise such powers as he has not been delegated with such powers by the competent authority. As regards day to day decisions, these can be taken by an officer looking after the work and can also be reviewed/revised by the head of the Organization depending upon the merit of the case.

4. Ministries/Divisions are requested to disseminate the above position to all the Departments/Offices under their administrative control.

[Authority.— Establishment Division’s O.M No. 3/15/2016-R-II dated 09-04-2021]

Vv. ADHOC APPOINTMENTS

6.1 Advertisement for Ad-Hoc Appointments

Attention is invited to Establishment Division's Notification No. 1498(1)/73, dated 20" October, 1973 regarding Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

2. In accordance with Part IV dealing with ad-hoc and temporary appointments, rule 19 lays down that the post shall be advertised and the same procedure as laid down for the initial appointment in Part III shall be followed for making ad-hoc appointments.

3. | A number of cases have come to notice where ad-hoc appointments have been made from amongst departmental candidates or from other applicants without an advertisement having been made in the press.

4. This is irregular in future, no proposal for ad-hoc appointments will be entertained unless the post has been duly advertised. The summary of the case submitted to the Establishment Division should invariably state that the post has been advertised and the clipping of the advertisement should be enclosed with the summary.

[Authority:— Estt. Division’s O.M. No. 2/23/78-D.III, dated 17-4-1978].

6.2 Ad-Hoc Appointees to be Clearly Told of the Conditions of Their Appointments

It has been noticed that various Ministries/Divisions etc. while advertising posts, falling within the purview of the FPSC, for purposes of making ad-hoc appointments thereto, do not take into account the fact that the appointees on the basis of such advertisements, being replaceable by the FPSC nominees, should be clearly told of this condition of their appointments. This omission on the part of various Ministries/ Divisions, etc. may give rise to complications later on.

2. — It is, therefore, requested that, while advertising for ad-hoc appointments to such posts, the Ministries/Divisions etc. should categorically state that the candidates appointed on the basis of such advertisements will be replaceable by the FPSC nominees. The condition may also be communicated to the candidates in the letters/ notifications of such appointments so that no appointee claims regular appointment subsequently on the basis of advertisement or appointment letters/notifications.

3. It may also be ensured that requisition for such posts should invariably be sent to the Commission within two months of the filling up of such posts on ad-hoc basis.

[Authority:— Estt. Division’s O.M.No.2/6/74-F.IV, dated 14-6-1974].

6.3 Proposals for Continuance of Ad-Hoc Appointments

It has been observed that placing of requisitions on the Federal Public Service Commission in respect of posts required to be filled through the Commission are delayed by the Ministries/Divisions without any justification and ad-hoc appointments made on such posts are continued for long periods.

2. In this connection, attention is invited to Rule 18 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, which requires that a requisition in the prescribed form shall be forwarded to the Federal Public Service Commission immediately when it is decided to fill the post in question or, if that is not practicable and the post is filled on ad-hoc basis, within two months of the filling of the post.

3. It is, therefore, reiterated that while making ad-hoc appointments against posts falling within the purview of the Federal Public Service Commission, a requisition should be placed on the Commission immediately and in any case not later than two months from the date of filling the post on ad-hoc basis. All proposals relating to ad-hoc appointments and their further continuance should, in future be accompanied by a copy of the requisition sent to the Commission as far as possible, otherwise the Establishment Division may not consider such proposals.

[Authority:— Estt. Division’s O.M.No.2/9/76-D-III, dated 4-6-1976].

6.4 Ad-Hoc Appointments and
Approval for Extension

Reference Establishment Division's Office Memo No. 2/9/76-D.III, dated 14" March, 1981. It is stated that the instructions contained therein for making appointment to posts on ad-hoc basis and seeking extensions thereto are not being complied with faithfully. These instructions clearly provide for making ad-hoc appointment for a period not exceeding six months with the approval of competent authority as laid down under tule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, as amended. The first extension beyond the initial period of ad-hoc appointment is required to be given after obtaining approval of the FPSC. As such, the approval of the competent authority for this extension is not required. Subsequent extensions for periods not exceeding six months in the ad-hoc appointment shall not require concurrence of the FPSC but approval of competent authority shall, in any case, be obtained. All the Ministries/Divisions are requested to bring these instructions to the notice of all the departments/ organizations under their administrative control for compliance.

[Authority:— Estt. Division’s O.M.No. 10/8/86-R.2, dated 15-12-1986].

6.5 Submission of Summaries Regarding
Ad-Hoc Appointments

In the appendix to the Establishment Division d.o. letter No. 4/20/74-A.IV, dated the 29" June 1976 detailed procedure governing the submission of cases of ad-hoc appointments has been outlined. It has, however, been noticed that proposals for ad-hoc appointments, which have considerably increased of late, are not submitted in accordance with the instructions laid down therein. Ad-hoc appointments are to be made only in cases of extreme urgency. But non-adherence to the prescribed procedure leads to delay in their finalization. It is, therefore, reiterated that—

(i) | the device of ad-hoc appointment should be resorted to only in cases of genuine urgency;

(ii) the post should be widely advertised/circulated;

(iii) regional/provincial quotas should be strictly observed; and

(iv) particulars of all the applicants should be sent alongwith detailed reasons why the person recommended has been selected.

2. Cases where the above procedure has not been followed will have to be returned to the Ministries un-disposed of.

[Authority:— Estt. Division’s d.o. letter No.4/20/74-A.IV, dated 9-4-1977].

6.6 Seniority of Ad-Hoc Appointees for Purposes of Reversion or Termination of Services on Availability of Regular Appointees

No rules or instructions regarding determination of the seniority of ad-hoc appointees have so far been issued. This is due to the fact that ad-hoc service does not reckon for purposes of seniority when the ad-hoc appointment is later on converted to regular appointment. Instructions have also been issued in Establishment Division's O.M. No. 3/29/70-D- III, dated the 7" January, 1971 that ad-hoc appointees should not be promoted to a higher grade*. The question of determination of the seniority of the ad-hoc appointees for purposes of promotion, therefore, does not arise. However, sometimes the question which does arise is as to which one of the several ad-hoc appointees should be reverted when the F.P.S.C. qualified candidates become available. It has been decided that reversion should be made in the reverse order of ad-hoc appointment. However, when the date of ad-hoc appointment of more than one officer is one and the same, the reversion should be made in the reverse order of the seniority in the lower grade if available, otherwise the younger in age should revert first. Reversion for the purposes of this O.M. includes termination of service where the ad-hoc appointee was recruited directly from outside.

[Authority.- Estt. Division’s O.M.No.1(8)/72-D.IL, dated 4-5-1972].

* BPS/Post.

VI. RE-APPOINTMENTS

7.1 Re-appointment to “Grade 17 or Above Posts

It appears that some doubt still exists in some quarters about the procedure to be followed in the following cases:-

(a) In case of re-appointment to a post in *Grade 17 or above of an officer whose “first appointment” to a post in *Grade 17 or above was made with the approval of the ““[President/ Prime Minister].

(b) Incase of appointment to hold full charge of a post in *Grade 17 or above, of an officer who had already been holding current charge of the post.

2. The approval of the **[President/Prime Minister] is not necessary for re-appointment of an officer to a post in *Grade 17 or above whose earlier appointment to that post was made with the approval of the **[President/ Prime Minister] and who was subsequently reverted from that post due to no fault of his own. However, where reversion was made as a result of some disciplinary action, fresh approval of the **[President/Prime Minister] would be necessary, if the officer is subsequently re-promoted to a post in *Grade 17 or above.

3. When an officer is appointed to hold current charge of a post in *Grade 17 or above with the approval of the President/ Prime Minister, similar approval of the **[President/Prime Minister] is required when the same officer is appointed to hold full charge of the post.

[Authority:— Estt. Division’s O.M.No.10/2/64-D.I, dated 13-8-1964, as amended vide O.M. No.3/20/70-D.III, dated 16-9-1970].

72 Re-appointment to Posts and Selection Board

In continuation of the instructions issued in the Establishment Division Office Memorandum No. 3/20/70-D III, dated the 16" September, 1970 it has been decided that if the re-appointment of an officer to a post in *Grade 17 and above took place after more than one year of the reversion from that post, the case should be placed before the Central Selection Board for determining the continued fitness of the officer to hold a post in *Grade 17 or above. After the approval of the Central Selection Board, it would not be necessary to refer the case to the **[President/ Prime Minister] again.

[Authority:— Estt. Division’s O.M.No.3/20/70-D.III, dated 16-9-1971].

713 Appointment of Secretaries to Government

Appointment of Secretaries/Acting Secretaries to the Government are made on the recommendation of the Ministers concerned with the approval of the President. There are,

“BPS.
“Note Below:—
Now appointing authorities may be seen in light of Rule-6 of APT Rules,1973.

however, standing instructions on the subject as contained in the Establishment Division Office Memorandum No. 33 (3)/54-SEI, dated the 29" September, 1954.

2. In terms of the Office Memorandum mentioned above, before any appointment of Secretary/Acting Secretary is decided upon, the Establishment Division should be required to submit a factual note about possible candidates, covering such matters as service, eligibility, tenure, efc., together with their Character Rolls. In practice, however, Ministers tend to make these appointments without consulting the Establishment Division. The “President has, therefore, been pleased to observe that it is very necessary to follow the procedure laid down in this respect.

3. It has been decided that henceforth all notifications relating to appointments of Secretaries/Acting Secretaries shall be issued by the Establishment Division instead of the Ministries, as has been the practice so far. This course is necessary to avoid notifications being found legally or otherwise defective, as has been found to be the case in some instances. In order to enable this Division to issue the necessary notification, Ministries will send the file to the Establishment Division after Prime Minister's orders have been obtained regarding such appointments.

[Authority:— Estt. Secretary's d.o. letter No.26(10)/63-AI, dated 3 1-8-1963 and Estt. Secretary's d.o. letter No.26(19)/63-A. 1, dated 31-8-1963].

1A Notifications Regarding Postings, Transfers etc. of Officers of the Status of Joint Secretary and Above

It has been noticed by the Establishment Division that Ministries/ Divisions are not fully aware of the correct procedure with regard to obtaining orders for appointment to posts in the Ministries/Divisions and issue of notifications in respect of appointments to such posts. The correct procedure in this regard has, therefore, been explained in the following paragraphs.

2. According to the existing instructions, appointments to the grade of Secretary, Additional Secretary, Acting Secretary and Joint Secretary fall under the purview of the High Level Selection Board while appointments to the posts of Deputy Secretary to the Government of Pakistan [..... J" come within the scope of the Central Selection Board. The recommendation of the High Power Selection Board/Central Selection Board in respect of these officers have to be obtained by the Establishment Division. Thereafter, action is required to be taken in the following sequence:-

(i) Approval of the ““President to the recommendation of the appropriate Selection Board.

(ii) (a) Decision in the Establishment Division in consultation with Ministries/Divisions to post an approved officer to a particular post, and

* Now Prime Minister.
“™ The word ‘Section Officer’ omitted.

“““ Note:- The Prime Minister is now the appointing authority for posts in BPS 20 and above vide rule 6 of Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

(b) Submission of a summary to the “President for his specific approval to such appointment.

(iii) Issue of notification by the Establishment Division making the actual appointment.

(iv) Issue of notification by the Ministries/Divisions concerned regarding assumption of charge of the particular post by the selected officer.

3. Action with regard to (i) and (iii) above is required to be taken by the Establishment Division alone. Approval of the President to the appointment of a particular officer to a particular post is at present taken by the administrative Division in which the vacancy exists. This has led to some unforeseen and unhappy consequences, e.g., unwillingness of the administrative Divisions to accept particular officers and allowing the officers to assume charge of their duties before a formal notification has been issued by the Establishment Division. In order to avoid such difficulties, it has now been decided that approval of the *President to all Secretariat appointments would be taken by the Establishment Division, in consultation with the Ministries/Divisions.

4. The next step would be to issue a further notification regarding assumption of charge of the particular post by the selected officer. This notification is to be issued by the Ministries/ Divisions concerned. It is, however, emphasised that assumption of charge by the selected officer cannot be from a date prior to but subsequent to the date of notification regarding his appointment by the Establishment Division. In no case can the selected officer assume charge from a date earlier than the date of notification issued by the Establishment Division.

[Authority:— Estt. Division’s O.M.No.22/25/68-Al, dated 23-1-1969].

* Note:- The Prime Minister is now the appointing authority for posts in BPS 20 and above vide rule 6 of t
Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

VII. MANNER OF SUBMISSION OF CASES

8.1 Manner of Submission of Cases to the Establishment Minister

The summaries for the Establishment Minister" received from the Ministries/ Divisions are found deficient in many respects and do not always contain all the relevant information which has, therefore, to be obtained formally or informally resulting in delays and loss of time. It is, therefore, requested that Summaries for the Establishment Minister' or papers for Central Selection Board seeking approval to an appointment by promotion, direct recruitment, transfer or re-employment, etc. may kindly be prepared in the following manner:-

(i) _ The subject should be stated in concise and self-explanatory manner.

(ii) | The Summary should begin by indicating the number of vacancies and how they have arisen.

(iii) It should then state how these vacancies have to be filled in under the relevant recruitment rules i.e. whether they are to be filled directly, by promotion or by transfer etc. If they are to be filled directly the regional/ provincial quota to which they belong may be specifically indicated.

(iv) In any case, the qualifications and conditions of eligibility for appointment prescribed in the recruitment rules should be stated either in the Summary or in the Annex thereto. If necessary, a copy of the recruitment rules may be enclosed.

(v) The Summary must also indicate the action taken to fill the vacancy viz. whether the post has been notified to F.P.S.C. or directly advertised for ad-hoe appointment etc. and whether F.P.S.C./ Departmental Selection Committee have recommended any candidate. In the case of promotions, the fact that D.P.C. or the C.S.B., as the case may be, has approved the promotion should be stated alongwith the minutes.

(vi) Full information as to qualifications, experience efc. of candidates recommended for appointment/ promotion/ transfer should be given alongwith clear indication of their place in the seniority list. The candidate's domicile should be precisely stated. Where proposed promotion would involve supersession, detailed justification thereto may be given alongwith names etc. of all the eligible candidates and their C.Rs in order of seniority including those who are proposed to be passed over. Otherwise a clear certificate may be given that no supersession is involved.

2. It is requested that the Summaries may please be typed in double space on Summary paper and henceforth two copies of each Summary (alongwith enclosures) should be invariably sent to the Establishment Division so that the original is returned with the orders of the Establishment Minister and the duplicate retained in the Establishment Division for record.

* Cases are, at present, submitted by the Establishment Division to the Prime Minister.

3. In case the Summaries are not received in the above mentioned manner, the same may have to be returned causing delay in according necessary approval.

[Authority:— Estt. Secretary's d.o., letter No.4/20/74-A IV, dated 11-12-1974].

8.2 Check List of Information/ Material in Cases to be submitted to the Establishment Minister

In order to facilitate proper submission of summaries by the Ministries/Divisions, a complete check list of information/material to be incorporated in or attached to the summaries in respect of cases requiring the approval of the Establishment Minister" is enclosed as Appendix. It is requested that in future it may kindly be ensured that this information/ material is invariably incorporated in/or furnished with the summaries. Otherwise the summaries will not be processed in this Division and will be returned to the Ministries/ Divisions.

[Authority:— Special Secretary (Estt.) d.o. letter No.4/20/74-A.IV, dated 29-6-1976].

* Cases submitted to the Prime Minister or other appointing authority, as the case may be.

APPENDIX

CHECK LIST FOR SUBMISSION OF SUMMARIES FOR

THE ESTABLISHMENT MINISTER

A. GENERAL INSTRUCTIONS:

(i) | The summary is to be typed in double space.

(ii) | Two copies of each summary (alongwith enclosures) are to be sent to the Establishment Division.

(iii) The summary should contain specific recommendation of the Minister incharge about the proposal made in it.

(iv) The number of vacancies and how they have arisen.

(v) A copy of the recruitment rules approved by the Establishment Division. Otherwise, a copy of the draft recruitment rules or method of recruitment, qualifications and experience determined for the post(s) in consultation with the Establishment Division.

(vi) Number of sanctioned posts; their distribution into promotion, direct recruitment and transfer quotas. Complete list of officers holding promotion posts. List of officers holding merit quota posts and regional distribution of posts reserved for direct recruitment alongwith the names and domicile of the incumbents holding these posts.

B. APPOINTMENTS BY PROMOTION:

(i) A copy of the minutes of the meeting of the Departmental Promotion Committee.

(ii) An authenticated copy of the seniority list.

(iii) Full justification for supersession, if any.

(iv) | Up-to-date C.R. dossiers of the officers recommended for promotion or supersession.

(v) An abstract of the performance evaluation reports for the last five years in respect of officers recommended for promotion, supersession or to be ignored being on deputation etc. in the proforma as per Annex I, “C” and “D” entries to be written in red ink.

(vi) An abstract of the major personal traits for the last five years of officers recommended for promotion or supersession vide proforma as per Annex II, “C” and “D” entries to be written in red ink.

(vii) If an officer recommended for promotion is on deputation with an

organization under the Federal or Provincial Governments or autonomous/ semi-autonomous organization, foreign government or an international organization, it may be clearly stated if the deputation is in the interest of public service or not.

(viii) If the officer recommended for promotion is on deputation from another organization a copy of the written consent of that organization to his promotion is to be furnished to the Establishment Division.

(ix) A certificate that the officers recommended for promotion in a particular BPS possess the required length of service in the lower BPS as laid down in the Establishment Division O.M. No. 1/9/80-R. 2 dated 2" June, 1983.

(x) In case of promotion to BPS19 and above, a copy of the minutes of the meeting of the Central Selection Board together with C.R. dossiers of the officers recommended for promotion.

Cc. AD-HOC APPOINTMENTS:

(i) Regional quotas to which the vacancies fall.

(ii) Whether the posts were advertised in the press? If so, a copy of such advertisement to be attached.

(iii) Whether the vacancies have been notified to the FPSC for making regular recruitment against them? If so, a copy of the requisition placed with the FPSC is to be attached.

(iv) Full particulars of the candidates tested/interviewed together with their assessment by the Selection Committee.

(v) Avcopy of the minutes of the meeting of the Selection Committee.
(vi) Bio-data of the candidates recommended.

(vii) Up-to-date C. R. dossier of the candidate being recommended for ad-hoc appointment, if he or she has served in an organization under the Federal or Provincial Government.

(viii) In case of extension in the period of ad-hoc appointment of an officer confidential report on his performance for previous period(s) should be attached.

Dz. APPOINTMENT THROUGH THE FPSC:
(i) Nomination letter from the FPSC.
(ii) | Advertisement issued by the FPSC.
(iii) Regional quota to which the vacancy is allocable.

(iv) Up-to-date *PER dossier of the candidate selected by the FPSC, if he or she is/was in Government service.

(v) Bio-data of the selected candidates or their applications addressed to the FPSC.

* Annual Confidential Report re-categorized as Annual Restricted Report; hence ARR.

E.

APPOINTMENT BY TRANSFER:

(i) A certificate that the candidate recommended is holding equivalent post on regular basis in his parent organization.

(ii) | Up-to-date *PER dossier of the officer recommended for transfer.
(iii) Whether the transfer is permissible under the recruitment rules?

(iv) Minutes of the meeting of the DPC/Selection Committee.
APPOINTMENT BY RE-EMPLOYMENT:

(i) | Acopy of the minutes of the meeting of the Central Selection Board.

(ii) Bio-data of the candidate recommended for re-employment including age and educational qualifications.

(iii) Up-to-date *PER dossier of the officer recommended for re-employment.

ANNEXURE I
(Specimen)
COMPARATIVE PERFORMANCE EVALUATION ANALYSIS IN RESPECT OF BEING CONSIDERED F

Rating
Ni f Officers with i i ot Summary of Part § of the
om esignation Fitness for Promotion nal OR

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Remarks

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ANNEX II
(See B(vi))

COMPARATIVE ANALYSIS OF MAJOR PERSONAL TRAITS IN RESPECT OF BEING CONSIDERED FOR PROMOTION TO BPS

Name of Officers wah
designation

Sudgement end oe and | Zen Sna’ | to plan, ro to guide hes
janize and
a: provertion Orive j imagen | aes ha | work nd train ro hes Moral

-|v
vie

1, Mn, XYZ.
Deputy
Director

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S<N Et
=<
Kaa

VIL. MODE OF NOTIFICATION FOR APPOINTMENTS, PROMOTIONS ETC

9.1 Mode of Notifying Appointments, Promotions etc., after Introduction of the Scheme of Basic Pay Scales

Reference is invited to the Finance Division O.M. No.1(1)-Imp/83, dated 18" August, 1983 laying down a scheme of basic pay scales and fringe benefits for the civil employees of the Federal Government as shown in the schedule to that O.M. It is laid down in the aforesaid O.M. that basic scales shall not be regarded as ‘grades! and shall not be referred to as ‘grades' in official communications and that the officials shall henceforth be appointed/promoted to posts and not in grades.

*2. All the notifications, summaries and office notes, the name of the post and its pay scale may also be mentioned, where necessary.

3. In pursuance of the aforesaid decisions, necessary amendments to the Civil Servants Act, 1973 and the rules made thereunder have been carried out replacing reference to ‘grades' by corresponding basic pay scales.

4. It is requested that in future all the notifications and orders relating to initial appointment, appointment by promotion or by transfer and other appointment like ad-hoc appointments should invariably mention appointments to posts and not to grades. A few specimen of the draft notifications are also enclosed for guidance. This form normally be used.

[Authority:— Estt. Division’s O.M. No. 3/11/83-R. 2, 15-04-1984 and dated *13-01-1985].

Draft 1 Promotion

NO... eee eee
GOVERNMENT OF PAKISTAN
MINISTRY OF .....
seeeseeneeene Division
Islamabad, the .....
NOTIFICATION
Minn eeeceseeeeseeeeseeteseeneenee is promoted... to the post of ww. “promoted on officiating basis ..... and is posted as..... in the Ministry/Division/Office of...

until further orders.

Deputy Secretary
to the Government of Pakistan

*
To be used in cases of promotion in temporary vacancies like leave or deputation vacancies. Nature of th and the duration of promotion should be specified in the notification.

To

The Manager,

Printing Corporation of Pakistan Press (PCP),

Islamabad.

Draft-2 Initial Appointment
TO BE PUBLISHED IN PART-II OF THE GAZETTE OF
PAKISTAN
NO... ecco
GOVERNMENT OF PAKISTAN
MINISTRY OF.....0.

Division

Islamabad, the .....
NOTIFICATION

On selection by the Federal Public Service | Commission,
is appointed aS woes in the Ministry/Division/Office
w.e.f the date he assumes charge of the post and until further orders.

2. He shall remain on probation for a period of

Deputy Secretary
to the Government of Pakistan

To

The Manager,
Printing Corporation of
Pakistan Press, Islamabad

Draft 3 Appointment by Transfer

GOVERNMENT OF PAKISTAN
MINISTRY OF.
sssessseeseeees Division

Islamabad, the .....
NOTIFICATION

.... IS appointed by transfer to the post of..... in

the Ministry/Division/ Office of..... and is posted as.....

2. He shall be on probation for a period Of... ceeeseseeeeeseeeee

Deputy Secretary
to the Government of Pakistan

To
The Manager,
Printing Corporation of
Pakistan Press, Islamabad
Draft 4 Acting Appointment
NO... ecco
GOVERNMENT OF PAKISTAN
MINISTRY OF .....
.- Division
Islamabad, the.....4.
NOTIFICATION
ME... eseeeceseeseeseeees is appointed on acting charge basis to the post of..... in the

Ministry/Division/Office o: .. until further order and is posted as.

Deputy Secretary
to the Government of Pakistan
To
The Manager,
Printing Corporation of
Pakistan Press, Islamabad
Draft 5 Ad-Hoc Appointment
NO... cece eee ee eee
GOVERNMENT OF PAKISTAN
MINISTRY OF .....
oe ae Division
Islamabad, the.....
NOTIFICATION
is appointed on ad-hoc basis as.. .in the Ministry/
Division/Office of. for a period not exceeding six months or till the availability

of a nominee of the Federal Public Service Commission, whichever is earlier.

2. The appointment shall be terminable without notice on the appointment of
a person selected by the Federal Public Service Commission.

Deputy Secretary
to the Government of Pakistan

To
The Manager,
Printing Corporation of Pakistan Press,
Islamabad

9.2 Continuance of the Practice of Notifying All Appointments in BS 16 or Above in the Gazette

The Civil Servants (Change in Nomenclature of Services and Abolition of Classes) Rules, 1973, give formal effect to the abolition of classes announced by the Prime Minister on 20" August, 1973. The classification of posts into gazetted and non-gazetted has also been abolished. However, the practice of notifying all appointments to Basic Pay Scales 16 and above in the Gazette will continue to be followed.

“2. The appointments to the upgraded posts of *Stenographer (BPS 16) in Attached Departments are permitted to be notified in the official Gazette.

[Authority:— Para 2 of Estt. Secretary's d.o. letter No.1/1/73-ARG, dated 10-11-1973 and “Estt. Division’s O.M.No.11/57/80-F .Il(B-16) dated 15-1-1984].

9.3 Approval of Competent Authority and Assumption of Charge

In the Establishment Division O.M. No. 22/25/68-AI, dated the 23rd January, 1969 , it was emphasized that the charge of a particular post could be assumed by a government servant, duly approved by the competent authority only from a date subsequent to the date on which the notification of his appointment was issued by the Establishment Division, and that in no case the government servant could assume charge from a date earlier than the date of notification issued by the Establishment Division, unless specifically stated.

2. It has been noticed that the instructions referred to above have not been observed in a number of cases by the Ministries/ Divisions and, in some cases government servants were allowed to assume charge of the posts to which they were appointed by the Establishment Division, with effect from dates earlier than the dates of the notifications of their appointments issued by the Establishment Division. In view of this, it is considered necessary to reiterate the position stated in para 1 above. The fact that vacancies were available in certain cases from back dates, is not relevant, and no government servant can be allowed to assume charge of a higher post retrospectively only for that reason. Further, in order to regularise the position, it is requested that all such cases should be reviewed and relevant notifications, if any, which may have been issued by the Ministries/Divisions in contravention of the instructions referred to above, should be cancelled immediately, and revised notifications issued, under intimation to the Establishment Division.

[Authority:— Estt. Division O.M. No. 22/25/73-AV, dated 10-12-1973].

IX. SHORT TERM APPOINTMENTS
10.1 Other Short-Term Appointments

Temporary vacancies upto two months or more.— Orders were issued (vide Establishment Division Memorandum No. 54/27/ 53-ME, dated the 30" September, 1953 and 14" November, 1953) to the effect that:-

(i) | No vacancy less than 4 months' duration should be filled;
(ii) | Vacancies exceeding 4 months should not normally be filled but may be filled under the personal orders of the Heads of Ministries/ Divisions/ Departments;

(iii) Exception from (i) and (ii) above may be made in the case of technical staff.

2. The question of filling of short-term vacancies has been considered further and it has since been decided, in supersession of the orders referred to above, that :

(i) No vacancy upto 2 months should be filled;

(ii) Vacancies exceeding 2 months should not normally be filled but may be filled under the personal orders of the Heads of Ministries/ Divisions/Departments;

(iii) In case where the nature of work is such that the employment of staff for a short period is unavoidable in the interest of essential work, relaxation in respect of promotion or recruitment to vacancies of even less than 2 months duration should be made and such vacancies should be filled under the personal orders of the Heads of Ministries/Divisions/ Departments. Such relaxation should, however, be made only after consultation with the Establishment Division.

[Authority:— Estt. Division’s O.M. No. 54/27/53-ME, dated 8-4-1954 as amended vide O.M. No.11/4/61-F.IL (XV), dated 6-4-1962].
Note.-The above orders do not apply to the case of Secretaries to Government for whom separate orders exist.
10.2. Vacancies Caused by Deputation of Officers Abroad

There has been some confusion in the past in regard to the necessity or otherwise for creation of posts for making officiating arrangements in vacancies caused by the deputation of officers abroad. The matter has been examined and the following instructions are issued for the guidance of Ministries/Divisions, etc.:-

(1) When the officer hands over charge of his post.- The officer concerned is placed on special duty and is entirely detached from duties of the post which he ordinarily holds. A post of Officer on Special Duty would have to be created in the Ministry sponsoring his deputation and the vacancy created in his own Ministry can be filled up in the normal course.

(2) When the officer does not hand over charge of his post.- The officer is not detached from the duties of his post and it is not necessary to make arrangements for the disposal of the work relating to the post due to the absence of its incumbent. A new post in a lower BPS may be created with

the sanction of the authority competent to create such lower post for the period of the officer's absence on duty.

2. The instructions contained in the Ministry of Finance Office Memorandum No. 4561-EG.1/1/51, dated the 12" July, 1951, are hereby cancelled.

[Authority:— Finance Division’s O.M.No.3005-EG-1/52, dated 7-5-1952].

10.3. Vacancies Caused by Suspension of Government Servants

The question, whether a vacancy caused by suspension of a government servant can be filled up like other ordinary vacancies has been examined in consultation with the Ministry of Finance and the Law Division. It has been decided that, though a vacancy caused by suspension of an officer cannot be filled up substantively, it can be filled up on an officiating basis, and that no supernumerary post need be created in such case.

2. This supersedes Establishment Division's O.M. No. 2/14/67-CIII dated the 19" September, 1968.

[Authority:— Estt. Division’s O.M. No. 6/2/71-DI, dated 20-9-1971].

10.4 Procedure for Creation of Posts of Officer on Special Duty (O.S.D.) and Making Appointments Thereto

A question had arisen whether a procedure should be laid down for creation of posts of O.S.D. and making appointments to such posts. The posts of O.S.D. may be created for the following reasons:—

(1) Government servants (member of a regularly constituted service* or otherwise permanent) waiting for posting orders.

“Q) Deputation of a government servant (member of a regularly constituted *service or otherwise deputed) for duty or course of instruction or training in Pakistan or training abroad, for a period exceeding two months, in accordance with the instructions contained in the Ministry of Finance O.M.No.3005-EGI/52, dated 7-5-1952. (Annex)

(3) For doing work of a special nature, e.g. examination and/or implementation of reports of Commissions/ Committees etc.

(4) For overcoming technical difficulties.

2. In all such cases, concurrence of the Ministry of Finance/ Financial Adviser concerned will be necessary before the posts are created.

* or ‘group’.
** amended vide Estt. Division’s O.M.No.1 1/3/79-DV, dated 11-10-1979.

3. As to the question of appointment to such posts, the matter has been considered in consultation with the Federal Public Service Commission and it has been decided that Establishment Division and the Commission need not be consulted in regard to appointment to the posts created for the reasons stated at para (1) and (2) above.

4. Inregard to posts created for the reasons stated at para | (3) and (4) above, it has been decided that such posts may be filled by suitable officers either by transfer or by promotion or by direct recruitment on the recommendation of the authority concerned.

5. It has also been decided that the Establishment Division should be consulted before the Ministry of Finance are approached for creating a post of O.S.D. for the reasons stated at (4) above.

6. Apart from the cases as mentioned above, there may be instances in which a temporary government servant holding the post of O.S.D. may be sent for duty/training abroad. It has been decided that in such cases if the temporary government servant is holding the post with the approval of the Federal Public Service Commission or the Selection Board, no consultation will be necessary either with the Commission or the Establishment Division in the case of deputation for duty, but in the case of deputation for training the Establishment Division should be consulted. In the case of officers appointed without consultation with the Commission or Selection Board, the Establishment Division and the Commission both should be consulted before any such officer is deputed for duty or training abroad.

[Authority:— Estt. Division’s O.M. No.5(1)/8/67-DV, dated 19-9-1968]

ANNEX
(See para 1(2))

[Copy of Finance Division O.M.No. 3005-EG.1/52, dated 7-5-1952.]

Officiating Arrangements in Vacancies Caused by Deputation of Officers Abroad.

There has been some confusion in the past in regard to the necessity or otherwise for creation of posts for making officiating arrangements in vacancies caused by the deputation of officers abroad. The matter has been examined and the following instructions are issued for the guidance of Ministries/Divisions etc:-

(1) When the officer hands over charges of his post.— The officer concerned is placed on Special Duty and is entirely detached from the duties of the post which he ordinarily holds. A post of Officer on Special Duty would have to be created in the Ministry sponsoring his deputation and the vacancy created in his own Ministry can be filled up in the normal course.

(2) When the officer does not hand over charge of his post.- The officer is not detached from the duties of his post and it is not necessary to create a temporary post. In case, however, it becomes necessary to make arrangements for the disposal of the work relating to the post due to the absence of its incumbent, a new post in a lower grade may be created with the sanction of the authority competent to create such lower post for the period of the officer's absence on duty.

2. The instructions contained in this Ministry's Office Memorandum No.4561-EB.I/ 1/51, dated the 12" July, 1951, are hereby cancelled.

X. APPOINTMENT OF CONSULTANTS

11.1 Re-employment of Consultant After the Age of Superannuation

Reference the guidelines regulating the appointment of Consultants in Ministries/ Divisions and Organizations under their administrative control providing inter alia, the following, vide para 8(i) issued under U.O. No. 11-3/2001-MSW-IIL, dated 25-1-2002:—

"8 (i) Engagement of retired officers as Consultants/Advisers etc. shall require prior permission of the government, invariably i.e.

Establishment Division in case of retired civilian officers;
Defence Division in case of retired defence officers; and
Law, Justice and Human Rights Division/Supreme Court/ High Courts in case of retired judiciary officers.

2. On the other hand instructions contained in Establishment Secretary d.o. No. 5/21/80-A.II/D.4/D.5, dated 18.12.1985 issued with the approval of the Prime Minister provide that consultancies granted after the age of superannuation will be treated as re-employment and will be subject to the same rules as are applicable to re-employment after superannuation.

3. With a view to drawing a distinction between the consultancies offered to retired officers only to re-employ them after superannuation and those retired/ superannuated officers who qualify for consultancy through open competition and are offered perks, privileges (package) laid down for that position, a Summary was submitted to the Prime Minister for approval of suitable modifications/clarifications to the instructions contained in Establishment Secretary's d.o letter No. 5/21/80-A.III/D.2/ D.5 dated 18-12-1985. The Prime Minister has been pleased to approve that the re-employment rules should apply to those government servants who are appointed on contract as Consultants or otherwise after superannuation without open competition. On the other hand, those retired government servants who compete with others in the private sector for a consultancy position on the basis of open competition and are selected on merit should be entitled to the package, perks and privileges laid down for that position. The contract offered without competition and open merit be governed by re-employment rules while consultants selected on the basis of open competition and merit be offered the relevant package, which the position carries.

4. Ministries/Divisions are requested to follow the above instructions and also bring them to the notice of the Attached Departments, Subordinate Offices, Autonomous Bodies/Semi-Autonomous Bodies, Corporations Regulatory Authorities etc. under their administrative control for compliance.

[Authority:— Establishment Division's No. 10/67/2004-R.2, dated 21* June, 2005]

11.2 Submission of Panels for Nomination
by the Prime Minister

Refer the subject noted above and to state that the Prime Minister has observed that Ministries/Divisions while proposing names for certain positions requiring approval of the Prime Minister have not been proposing appropriately considered panels for selection. In some cases, single nomination are made, while in other, those recommended have no relevance to the job or organizations for which they are being proposed.

2. The Prime Minister has desired that, in future, the Ministries/Divisions shall ensure the following:-—

i) A panel consisting of minimum three people shall be proposed for one position, without fail. Establishment and Cabinet Divisions shall not process any case for approval of the Prime Minister where panel consists of less than three nominations; and,

ii) The Administrative Secretary concerned shall be responsible for ensuring that CV of the proposed person provides adequate justification for his nomination for that assignment.

[Authority:— Estt. Division’s O.M No. 52/02/2016-E-1, dated 22-09-2016].

11.3 Guidelines for Appointment of Consultants

Consequent upon the findings of various Committees appointed during 2001 to examine the appointments of consultants and deliberations of the Conference held on 13 November, 2001, under the Chairmanship of the COS to the Chief Executive, the competent authority was pleased to direct, inter alia, that guidelines regulating the appointment of consultants in all Ministries/Divisions and organizations under their administrative control, be framed/ circulated on the approved lines, for compliance by all the Ministries/ Divisions/ Organizations. Accordingly, a set of guidelines, in the succeeding paragraphs, is circulated for strict compliance, to ensure that the best persons are transparently and competitively appointed in a cost-effective manner, only when a consciously and formally identified need for consultants exists.

Determination of Need for Consultants:

2. Need identification is a pre-requisite for any organization planning to obtain services of consultants, who are normally required to tender advice, being experts/specialists, on specific (generally technical) issues/projects to:

(a) | Address on uncommon problems;

(b) Provide technical supervisions; or

(c) Introduce innovative practices/solutions

Consultancies would generally fall into two broad categories:

(i) Project Consultancy— to provide technical support/ supervision by filling vacuum of technical expertise, specific to the project and funded out of

(i)

development funds; and

General/Management Consultancy-— to provide expert advice, unavailable in-house, to introduce innovative solutions to financial/human resources management/ technical issues or to act as agents of change for status-quo oriented permanent employees and commonly paid for out of non-development budget.

A consultancy would, therefore, always be assignment specific and time bound and should be preferred only when it is considered value effective to hire services of a consultant compared to developing in-house expertise.

3.

As a first step, the client organization is required to ascertain as to whether

or not the required expertise is available within the organization/ government. In case the expertise is available in-house, reasons for not undertaking the assignment internally may be spelled out and detailed justification, including the following, may be given for hiring the consultant: —

(i)

Gi)
(iii)
(iv)

(v)
(vi)

Terms of reference/specific tasks to be accomplished by the consultant.
Details of the outputs required of the consultant.
Anticipated benefits from the proposed assignment.

Professional expertise and experience required for the task to be undertaken.

Approximate time required for completion of the job.
Cost estimates.

The above information shall be placed for concept clearance before:

(a) A committee headed by the Secretary of the Ministry/ Division concerned and including representative of Finance Division, Establishment Division and the Planning & Development Division for non-development budget-funded consultancy; or

(b) The appropriate approval forum for development budget related consultancies.

Procedure for Hiring Consultants:

4.

After concept clearance has been received, the following procedure will be

pursued by the client Ministry/Division/Department/ Organization:

@)

(i)

(iii)

Consultancy should be widely advertised indicating the requirements mentioned at para-3 above.

Advertisement of consultancy will indicate the range of compensation package, including various facilities, depending on the nature of work involved. The applicants will be short-listed and prioritized by an in-house Committee of the client organization.

For general/non-development budget funded consultancies, a Selection Board, headed by the Secretary of the Ministry/Division concerned and including a representative each of Establishment Division and Finance Division, will recommend a panel of at least three candidates in order of merit for

consideration of the appointing authority. The Selection Board should also recommend the compensation package for the consultants placed on the panel.

(iv) For development budget/project related consultancies a competent Selection Board of the client organization, including a representative of the Planning & Development Division, shall recommend a panel of at least three names to the appropriate approval forum.

(v) Financial sanction for the appointment of a consultant on the terms and conditions recommended by the Selection Board should be obtained from the competent authority.

Final Approval:

5. Final approval will be accorded as follows:

(i) Development project-related consultancies will be approved by the competent approval forum and additional conditionalities of donors will be observed in grant funded consultancies.

(ii) General/non-development budget funded consultancies will be approved

by the Chief Executive, on proposals routed through the Establishment Division.

Contracting Procedure:

6.

While making an offer of appointment, the following will be provided in

the contract/agreement:—

(i) | Statement of objectives of the assignment.

(ii) Responsibilities of the consultant stating particulars of the outputs required of him.

(iii) Responsibilities of the client indicating types of inputs to be provided to the consultant.

(iv) Duration of the contract indicating completion dates/ termination of contract.

(v) | Financial provisions reflecting manner of payment of remuneration etc.

(vi) General provisions regarding matters like earlier termination of contract.

(vii) Mode of periodic performance appraisal of the consultant.

Others:

7. Following further guidelines will also be kept in view while appointing

consultants:—

(i) No person retired from a government organization will be hired as a consultant only to re-employ him/her.

(ii) Consultants should not be appointed to perform routine functions of an

organization.

(iii) Special attention should be given by the Divisions/ Organizations to train and develop their own personnel to take up higher responsibilities.

(iv) An objective evaluation and assessment of a consultant's performance should invariably be undertaken on a periodic basis in a manner especially designed for the job.

8. In addition to the above, following further guidelines will also be strictly complied with:—

(i) | Engagement of retired officers as Consultants/Advisers etc. shall require prior permission of the government, invariably i.e.

(ii) | Establishment Division in case of retired civilian officers;
(iii) Defence Division in case of retired defence officers; and

(iv) Law, Justice and Human Rights Division/Supreme Court/ High Courts in case of retired judiciary officers.

(v) The Prime Minister's Inspection Commission shall conduct regular/periodical checks in order to monitor compliance of the guidelines;

(vi) Any deviation/departure of the prescribed guidelines shall be dealt with seriously and the defaulting officer(s) shall be proceeded against, under E&D laws/rules.

(vii) A uniform proforma be devised containing all essential particulars/details regarding appointment of a Consultant etc. for evaluation/rational decision making by the Selection Committee/ Board concerned and approving authority.

9. Ministries/Divisions are requested to kindly comply with the above guidelines and also accordingly inform their related departments/ organizations for compliance.

10. This issues with the convenience of the approval of the competent authority by the Prime Minister Secretariat.

[Authority:— Establishment Division, M.S. Wing's U.O. No.11-3/2001-MSW-III, dated 25-1-2002].

11.4 Guidelines for Appointment of Consultants — Designing of a Proforma

In pursuance of para-8(ii) of the Guidelines for Appointment of Consultants, circulated vide Estt. Division's U.O. of even number dated 25.1.2002, a proforma containing essential particulars/details regarding appointment of consultants has been designed for uniform evaluation and rational decision making by the Selection Board and the appointing authority.

2. It is, therefore, requested that information as per the enclosed proforma may invariably be placed before the Selection Board and the appointing authority.

[Authority:— Estt. Division M.S Wing’s U.O. No.11-3/2001-MSW-III, dated 12-2-2002].

PROFORMA FOR APPOINTMENT OF CONSULTANTS

ESSENTIAL PARTICULARS/DETAILS TO BE PLACED BEFORE THE SELECTION COMMITTEE/BOARD AND APPROVING AUTHORITY

PART -I

(1) Name of the Ministry/Division/
Department hiring the Consultant

(2) Area of consultancy

(3) Duration of consultancy

(4) Date of clearance by the Concept
Clearance Committee

(5) Date of advertisement (copy may be
enclosed)

(6) Number of applications received for the
position

(7) Number of Candidates short-listed
(Prioritized list* may be enclosed)

PART - II
(1) Justification for hiring the consultant on basis of need assessment.
(2) Terms of reference (TOR) of the assignment.
(3) Major activities to be performed under the TOR with date of completion in respect of each activity.
(4) Qualifications, professional experience and other specifications considered

necessary for the job.
(5) Cost of hiring the consultant:
(a) | Remuneration to be paid to the consultant.
(b) Cost of supporting staff.
(c) Cost of equipment/material.

(d) Others.

* Para A(ii) of the Guidelines for Appointment of Consultants refers.

(6)

d)

2)

d)

(2)

Anticipated benefits of the proposed consultancy including savings to the organization.

PART - III

(To be filled when the case is submitted for consideration of the appointing authority)

Names of candidates in order of merit, recommended by the Selection Board, broadly giving reasons for such selection.

Compensation package for the Consultants recommended by the Selection Board.
PART - IV

A profile of each candidate, in case of individuals, and profiles of principals in case of a firm etc., covering the following, may be enclosed alongwith detailed CV:

(a) Name of the candidate/principal

(b) Age with date of birth

(c) Qualification and experience relevant to the assignment

(d) Other factors which support individual's/firm's suitability for the job
Draft contract agreement *may be enclosed.

(J Candidates short listed when the case is submitted for consideration of the Selection Board.

(II) Panel of candidates recommended by the Selection Board when the case is submitted for consideration of the appointing authority.

*May be revised/modified, if required, in the light of recommendations of the Selection Board when the ca
submitted for consideration of the appointing authority.

XI. UPGRADATION POLICY

12.1 Upgradation of Posts and Procedure for Filling-up of Upgraded Posts

Establishment Division has been receiving proposals for upgradation of posts with immediate effect and also for upgradation of their incumbents. It is clarified that upgradation of a post implies the abolition of the existing post and creation of a new post in the higher grade. Upgradation of a post does not mean automatic upgradation of its incumbent. Appointment to the upgraded post will have to be made in the manner prescribed for that post. If a post is upgraded with immediate effect, the incumbent would be left without any post (in his grade) until he is approved for appointment to higher grade.

2. In view of the position explained above, all Ministries/Divisions are requested that while sanctioning upgradation of the existing posts, it should be clearly provided in the sanction letter that upgradation of the post would take effect from the date the post is filled by a person in the higher grade. This would ensure that until the existing incumbent is formally appointed to higher grade, the post and the incumbent would continue in lower grade.

[Authority:— Estt. Division’s O.M.No.8/10/83-R.1, dated 6-3-1983].

12.2 Upgradation of Posts

In continuation of Establishment Division’s O.M. No. 8/130/91-R.1, dated 3" December, 1991, it is stated that the President under sub-para ‘F’ of para 3 of the Presidential directive No. 57/1/CMLA, dated 2m August 1979 had, inter-alia, frozen upgradation of posts till further orders. Prior to this, the upgradation of posts used to be made with the approval of the Finance Division and Establishment Division. However, after the directive, all the cases of upgradation of posts are submitted to the Prime Minister for approval, in relaxation of the above Presidential directive with the concurrence of Finance Division and Establishment Division.

2. It has come to the notice of the government that Ministries/ Divisions/ Departments efc. are upgrading the posts without the approval of the competent authority ie. the Prime Minister and concurrence of the Finance Division (Regulations Wing) and Establishment Division. Similarly, the appointments against the upgraded posts are being made by the Ministries/Divisions/Departments etc. without going through the prescribed selection process or approval of the competent authority. It may be pointed out that the upgradation of posts does not mean automatic upgradation of the incumbents. The appointment against the upgraded post will have to be made in the manner prescribed in the recruitment rules for that post and with the approval of the competent authority. Therefore, upgradations of posts made by the Ministries/ Divisions/Departments etc. and appointment of their incumbents against such posts without going through the prescribed selection process or approval of the competent authority are irregular.

3. In view of the above, Ministries/Divisions are requested not to make any upgradation without the concurrence of Finance Division (Regulations Wing) and Establishment Division and the approval of the Prime Minister. The upgradation of posts, made by the Ministries/ Divisions without this process, may be submitted for regularization etc. in the prescribed procedure and for approval of the competent

authority. The above position may also be brought to the notice of all Departments/ Autonomous/Semi-Autonomous Bodies/Corporations etc. under the administrative control of the Ministries/Divisions.

[Authority:— Estt. Division's O.M No. 8/130/91-R.I, dated 12" May, 1992]

12.3. Policy for Upgradation/Re-designation of Posts

On a summary submitted recently to the' Chief Executive, he has been pleased to approve the policy for upgradation/re-designation of posts as indicated in the proceeding paragraphs.

2. Henceforth, the upgradation of posts shall be considered in the following cases only:

(a) When it is considered necessary to up-grade certain posts in order to rationalize the administrative structure of a Ministry/ Division or a Department to make it more effective or to bring about uniformity of pay scales of similar posts in different organizations.

(b) Where the duties and responsibilities attached to a post have considerably increased.

(c) Where pay scale of a post is considered grossly incommensurate with the qualifications and experience prescribed for appointment to that post.

(d) Up-gradation of a post on personal basis may not be allowed except if any officer, already holding on regular basis a higher grade post, is posted against a post, carrying lower grade, due to exigencies of service.

3. Subject to the observance of the parameters referred to in sub-paras (a) — (d) above, the future proposals for the up-gradation/re-designation of posts shall be processed as under:-

(i) The cases for up-gradation/re-designation of the posts in BPS 1 to 19 will be decided by the Finance Division in consultation with the Establishment Division. However, the decision about the proposed up-gradation/re-designation of posts in BPS 1 to 19 will be taken at the level of Secretary, Finance Division and the Secretary Establishment Division.

(ii) Cases of up-gradation/re-designation of posts in BPS 20 and above will be submitted to the *Chief Executive for approval but after seeking the concurrence of Finance Division and the Establishment Division.

4.“ [When the competent authority approves the up-gradation of a post in the situations mentioned in sub-paras (a), (b) and (c) of para 2, appointment to the up-graded post should be made in accordance with the provisions of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, and the specific rules which regulate appointment to the post.]

* Now Prime Minister.

oy

Subs. and deleted vide Estt. Div.'s O.M.No.F.8/36/2000-R.I, dated 3-2-2001.

5. The above instructions may please be noted by the Ministries/ Divisions for strict compliance.

6]

[Authority:— Estt. Div.'s O.M.No.F.8/36/2000-R.I, dated 20.01.2001].

12.4 Up-gradation of Ministerial Posts

Refer to the subject noted above and to say that Ministries/Divisions of the Federal Government have sought different clarifications from Establishment Division. The matter has been examined and it is decided that consolidated reply shall be given to all. Therefore, the clarifications and the reply of Establishment Division on same are as under:—

Clarifications	Reply
(i) The existing Assistant-In Charge have been granted BS-16 as one time dispensation and the posts are declared as dying cadre.	(i) It is upto the administrative Ministry/Division to convert the same post in to the post of Assistant in Charge who have been granted BS-16 the posts become vacant, what will be the status/fate of these posts?
(ii) The uniform Recruitment Rules of ministerial staff are applicable to all Ministries/Divisions/ Departments of the Federal Government.	(ii) Whether the facility of up-gradation is applicable only to the employees of Ministries/ Divisions or it is also applicable to employees of Attached Departments/Subordinate Offices.
(iii) Training is mandatory in the event of promotion and initial appointment. For initial appointment after selection before completion of probation period and for promotion before other wit	(iii) Whether required training shall be a consideration for promotion passing pre-requisite to the up-gradation or of prescribed training is mandatory.
(iv) Will the officials on deputation also up-graded at their place of present be up-graded at their place of posting.	(iv) The officials on deputation also stand present posting or they will be repatriated to their parent department for up-gradation.
(v) Project staff / contract employees	

which have been appointed in the prescribed manner are also entitled to

(v) The post of Assistant/UDC/LDC working on contract basis will also be up-graded or otherwise? the benefits of this up-gradation, if it is not in conflict with their terms of appointment.

* Deleted vide Establishment Division’s O.M. No. F.8/36/2000-R.I, dated 3-2-2001.

Clarifications Reply
(vi) Ifa post has already been advertised | (vi) Necessary corrigendum advertis-

in the newspapers without mention-
ing requisite basic IT training
Course from NITB before receipt of
Establishment Division's O.M in
question dated 10-08-2016. Whether
recruitment process may be
completed in accordance with the
existing Recruitment Rules or the
post may be re-advertised in the
newspapers?

(vii) Whether, up-gradation of ministerial
staff is applicable on autonomous

bodies?
(viii) Whether the higher scale BS-16 may
also be granted to existing

incumbents who are working against
the post of Assistant on acting
charge basis or otherwise.

(ix) Whether for grant of BS-16 to
Assistant will be notified or office

order will be issued.

ement may be issued.

(vii) Autonomous Bodies may adopt the
same decision in accordance with
their respective Service Rules.

(viii) Acting charge appointment is made to
those officials who otherwise are
eligible for promotion but do not
possess the required length of service
for promotion under Rule 8 B of Civil
Servants (Appointment, Promotion &
Transfer) Rules,1973. There-fore, the
incumbent of the post of Assistant
(BS-15) working on acting charge
basis will be allowed grant of BS-16
in due time after regularization to the
post of Assistant (BS-15).

Establishment Division's d.o letter
No.1/1/73-ARC, dated 10-11-1973
provides notifying of all appoint-
ments in BS-16 and above in the
Gazette of Pakistan. Estt. Division

vide its O.M No. 1/13/96-R-6, dated 10-08-2016 has up-graded the post of Assistant to BS-15 and grant of BS-16 is allowed to existing incumbents of the post. The substantive pay scale of the post of Assistant is BS-15 and BS-16 is only grant. Therefore, Office Order may be issued.

Gx)

[Authority:— Establishment Division’s O.M No.7/6/2002-R-6(Pt-II) dated 11-01-2017].

12.5 Up-gradation of Ministerial Posts

Refer to the above noted subject and to say that as earlier clarified by Estt. Division vide O.M No. 7/6/2002-R-6(Pt-II) dated 11-01-2017, the contractual employees appointed under the Prime Minister's Assistant Package from time to time are entitled for the benefits of up-gradation issued vide Establishment Division's O.M No. 1/13/96-R-6 dated 10-08-2016.

[Authority:— Establishment Division's O.M No.8/90/2016-E-2 dated 23-02-2018].

12.6 Appointment to Upgraded Posts

Refer to the Establishment Division's O.M. No.8/36/2000-R-I dated 20-01-2001 containing policy of upgradation/re-designation of posts and to state as under:—

i) The instructions contained in Establishment Division's O.M.No. 8/36/2000-R-I dated 20-01-2001 as amended on 03-02-2001 provide that when the competent authority approves the up-gradation of a post on regular basis, appointment to the upgraded post should be made in accordance with the provisions of the Civil Servants(Appointment, Promotion and Transfer) Rules,1973, and the specific rules which regulate appointment to the post.

ii) The instructions contained in Establishment Division's O.M.No. 8/10/83-R-I dated 06-03-1983 and O.M. No.8/130/91-R-I dated 12-05-1992 provide that up-gradation of a post does not mean automatic up-gradation of its incumbent. Appointment to upgraded post will have to be made in the manner prescribed for that post. If a post is upgraded with immediate effect, the incumbent would be left without any post (in his grade) until he is approved for appointment to higher grade. Therefore, upgradation of posts made by the Ministries/Divisions/ Departments efc. and appointments of their incumbents against such posts without going through the prescribed selection process or approval of the competent authority, are irregular.

2. It would be highly appreciated if the above mentioned instructions are complied with in letter and spirit in order to avoid administrative complications and future litigation.

[Authority:- Estt. Div.'s D.O.No.8/36/2000.R-I dated 31-12-2008]

12.7 Upgradation of the posts of Stenotypist,
"Stenographer and Private Secretary

Consequent upon approval of the Prime Minister of Pakistan, the posts of Private Secretaries, *Stenographers and Stenotypists have been upgraded with immediate effect, subject to fulfillment of the conditions mentioned against each.

* Stenographer re-designated as Assistant Private Secretary.

Sr. #	Name of the Post Existing	Upgraded Condition
	BS	BS
1.	Private Secretary	17 - Will continue to remain in BS-17 and will be granted BS-18 after putting in 5 years satisfactory service instead of 7 years. The Private Secretaries in BS-18 will further be granted BS-19 after putting in 12 years service in BS-17 and above taking benefit of Establishment Division's O.M No. 1/9/80-R-II dated 2-6-1983. However, on grant of BS-19 nomenclature of the post will be Senior Private Secretary. The existing Private Secretaries in BS-17 will be granted BS-18 on one time basis, irrespective of their length of service in BS-17.
2.	*Stenographer	15 16 With enhancement of qualification for initial appointment | from intermediate —_—to Graduation.
3.	Stenotypist	12 14 With enhancement of qualification for initial appointment from Matriculation to Intermediate.

The incumbents of the upgraded posts will also stand upgraded and their pay will be fixed at the stage next above their basic pay in their lower pay scale.

2. The Establishment Division will amend the recruitment rules of the above said posts, accordingly.

[Authority:— Finance. Div.'s O.M.No.F.19(55)Legal-II/2010-1055 , dated 23-12-2011].

12.8 Re-designation of the post of Stenographer (BS-16) as Assistant Private Secretary (BS-16)

In exercise of the power conferred by sub-rule(2) of rule 3 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, the following amendment shall be made in the Recruitment Rules of Establishment Division notified vide SRO. 526(1)/2012, dated 18" April 2012, namely:—

In the aforesaid Recruitment Rules,—

The brackets/words/figures "Stenographer (BPS-16)", where occurring shall be substituted with the brackets/words/figures "Assistant Private Secretary BPS-16)".

2. This Notification issued with the approval of Establishment Division vide O.M No. 7/6/2002-R-6 (Pt-I), dated 09-04-2013 and FPSC vide letter No. F. 12-04-2012-RR dated 23" July, 2013.

[Authority:- Estt. Division’s S.R.O. 785(1)/2013, dated 23-07-2013]

12.9 Upgradation/Re-designation of the Post

Refer to Establishment Division's O.M No.8/36/2000-R-I dated 20-01-2001 and 03-02-2001 on the above subject and D.O. No.8/36/2000-R-I dated 31-12-2008 regarding policy of upgradation/re-designation of posts and to state that Establishment Division examines/ considers the proposals concerning upgradation/re-designation of the posts in the Federal Ministries/Divisions/Attached Departments received from respective Ministries/ Divisions in the light of aforementioned policy.

2. The Honorable Supreme Court of Pakistan in Civil Appeals No. 101 & 102-P of 2011 has ordered as under:—

"The upgradation cannot be made to benefit a particular individual in term of promoting him to a higher post and further providing him with the avenues of lateral appointment or transfer or posting. In order to justify the upgradation, the Government is required to establish that the department needs re-structuring, reform or to meet the exigency of service in the public interest. In the absence of these pre-conditions, upgradation is not permissible.

3. Subsequent to Apex Court's judgment, Finance Division vide their U.O No. 9(121) R-1/2016-236 dated 19-04-2017 stated that:—

"Establishment Division is requested to look in to the service structure as a whole of Federal Government keeping in view of the Judgment dated 17-02-2016 of the Supreme Court of Pakistan in consultation with M.S Wing to remove the anomaly/distortion created due to up-gradation of posts and submit recommendations for approval of the Prime Minister"

4, In view of the above, all Ministries/Divisions are advised to refer the proposals for upgradation/re-designation of post(s) to Establishment Division in the light of paras 1-2 above alongwith specific recommendations of Management Services Wing of the Establishment Division/administrative Ministry/Division on upgradation/re-designation of post(s) for consideration under policy of upgradation/re-designation of posts.

[Authority:- Estt. Division's O.M No. 8/36/2000-R-I dated 11-09-2018].

XII.

13.1 Assistance Package for Families of Government Employees Who Die in Service

PRIME MINISTER'S ASSISTANCE PACKAGE

The approval of Prime Minister of Pakistan to the following assistance package for government employees who die in service: —

Item	In Service Death	Security Related Death
Lump Sum Grant	Upto Rs. 1.0 million, according to following scales:- BS Amount BS Amount (Rs.) (Rs.) 1-4 200,000 1-5 500,000 5-10 300,000 16-19 1,000,000 11-15 400,000 20 & above 1,500,000 16-17 500,000 18-19 800,000 20 & above 1,000,000	
Pension	75% pension to the spouse or eldest son till the youngest child attains the age of 18 years. Normal pension to the spouse after that for life.	Full pension to the spouse or eldest son till the youngest child attains the age of 18 years. Normal pension to the spouse after that for life.
Accommodation		

Retention of government house or payment of rent for hired house for 05 years or till the age of superannuation, whichever is earlier, but for a minimum period of 03 years.

Retention of government house or payment of rent for hired house till superannuation or for 05 years whichever is later.

Employment

[Employment for posts in BS-01 to BS-15 on five (05) years contract appointment without advertisement which may further be extendable till the age of superannuation or regularization as the case may be.]

[Employment for posts in BS-01 to BS-15 on five (05) years contract appointment without advertisement which may further be extendable till the age of superannuation or regularization as the case may be.]

Education

Free education to one child up to the age of 18 years.

Free education to all the children up to the age of 18 years.

Health

Free health facilities to widow for life and for children upto age of 18 years in government hospitals.

Free health facilities to widow for children upto to age of 18 years in government hospitals.

Plot of Land

Allotment of a plot as per FGEHF policy against 2% quota fixed for deceased employees.

The widow would also be eligible to be considered for allotment of plot as per **FGEHF policy applicable to serving

Federal Government employees. However, allotment of plot against one category would render her ineligible for consideration in second category.

Allotment of a plot as per ~FGEHF policy against 2% quota fixed for deceased employees.

The widow would also be eligible to be considered for allotment of plot as per **FGEHF policy applicable to serving Federal Government employees. However, allotment of| plot against one category would render her ineligible for consideration in second category.

* Amended vide Establishment Division’s O.M No. 8/65/2016-E-2 dated 21-05-2018.
Federal Government Employees Housing Foundation.

Item In Service Death Security Related Death
House Building |In case of advance against salaries|In case of advance against salaries
Advance sanctioned by the AGPR or the provincial|/sanctioned by the AGPR or the
AG Office, the unpaid balance to be|provincial AG Office, the unpaid
waived. balance to be waived.
2. All Ministries/Divisions are requested to take further necessary action in

the matter accordingly.

[Authority:- Establishment Div.'s O.M No. 7/40/2005-E.2, dated the 13" June, 2006].

13.2 Assistance Package for Families of
Government Employees Who Die in Service

In continuation of Establishment Division's O.M. No.7/40/2005-E-2 dated 13-06-2006, amended from time to time, on the above noted subject, the Prime Minister has now been pleased to approve the following amendments/ additions, effective from 15-06-2013, in the existing Assistance Package for families of Government Employees who die in service: —

Item

In Service Deaths

Security Related Deaths

Lump Sum
Grant

Upto Rs.9 million according to
following scales:—

a. Upto Rs.10 million according to

following scales:—

BS Amount BS Amount
1-16 2.5 Million 1-16 3 Million

17 4 Million 17 5 Million
18-19 8 Million 18-19 9 Million
20 & above 9 Million 20 & above 10 Million

b. — Rs.700,000/- to the officers/ officials
incapacitated and released from service for
having become invalid as a result of injury
in encounters/bomb blz riots/watch and
ward duty or terrorist activity.

c. Rs.500,000/- to the officers/officials
incapacitated as a result of the injury in
accidents as stated in para "b" above but
who are still serving in the department.

Pension

Full pay and allowances to the families of government servant till the date of superannuation, with increments and full benefits of the revised rates of all pay and allowances, special/Adhoc relief etc., as allowed by the government from time to time.

On attainng the age of superannuation, his/her spouse shall be entitled to full pension as per tules governing — superannuation officials.

Education

Free education to all the children of|

Free education to all the children of the

the deceased government

deceased government employees upto

employees upto higher education

higher education level including expenses of

level including expenses of children |children on account of tuition Fee, Books
on account of tuition Fee, Books |and related material, living allowances etc.
and related material, living
allowances etc.
Cash BS Amount BS Amount
payment in || 1-8 2 Million 1-8 2 Million
lieu of plot || 9-16 5 Million 9-16 5 Million
of land 17 and above 7 Million 17 and above 7 Million
Employment | Employment of widow/widower, | Employment of widow/ widower, one son
one son or daughter to the posts | or daughter to the posts in BS-01 to BS-
in BS-01 to BS-15, on regular | 15, on regular basis without advertisement
basis without advertisement | against the post criteria of which the
against the post criteria of which | applicant fulfills.
the applicant fulfills.
Marriage Marriage grant amounting to | Marriage grant amounting to Rs.0.80
Grant Rs.0.80 million, on wedding of | million, on wedding of one daughter.
one daughter.
Nomination An officer of BS-17 or BS-18, to | An officer of BS-17 or BS-18, to be
of an officer | be nominated by each Ministry/ | nominated by each Ministry/ Division/
as counsel Division/ Department as counsel, | Department as counsel, will be
will be responsible for finaliza- | responsible for finalization/ provision of
tion/ provision of all the facilities | all the facilities under the package, to the
under the package, to the families | families of Govt. employees who die in
of Govt. employees who die in | service, within one month of the incident.
service, within one month of the
incident.
Special A. special lump sum grant from
Lump Sum Benevolent Fund ranging from
Grant from Rs.200,000 to Rs.500,000 as per
Benevolent following scales:—
Fund S. Pay Scales | Lump Sum
No. | (BS) Grant (Rs)
1. 1-10 200,000
2. 11-16 300,000
3. 17-19 400,000
4. |20 and above | 500,000
Monthly
Benevolent S. PAY Slabs Amount
Grant No. [Minimum [Maximum
1 Upto 5,000 8,000
2 5001 5,500 8,300
3 5501 6,000 8,600
4 6001 6,500 8,900
5 6501 7,000 9,200
6 7001 7,500 9,500

7 7501 8,000 9,800
8 8001 8,500 10,100

9 8501 9,000 0,400

0 | 9001 9,500 0,700

1 | 9501 11,000 1,200

2 | 1100 13,000 1,800

3 | 1300 15,000 2,400

4 | 1500 17,000 3,000

5 | 1700 19,000 3,600

6 | 1900 21,000 4,200

7 | 2100 23,000 4,800

8 | 2300 25,000 5,400

9 | 2500 27,000 6,000

20 | 2700 29,000 6,600

21 | 2900 31,000 7,200

22 | 3100 33,000 7,800

23 | 3300 35,000 8,400

24 | 3500 37,000 9,000

25 | 3700 39,000 9,600

26 | 39001 & 20,200

above

Pre requisite | In case of in service death | In case of in service death (normal) of a
for (normal) of a government | government employee, the following pre-

facilitation
of family of
deceased
Govt.
Employees

employee, the following pre-
requisite must immediately be
fulfilled by the concerned
Ministry/ Division/ Department
so that the family of the deceased
government employee could be

facilitated without any delay: —

a. Immediate submission of family pension case.

b. Option form for Direct Credit Scheme (online payment of pension).

c. Application for Anticipatory Pension (80% of the total pension).

Besides, as a pro-active approach,

each Ministry/Division/Department

must observe the following practices regarding their employees:—

d. Up to date list of family

requisite must immediately be fulfilled by the concerned Ministry/Division/ Department so that the family of the deceased government employee could be facilitated without any delay:—

a. Immediate submission pension case.
b. Option form for Direct Credit Scheme (online payment of pension).
c. Application for Anticipatory Pension (80% of the total pension).

of family

Besides, as a pro-active approach, each Ministry/Division/Department must observe the following practices regarding their employees: —

d. Up to date list of family members of each employee for pension purpose be maintained before hand.

e. Nomination for General Provident Fund must be ensured for each

members of each employee employee during his/her life time.
for pension purpose be
maintained before hand.

e. Nomination for General
Provident Fund must be
ensured for each employee
during his/her life time.

GP Fund In case of in service death, the | In case of in service death, the assistance
assistance package in terms of GP | package in terms of GP Fund shall be as

Fund shall be as follows:— follows:—

e BPS 1-3= Payable amount +

50% Bonus. © BPS 1-3= Payable amount + 50%

© BPS 4-22 Payable amount + | POMS:
30% Bonus. e ps ’ on Payable amount + 30%

US.

e Fixation of pay of each
employee on timely and
regular basis.

e Fixation of pay of each employee on
timely and regular basis.

© Service verification on regular Service verification on regular basis.

basis. e Upto date Service Statement.

Upto date Service Statement. e Maintaining leave account on regular

Maintaining leave account on basis.

regular basis. e Updating employee record through

e@ Updating employee record change in SAP of AGPR.
through change in SAP of
AGPR.
Payment of | The following steps shall be | The following steps shall be taken by the
Pension taken by the concerned Ministries | concerned Ministries/Divisions/
through /Divisions/Departments for | Departments for payment of pension
Direct Credit | payment of pension through | through Direct Credit Scheme (DCS)
Scheme Direct Credit Scheme (DCS) | (optional):—
(@cs) foptiontlas a. The Direct Credit Scheme must be
a. The Direct Credit Scheme made compulsory for all new
must be made compulsory for pensioners/family pensioners w.e.f.
all new __ pensioners/family 01-01-2015.
pensioners w.e.f. 01-01-2015. | b. The manual both halves would be

b. The manual both halves discontinued w.e.f. 01-01-2015 for all would be discontinued w.e.f. new pensioners/family pensioners.

01-01-2015 for all new pensioners/family — pensioners.

c. The historical pensioners must be brought into the stream of DCS, phase-wise.

The historical pensioners must be brought into the stream of DCS, phase-wise.

2. A list of other existing provisions remaining unchanged is also annexed information and referencing.

[Authority:— Establishment Division’s O.M No. 8/10/2013-E.2 dated 20-10-2014].

Annexure to

Establishment Division’s O.M No. 8/10/201-E-2

dated 20" October,2014

LIST OF OTHER EXISTING PROVISIONS OF PRIME MINISTER’S ASSISTANCE PACKAGE REMAINING UNCHANGED

Item	In Service Deaths	Security related Deaths
Pension	Upon embracing Shahdat, salary of such Government employees which they were drawing immediately before Shahadat may continue to be paid un-interrupted, along-with usual allowance and annual increments from time to time, commensurate to their pay scales, alongwith full pensionary benefits, to their widows/widowers/children till superannuation (Establishment Div.’s O.M No. 7/40/2005-E-2 dated 29" August, 2014).	
Plot of Land	Allotment of a plot as per FGEHF policy against 2% quota fixed for deceased employees. The widow would also be eligible to be considered for allotment of plot as per FGEHF policy applicable to serving Federal Government employees. However, allotment of plot against one category would render her ineligible for consideration in second category. (Establishment Division O.M. No. 7/40/2005-E-2 dated 13" June, 2006).	Allotment of a plot as per FGEHF policy against 2% quota fixed for deceased employees. The widow would also be eligible to be considered for allotment of plot as per FGEHF policy applicable to serving

Federal Government employees. However, allotment of plot against one category would render her ineligible for consideration in second category. (Establishment Division O.M. No. 7/40/2005-E-2 dated 13" June, 2006).

Waiver of Unpaid

The balance amount of plot allotted by FGEHF, in

The balance amount of plot allotted by

Amount of Plot|cases where both husband and wife have expired|FGEHF, in cases where both husband
Allotted by FGEHF |and their dependents are unable to pay the cost of}and wife have expired and _ their
the plot, shall be paid by the Government dependents are unable to pay the cost of
(Establishment Division O.M. No. 7/40/2005-E-2|the plot, shall be paid by the
(part 2) dated 15" March, 2008). Government. (Establishment Division
O.M. No. 7/40/2005-E-2 (part 2) dated

15" March, 2008).
House Building|In case of advance against salaries sanctioned by}In case of advance against salaries
Advance the AGPR or the provincial AG office, the unpaid|sanctioned by the AGPR or the

balance to be waived off. (Establishment Division O.M. No. 7/40/2005-E-2 dated 13" June, 2006).

provincial AG office, the unpaid balance to be waived off. (Establishment Division O.M. No. 7/40/2005-E-2 dated 13" June, 2006).

Motor Car, Motor cycle and Bicycle advances

The waiver of balance amount of Motor Car, Motor Cycle and Bicycle advances which the deceased employees secured while they were in service. (Estt. Division's O.M. No. 8/1/2011-E-2, dated 3" November, 2011)

The waiver of balance amount of Motor Car, Motor Cycle and Bicycle advances which the deceased employees secured while they were in service. (Estt. Division's O.M. No. 8/1/2011-E-2, dated 3" November, 201 1)

Item In Service Deaths Security related Deaths
Accommodation Retention of Government house or

payment of rent for hired house till superannuation or for 5 years whichever is later. (Establishment Division O.M. No. 7/40/2005-E-2 dated 13" June, 2006).

Motor Car, Motor cycle and Bicycle advances

Car, Motor Cycle and Bicycle advances which the deceased employees secured while they were in service. (Establishment Division's O.M. No. 8/1/2011-E-2, dated 3" November, 2011).

Car, Motor Cycle and Bicycle advances which the deceased employees secured while they were in service. (Establish-ment Division's O.M. No. 8/1/2011-E-2, dated 3"! November, 2011.)

Accommodation Retention of Government house or payment of rent for hired house till superannuation or for 5 years whichever is later. (Establishment Division O.M. No.7/40/2005-E-2 dated 13" June, 2006).

Health Free health facilities to widow for life and for|Free health facilities to widow for life children upto age of 18 years in Government|]and for children upto age of 8 years in hospitals. (Establishment Division O.M. No.|Government hospitals. (Establishment 7/40/2005-E-2 dated 13" June, 2006). Division O.M. No. 7/40/2005-E-2 dated

13" June, 2006).

Monthly Ss. Pay Slabs Grant

Benevolent Grant No. {Minimum Maximum

1 Upto 5,000 4,000
2 5,001 5,500 4,150
3 5,501 6,000 4,300
4 6,001 6,500 4,450
5 6,501 7,000 4,600
6 7,001 7,500 4,750
7 7,501 8,000 4,900
8 8,001 8,500 5,050
9 8,501 9,000 5,200
109,001 9,500 5,350
11__[9,501 11,000 5,600
12 {11,001 13,000 5,900

13__ {13,001 15,000 6,200
14__{15,001 17,000 6,500
15 {17,001 19,000 6,800
16 {19,001 21,000 7,100
17__ {21,001 23,000 7,400
18 [23,001 25,000 7,700
19 {25,001 27,000 8,000
20 {27,001 29,000 8,300
21 {29,001 31,000 8,600
22 {31,001 33,000 8,900
23 {33,001 35,000 9,200
24 (35,001 37,000 9,500
25 _|37,001 39,000 9,800
26 39,001 & 10,100
Above

13.3. Assistance Package for Families of Government Employees who Die in Service

In partial modification of Establishment Division's O.M of even number dated 20-10-2014 on the above subject and to say that the Prime Minister has also been please to approve the following amendment/addition, effective from 15-06-2013, in the existing Assistance Package for families of Government Employees who die in service:—

Item In Service Death Security Related Deaths

Accommodation Retention of Government house or payment of rent for hired house for 05 (five) years or till the age of superannuation which ever is later.

Authority:— Establishment Division's O.M No. 8/10/2013-E-2 dated 22-10-2014].

13.4 Assistance Package for Families of Government Employees who Die in Service

Refer to the subject noted above and to say that the Prime Minister has been pleased to constitute a Committee under the chairmanship of Secretary Finance to re-examine the policy of death benefits.

2. Till such time the report of the Committee is finalized, the death benefits notified vide Establishment Division's O.M No. 8/10/2013-E.2 dated 20-10-2014, shall remain held in abeyance.

Authority:— Establishment Division's O.M No. 8/10/2013-E-2 dated 09-02-2015].

13.5 Assistance Package for Families of Government Employees who Die in Service

Refer the subject cited above and to state that references/quarries on following aspects of Prime Minister's Assistance Package are often received in Establishment Division:

i. Whether the services of contract employees appointed under the said package can be regularized? if so, under what rules?

ii. Whether, on expiry of their term, the contract of employees, appointed under the said package, can be extended? If so, under what rules?

iii. Whether, upon holding in abeyance of the revised package issued vide Establishment Division's O.M No. 8/10/2013-E-2 dated 20-10-2014 what is the status of benefits to be granted to the widows/children of deceased Government Servants.

2. Aforesaid queries are clarified as under for general information of all concerned,

i. Regularization of services of employees appointed on contract basis are governed by Civil Servants (Appointment, Promotion & Transfer) Rules,

1973.

il. Extension in contract appointments is governed by instructions contained in Establishment Division’s O.M No. 8/10/2000-CP-I dated 23-12-2000.

iii. | Revision made to the subject Package vide Establishment Division’s O.M No. 8/10/2013-E-2 dated 20-10-2014 has since been held in abeyance, therefore, all cases are to be dealt under Establishment Division’s O.M No. 8/10/2013-E-2 dated 13-06-2006, till further orders/instructions.

[Authority:— Establishment Division’s O.M No. 8/10/2013-(E-IT) dated 25-05-2015].

13.6 Revision of Assistance Package for Families of Government Employees Who Die in Service

Refer to Establishment Division’s O.M No.

7/40/2005-E-2, dated 13”

June,2006, O.M No.8/10/2013-E-2, dated 20" October, 2014, O.M No. 8/10/ 2013-E-2 dated 9" February,2015 and O.M No. 8/10/2013 (E-II) (PT) dated 25" May,2015 including amendments thereof issued from time to time on the subject noted above and to state that the Prime Minister has been pleased to approve the following revised Assistance Package for Government employees, who die in service w.e.f 9" February,2015:—

ITEM

IN SERVICE DEATHS

SECURITY RELATED DEATHS

Lump Sum Grant

300% increase over the package-2006 for in service death of civilian employees. This increase will be given on the 2006 package as per following scales:—

BS Amount

1-4 Rs.600,000

5-10 Rs.900,000
11-15 Rs.1,200,000
16-17 Rs.1,500,000
18-19 Rs.2,400,000
20 & above | Rs.3,000,000

a. Upto Rs.10 million according to

following scales: —

BS Amount
1-16 3 Million

17 5 Million
18-19 9 Million
20 & above 10 Million

b. Rs.700,000/- to the officers/ officials incapacitated and released from service for having become invalid as a result of injury in encounters/bomb blasts, riots/ watch and ward duty or terrorist activity.

c. Rs. 500,000/- to the officers / officials incapacitated as a result of the injury in accidents as stated in para “b” above but who are still serving in the department.

Pension

100% pension to the families of a deceased Government servants as per their length of service and last pay drawn. In case of less than 10 years service of the deceased employees, rate of minimum 10 years service will be applicable.

100% pension to the families of a deceased Government servants as per their length of service and last pay drawn. In case of less than 10 years service of the deceased employees, rate of minimum 10 years service will be applicable.

Accommodation

Retention of Government house or payment of rent of hired house till the age of superannuation.

Retention of Government house or payment of rent of hired house till the age of superannuation.

ITEM IN SERVICE DEATHS SECURITY RELATED DEATHS	
Education Free education to all the children of	Free education to all the children of
the deceased government employees up to graduation in any public/ government educational institution including expenses of tuition fee, books related material and living allowances etc.	the deceased government employees up to graduation in any public/ government educational institution including expenses of tuition fee, books related material and living allowances etc.
Allotment of Plot	
Discontinuation of the entitlement of 2% quota for allotment of plot. Payment of lump sum grant in lieu of plot subject to the condition that no plot had been allotted in the past, as per scale given below:— BS Amount 1-8 2 Million 9-16 5 Million 17 and above TMillion	Discontinuation of the entitlement of 2% quota for allotment of plot. Payment of lump sum grant in lieu of plot subject to the condition that no plot had been allotted in the past, as per scale given below:— BS Amount 1-8 2 Million 9-16 5 Million 17 and above TMillion
Employment	
*[Employment for posts in BS-01 to BS-15 on five (05) years contract appointment without advertisement which may further be extendable till the age of superannuation or regularization as the case may be].	

[Provided further that in case the deceased government servant is survived by two or more widows and/or children from these widows, right of contract appointment shall be decided in the following manner and order:

a) the first widow or a child (18 years or above in age) from the first widow or a minor child from the first widow as soon as he/she attains age of 18 years but he/she has to exercise the option within the time period (one year from date of death) stipulated vide Establishment Division's O.M No. 4/1/2005-CP-I dated 13-04-2005 and failing that:

*[Employment for posts in BS-01 to BS-15 on five (05) years contract appointment without advertisement which may further be extendable till the age of superannuation or regularization as the case may be].

"[Provided further that in case the leceased government servant is survived by two or more widows and/or children from these widows, right of contract appointment shall be decided in the following manner and order:

a) the first widow or a child (18 years or above in age) from the first widow or a minor child from the first widow as soon as he/she attains age of 18 years but he/she has to exercise the option within the time period (one year from date of death) stipulated vide Establishment Division's O.M_ No.4/1/2005-CP-I dated 13-04-2005 and failing that:

"Amended vide Establishment Division's O.M No. 8/65/2016-E-2 dated 09-09-2016.
Added vide Establishment Division's O.M No. 1/39/2013-E-2 (pt) dated 03-08-2016.

the right to contract appointment shall stand transferred to the 2° widow or to a child (18 years or above in age) from the 2™ widow or to a child (18 years or above in age) from the 2™ widow or a minor child from the 2™ widow as soon as he/she attains age of 18 years but he/she has to exercise the option within two years of death.]

the right to contract appointment shall stand transferred to the 2° widow or to a child (18 years or above in age) from the 2"! widow or to a child (18 years or above in age) from the 2" widow or a minor child from the 2" widow as soon as he/she attains age of 18 years but he/she has to exercise the option within two years of death.]

Marriage Grant

Marriage grant amounting to Rs. 8 lac on wedding of one daughter, may be granted to family of deceased Government employees.

Marriage grant amounting to Rs. 8 lac on wedding of one daughter, may be granted to family of deceased Government employees.

provincial AG Office, the unpaid alance to be waived.

Health Free health facilities as per their entitlement during service. | Free health facilities as per their entitlement during service.

House Building | In case of advance against salaries | In case of advance against salaries

Advance sanctioned by the AGPR or the | sanctioned by the AGPR or the

provincial AG Office, the unpaid balance to be waived.

Nomination of an officer as council

An officer of BS-17 or BS-18 may

nominated by each Ministry/ Division/Department as council who will be responsible for finalization/provision of all the facilities under the package, to the families of Govt. employees who die in service within one month of the incident.

An officer of BS-17 or BS-18 may be nominated by each Ministry/ Division/Department as council who will be responsible for finalization/ provision of all the facilities under the package, to the families of Govt. employees who die in service within one month of the incident.

Special Lump Sum
Grant from
Benevolent Fund

A special lump sum grant from

Benevolent Fund ranging from Rs.200,000 to Rs.500,000

Sr. Pay Scales Lump Sum

(BS) Grant

1. 1-10 200,000

2. 11-16 300,000

3. 17-19 400,000

4. 20 and above 500,000

ITEM IN SERVICE DEATHS SECURITY RELATED
DEATHS
Monthly
Benevolent Grant |Sr. # Pay Slabs Grant Sr. # Pay Slabs Grant
Minimum {Maximum Minimum _|Maximum
1 Upto 5,000 4,000 1 Upto 5,000 8,000
2 5,001 5,500 4,150 2 5,001 5,500 8,300
3 5,501 6,000 4,300 3 5,501 6,000 8,600
4 6,001 6,500 4,450 4 6,001 6,500 8,900
5 6,501 7,000 4,600 5 6,501 7,000 9,200
6 7,001 7,500 4,750 6 7,001 7,500 9,500
7 7,501 8,000 4,900 7 7,501 8,000 9,800
8 8,001 8,500 5,050 8 8,001 8,500 10,100
9 8,501 9,000 5,200 9 8,501 9,000 10,400
10 9,001 9,500 5,350 10 9,001 9,500 10,700
ll 9,501 11,000 5,600 ll 9,501 11,000 11,200
12 11,001 13,000 5,900 12 11,001 13,000 11,800
13 13,001 15,000 6,200 13 13,001 15,000 12,400
14 15,001 17,000 6,500 14 15,001 17,000 13,000
15 17,001 19,000 6,800 15 17,001 19,000 13,600
16 19,001 21,000 7,100 16 19,001 21,000 14,200
17 21,001 23,000 7,400 17 21,001 23,000 14,800
18 23,001 25,000 7,700 18 23,001 25,000 15,400
19 25,001 27,000 8,000 19 25,001 27,000 16,000
20 27,001 29,000 8,300 20 27,001 29,000 16,600
21 29,001 31,000 8,600 21 29,001 31,000 17,200
22 31,001 33,000 8,900 22 31,001 33,000 17,800
23 33,001 35,000 9,200 23 33,001 35,000 18,400
24 35,001 37,000 9,500 24 35,001 37,000 19,000
25 37,001 39,000 9,800 25 37,001 39,000 19,600
26 39,001 10,100 26 39,001 20,200
& above & above
Prerequisite for |In case of in service death of a |In case of in service death (security
facilitation of | government employee, the | related) of a government employee,
family of deceased | following pre-requisites must |the following pre-requisites must
Govt. Employees immediately be fulfilled by the |immediately be fulfilled by the
concerned Ministry/Division/ | concerned Ministry/Division/
Department so that the family of the | Department so that the family of the

deceased government employee may

be facilitated without any delay:—

a. Immediate submission of
family pension case.

b. Option form for Direct Credit
Scheme (online payment of
pension).

c. Application for Anticipatory
pension (80% of the total
pension) Besides as a pro-
active approach each

Ministry/Division/ Departm-
ent must observe the follow-
ing practices regarding their
employees:—

deceased government employee may
be facilitated without any delay:—

a. Immediate submission of
family pension case.

b. Option form for Direct Credit
Scheme (online payment of
pension).

c. Application for Anticipatory
pension (80% of the total
pension).

Besides as a pro-active approach each
Ministry/Division/ Department must
observe the following practices
regarding their employees: —

d. Up to date list of family

d. Up to date list of family members of each employee for
members of each employee pension purpose be
for pension purpose be maintained before hand.
maintained before hand.
e. Nomination for General e. Nomination for General
Provident Fund must be Provident Fund must be
ensured for each employee in ensured for each employee in
his/her life. his/her life.
GP Fund Only payable amount of GP Fund |Only payable amount of GP Fund
shall be paid to the deceased family. | shall be paid to the deceased family.
Payment of |The following steps may be taken by |The following steps may be taken by
Pension through | the concerned Ministries/Divisions/ | the concerned Ministries/Divisions/
Direct Credit | Departments for payment of | Departments for payment of pension
Scheme (DCS) pension through Direct Credit | through Direct Credit Scheme (DCS)

Scheme (DCS) (optional):—

a. The Direct Credit Scheme.

must be made compulsory

for all new __ pensioners/

family pensioners w.e.f 01-
01-2015.

b. The manual both halves
would be discontinued w.e.f

01-01-2015 for all new
pensioners/family
pensioners.

c. The historical pensioners

must be brought into the
stream of DCS phase-wise.

(optional):—

a. The Direct Credit Scheme
must be made compulsory for
all new pensioners/ family
pensioners w.e.f 01-01-2015.

b. The manual both halves would
be discontinued w.e.f 01-01-
2015 for all new
pensioners/family pensioners.

c. The historical pensioners must
be brought into the stream of

DCS phase-wise.

2. The Prime Minister has also approved that:—

(i)

(ii)

Relevant recruitment rules may be appropriately amended to provide for appointments of family members under the instant package; and

A death will be deemed to be a " Security Related death" if it occurs due to a terrorist act or while combating or confronting the terrorist(s), irrespective of the fact that the victim was member of Law Enforcement Agency (LEA) or Civilian employee. Death of a

member of LEA due to a cause, classified as an "In-service death".

other than a terrorist act, will be

[Authority.—Establishment Division's O.M No. 8/10/2013-E-2(Pt) dated 04-12-2015.]

13.7 Revision of Assistance Package
For Families of Government Employees
Who Die in Service

Refer to Establishment Division's O.M No. 8/10//2013-E-2 (Pt) dated 4" December, 2015 on the above captioned subject. It is informed that the Prime Minister has been pleased to approve with effect from 11" May, 2016 that employees of

Provincial Government who are working in the Ministries/Divisions/ Attached Departments/Sub-ordinate offices etc. at Federal level on deputation basis and die during service/deputation, the families of the deceased employees are allowed to exercise the option of either availing the Federal or the Provincial package subject to completion of all others conditions/ instructions issued by Establishment Division from time to time.

[Authority:-Establishment Division's O.M No. 7/26/2016-E-2 dated 18-05-2016.]

13.8 Revision of Assistance Package for Families of Government Employees Who Die in Service

CLARIFICATION

Refer to the subject cited above and to state that the Prime Minister's Assistance Package was revised by the Federal Government as notified by the Establishment Division vide O.M No. 8/10/2013-E-2 dated 4" December,2015. After revision of Assistance Package, number of references have been received from different Ministries/ Divisions/ Departments regarding criteria for release of funds in lieu of plot.

2. It is clarified for information of all concerned that a certificate regarding non-allotment of plot/house/flat from agencies allotting plot/house/flat such as Capital Development Authority (CDA). Federal Government Employees Housing Foundation (FGEHF), Pakistan Housing Authority (PHA) or any other Federal Government Department/agency or any Provincial Government Department/agency, as the case may be, be obtained before making any payment in lieu of plot under the revised Assistance Package. All the agencies/departments concerned allotting plot/house/flat are supposed to issue such certificates within a period of six (06) working days on receipt of any reference.

3. As an alternative arrangement and for quick disposal of such cases Ministries/Divisions/Departments may obtain undertaking/affidavit from the family of the deceased that the deceased was not allotted any plot/house/flat by any government owned agency and that they would refund the amount received on this account if at any later stage it comes to the notice that the deceased employee was allotted a plot/house or flat by the Government or any agency of the government while he was in service. The parent department of the deceased employee would also be required to verify the fact about the deceased about the allotment of plot to the deceased as per record available with them.

[Authority:—Establishment Division's O.M No. 8/24/2016-E-2 dated 22-06-2016.]

13.9 Revision of Assistance Package for Families of Government Employees Who Die in Service

Refer to the subject cited above and to state that the Prime Minister's Assistance Package was revised by the Federal Government as notified by the Establishment Division vide O.M No. 8/10/2013-E-2(Pt) dated 4" December, 2015. After revision of Assistance Package, number of references have been received from different

Ministries/Divisions/ Departments including AGPR, Islamabad seeking clarifications on 100% pension to families of deceased Government Servants.

2. The issue was taken up with Finance Division. Finance Division has clarified that as policy of the Federal Government, the Government servants who die while in service, 25% of the gross pension will be allowed as gratuity and rest 75% as family pension. The above benefits will be equal to full pension.

[Authority.—Establishment Division's O.M No. 8/24/2016-E-2(Pt) dated 05-08-2016.]

13.10 Revision of Assistance Package for Families of Government Employees Who Die in Service

Refer to Establishment Division's O.M of even number dated 3" August,2016 on the above noted subject. It is clarified that Federal Government employees who died during service w.e.f. 01-07-2005 and survived by two or more widows and/or children from these widows, the families of such deceased Federal Government Servants, the right of contract appointment under the Assistance Package shall be decided on the same analogy/criteria as already notified by Establishment Division vide O.M of even number dated 3" August, 2016 as referred above.

[Authority.—Establishment Division's O.M No. 1/39/2013-E-2(Pt) dated 01-12-2016.]

13.11 Revision of Assistance Package for Families of Government Employees Who Die in Service

While disposing a Summary of Establishment Division on the above subject, the Prime Minister has been pleased to approve that Federal Government employees who go missing during service and are not recovered within a period of twelve months from the date of disappearance, and where there is a reasonable presumption of their having died shall be treated at par with Federal Government employees who die during service to the extent of payment of compensation and retirement benefits efc. subject to the condition that where such employee is recovered alive before or after the date of superannuation, the part of compensation linked to the presumption of death during service shall be paid back to the government or adjusted against pension payments of the employee. However, since only few federal government employees have gone missing during service, the Prime Minister has desired that their cases be submitted individually, with complete justification, for his orders rather than seeking a blanket approval.

[Authority.—Establishment Division's O.M No. 8/08/2016-E.2 dated 08-09-2017.]

13.12 Revision of Assistance Package for Families of Government Employees Who Die in Service

Refer to the subject noted above and to say that the Prime Minister has been pleased to approve that the

“Claims arising during the period between 15-06-2013 and 09-02-2015, while the Assistance Package dated 20-10-2014 was in the field, have to be processed in accordance with the law and rights created under this package”.

2. The cases of Assistance Package falling under the above stated decision can be submitted to Finance Division for consideration of funds provision through re-appropriation/ Supplementary grants through respective FAs.

[Authority:-Establishment Division’s O.M No. 8/13/2016-E-2 dated 11-06-2018.]

13.13 Revision of Assistance Package for Families of Government Employees Who Die in Service (For Shuhda of ICT Police)

Refer to Establishment Division’s O.M No. 7/40/2005-E-2, dated 13% June,2006, O.M No. 8/10/2013-E-2 dated 20" October,2014, O.M. No. 8/10/2013-E-2, dated 9" February,2015 and O.M No. 8/10/2013 (E-II) (PT) dated 25" May,2015 including amendments thereof issued from time to time on the subject noted above and to state that the Prime Minister has been pleased to approved the following revised Assistance Package for Shuhda of ICT Police who embrace Martyrdom/Shahadat during Service w.e.f. 11-07-2019:—

Nature of Payment/Entitlement Amount/Benefits Admissible

a) Lump Sum Grant in case of death in | 7 yywpsSuM AMOUNT encounter, bomb blast, watch & ward

duty, riots act of terrorism etc.

Ranks Lump sum amount (in Rupees)

Constable-H.C Rs. 10 Million

ASI-SI Rs. 12.5 Million

Inspector-DSP Rs. 15 Million

SP-SSP Rs. 18 Million

DIG & above Rs. 20 Million

b) Lump Sum Grant in case of death in accident while performing official duty subject to inquiry by Incharge S.P. /SSP.

Ranks Lump sum amount (in Rupees)

Constable-H.C Rs. 3 Million

ASI-SI Rs. 4 Million

Inspector-DSP Rs. 4.50 Million

SP-SSP Rs. 5 Million

DIG & above Rs. 7 Million

Nature of Payment/Entitlement

Amount/Benefits Admissible

i) Lump sum grant for permanent disability Rs.3,000,000/- to _ the officers/officials incapacitated and released from service for having become invalid as a _ result of injury in encounter/bomb _ blast/riots/watch and ward duty or terrorist activity.

ii) Lump sum grant for Temporary disability Rs.1,000,000/- to the officers/officials incapacitated as a result of the injury in accidents as stated in para (i) above but who are still serving in the department.

iii) Rs.200,000/- in case of serious injury.

iv) Rs.100,000/- in case of minor injury.

SALARY

Full pay & allowances to the family of Shaheed till superannuation with increments and full benefits of rates of pay & allowances & ad-hoc relief etc. as revised by the Government from time to time.

However, it will not be admissible in accident cases.

PENSION

Full pension after superannuation.

ACCOMMODATION

Retention of Government accommodation till the age of superannuation but not less than 05 years.

FUNDING FOR PURCHASE OF HOUSE

Rank Minimum | Price of
Area of | House (in
House Rupees)

Constable-HC |5 Marla 13.5 Million

ASI-SI 7 Marla 17.5 Million

Inspector-DSP_ |10 Marla 25 Million

SP-SSP 12 Marla 30 Million

DIG & Above |20 Marla 50 Million

PROVISION OF TRANSPORT

Families of Shaheed Police officers from the rank of SP and above will be provided a car (1300ce/Toyota Corolla) or equivalent amount whereas for Inspector & DSP, a car (1000cc) or equivalent amount shall be provided.

Nature of Payment/Entitlement

Amount/Benefits Admissible

MAINTENANCE/TRANSPORT ALLOWANCE Rank Amount (in Rupees)

DIG & Above |100,000/-

SSP/SP 75,000/-

DSP/Inspector |50,000/-

SI/ASI 35,000/-

HC/Constable —|20,000/-

EMPLOYMENT Employment of next of kin shall be made on

regular basis instead of contract appointment.

EDUCATION Free education to all the children of the

deceased government employees up to post-graduation and all expenses in this context shall be borne by the Government.

MARRIAGE GRANT

Marriage grant amounting to Rs.8 lac on wedding of one daughter, may be granted to family of deceased Government employees.

HOUSE BUILDING ADVANCE In case of advance against salaries sanctioned by the AGPR or the provincial AG office, the unpaid balance to be waived.

HEALTH Free Health facilities as per their entitlement during service.

GP FUND Only Payable amount of GP Fund shall be paid

to the deceased family.

SPECIAL LUMP SUM GRANT FROM

A. special lump-sum grant from Benevolent

BENEVOLENT FUND Fund ranging from Rs.200,000 to 500,000

S.No.} Pay Scale (BS) Lump Sum

Grant (Rs)
1 -10 200,000
2. 1-16 300,000
3. 7-19 400,000
4. 20 and above 500,000
S# Pay Scale Grant
Minimum | Maximum
1. Upto 5,000 8,000
MONTHLY BENEVOLENT GRANT 2. 5,001 5,500 8,300
3. 5,501 6,000 8,600
4. 6,001 6,500 8,900
5. 6,501 7,000 9,200

Nature of Payment/Entitlement

Amount/Benefits Admissible

Prerequisite for facilitation of family of deceased Govt. Employees

6. 7,001 7,500 9,500
7. 7,501 8,000 9,800
8. 8,001 8,500 0,100
9. 8,501 9,000 0,400
0. 9,001 9,500 0,700
1. 9,501 11,000 1,200
2. 11,00 13,000 1,800
3. 13,00 15,000 2,400
4. 15,00 17,000 3,000
5. 17,00 19,000 3,600
6. 19,00 21,000 4,200
7. 21,00 23,000 4,800
8. 23,00 25,000 5,400
9. 25,00 27,000 6,000
20. 27,00 29,000 6,600
21. 29,00 31,000 7,200
22. 31,00 33,000 7,800
23. 33,00 35,000 8,400
24. 35,00 37,000 9,000
25. 37,00 39,000 9,600
26. 39,001 & 20,200 above

In case of in service death (security related) of

a government employee, the following pre-requisites must immediately be fulfilled by the concemed Ministry/Division/Department so that the family of the deceased government employee may be facilitated without any delay:-

(a) Immediate submission of family pension case.

(b) Option form for Direct Credit Scheme (online payment of pension)

(c) Application for Anticipatory Pension (80% of the total pension).

Besides as pro-active approach each Ministry/Division/Department must observe the following practices regarding their employees:-

Nature of Payment/Entitlement Amount/Benefits Admissible

(d) Up to date list of family members of each employee for pension purpose be maintained before hand.

(e) Nomination for General Provident Fund must be ensured for each employee in his/her life.

The following steps may be taken by the concerned Ministries/Divisions/Departments for payment of pension through Direct Credit

Scheme (DCS) (optional):-
(a) The direct Credit Scheme must be made compulsory for all new
Payment of Pension through Direct Credit pensioners/family pensioners w.e.f. 01-
Scheme (DCS) 01-2015.

(b) The manual both halves would be discontinued w.e.f. 01-01-2015 for all new pensioners/family pensioners.

(c) The historical pensioners must be brought out into the stream of DCS phase-wise.

2. The instant package is only applicable to Shuhda of ICT Police and shall supersede Assistance Package for families of Government Employees who die in service up to the extent of “Security Related Deaths” issued vide No. 8/10/2013-E-2 (pt), dated 4" December, 2015.

[Authority:—Establishment Division’s O.M No. 8/28/2018-E-2 dated 13-03-2020]

13.14 Appointment on Employees Son Quota Under Prime Minister’s Assistance Package

Refer the subject cited above and to convey following recommendations/ findings of the Honourable Wafaqi Mohtasib (Ombudsman)’s Secretariat in case No. HQR/00050/15, dated 12-02-2014, for strict compliance: —

a. Condolence letters are sent by the heads of department to the next of kin of the deceased employee on the basis of death report to be submitted by the heads of office within 24 hours.

b. Copy of Prime Minister’s Assistance Package for families of government employees who die in service (alongwith its annexures) are regularly enclosed by the heads of departments with the condolence letters for knowledge/ information of the deceased family.

c. Burial charges are paid to the next of kin by the heads of office through local

arrangements before burial of the deceased and be adjusted in the claim.

d. Family Pension cases of the widows/widowers, as the case may be, are processed by the heads of office and sanctioned by the heads of department within a period of one month in future.

e. Nomination for Fund as well as other nominations are regularly updated/revised by the employees in their life time after every ten years.

2. The above instruction may also be brought into the notice of attached departments/subordinate offices of the Ministries/Divisions.

[Authority.—Establishment Division's O.M No. 8/16/2014-E.2 dated 24-06-2015.]

13.15 Revision of Assistance Package for Families of Government Employees Who Die in Service (For Shuhda of ANF Personnel)

Refer to Establishment Division's O.M. No. 7/40/2005-E-2 dated 13" June, 2006, O.M. No. 8/10/2013-E-2, dated 20" October, 2014, O.M. No. 8/10/2013-E-2, dated 9" February, 2015 and O.M. No.8/10/2013 (E-II) (PT) dated 25" May, 2015 including amendments thereof issued from time to time on the subject noted above and to state that the Prime Minister has been pleased to approve the following revised Assistance Package for Shuhda of Anti-Narcotics Force (ANF) Employees who embrace Martyrdom/ Shahadat during service w.e.f. 01-07-2020.

Nature of Payment/Entitlement Amount/Benefits Admissible

Lump Sum Grant in case of death in, | LUMPSUM AMOUNT
encounter, bomb Blast, watch & ward duty,

riots, act of terrorism etc. Rank Lump sum Amount
(in Rupees)
Constable-H.C. Rs. 10 Million
ASI-SI Rs. 12.5 Million
Inspector-Assistant | Rs. 15 Million
Director

Deputy _Director- | Rs. 18 Million
Joint Director
Director (BS-20) & | Rs. 20 Million

Above
Lump Sum Grant in case of death in
accident while performing official duty Rank Lump sum Amount
subject to inquiry by Incharge DD/JD (in Rupees)
Constable-H.C. Rs. 3 Million
ASI-SI Rs. 4 Million
Inspector-Assistant | Rs. 4.50 Million
Director

Deputy _Director- | Rs. 5 Million
Joint Director
Director (BS-20) & | Rs. 7 Million
Above

Nature of Payment/Entitlement	Amount/Benefits Admissible
i) Lump sum grant for permanent disability incapacitated and released from service for having become invalid as a result of injury in encounter/bomb _ blast/riots/watch and ward duty or terrorist activity.	Rs. 3,000,000/- to the officer/official
ii) Lump sum grant for temporary disability incapacitated as a result of the injury in accidents as stated in para (i) above but who are still serving in the department.	Rs. 1,000,000/- to the officer/official
iii)	Rs. 200,000/- in case of serious injury.
iv)	Rs. 100,000/- in case of Minor injury.
Salary	
Full Pay & Allowances to the family of Shaheed till superannuation with increments and full benefits of rates of pay & allowances & adhoc relief etc. as revised by the Government from time to time. However, it will not be admissible in accident cases.	
Pension	
Full pension after superannuation.	
Accommodation	
Retention of Government accommodation til the age of superannuation but not less than 05 years.	

Funding for purchase of House	
Rank	Minimum Price of Area of House (In House PKR)
Constable-	5 Marla 13.5 Million
ASI-SI	7 Marla 17.5 Million
Inspector-	10 Marla 25 Million

Assistant

Director

Deputy 12 Marla 30 Million

Director-Joint

Director

Director (BS-| 20 Marla 50 Million

20) & Above

Provision of Transport

The Families of Shaheed ANF officer from the rank of D.D. and above will be provided a car (1300cc/Toyota Corolla) or equivalent amount whereas for Inspector & AD, a Car (1000cc) or equivalent amount shall be provided.

Maintenance/Transport Allowances

Rank Lump sum Amount
(in Rupees)

Constable-H.C. 20,000/-

ASI-SI 35,000/-

Inspector-Assistant 50,000/-

Director

Nature of Payment/Entitlement

Amount/Benefits Admissible

Deputy Director- | 75,000/-
Joint Director

| Director (BS-20) & | 100,000/-
Above

Employment Employment of next of kin shall be made on regular basis instead of contract appointment.

Education Free education to all the children for the

deceased government employees of ANF up to post-graduation and all expenses in this context shall be borne by the Government.

Marriage Grant

Marriage grant amounting to Rs. 8 lac on wedding of one daughter may be granted to family of deceased employees of ANF.

House Building Advance In case of advance against salaries sanctioned by the AGPR or the provincial AG Office, the unpaid balance to be waived.

Health Free Health facilities as per their entitlement during service.

GP Fund Only Payable amount of GP Fund shall be pai

to the deceased family.

Special Lump Sum Grant from Benevolent Fund

A Special lump sum grant from Benevolent Fund ranging from Rs. 200,000 to Rs. 500,000

Monthly Benevolent Grant

BPS Amount

1-10 Rs. 200,000/-

11-16 Rs. 300,000/-

17-19 Rs. 400,000/

20 & above Rs. 500,000/

S# Pay Slabs Grant

Minimum Maximum

1. _| Upto 5,000 8,000
2. | 5,001 5,500 8,300
3. | 5,501 6,000 8,600
4. | 6,001 6,500 8,900
5. | 6,501 7,000 9,200
6. | 7,001 7,500 9,500
7. |7,501 8,000 9,800
8. | 8,001 8,500 0,100
9. | 8,501 9,000 0,400
10. | 9,001 9,500 0,700
11. | 9,501 11,000 1,200
12. | 11,001 13,000 1,800
13. | 13,001 15,000 2,400
14. | 15,001 17,000 3,000
15. | 17,001 19,000 3,600
16. | 19,001 21,000 4,200
17. | 21,001 23,000 4,800
18. | 23,001 25,000 5,400
19. | 25,001 27,000 6,000

Nature of Payment/Entitlement

Amount/Benefits Admissible

Prerequisite for facilitation of family of deceased Government employees of ANF.

20. | 27,001 29,000 16,600
21. | 29,001 31,000 17,200
22. | 31,001 33,000 17,800
23. | 33,001 35,000 18,400
24. | 35,001 37,000 19,000
25. | 37,001 39,000 19,600
26. | 39,001 & 20,200
above

n case of service death (security related) of a

government employee, the following pre-

requisites must immediately be fulfilled by the

concerned Ministry/Division/Department so that

the family of the deceased government

employee may be facilitated without any delay:-

a. Immediate submission of family pension case.

b. Option form for Direct Credit Scheme (online payment of pension).

c. Application for Anticipatory Pension (80% of the total pension).

Besides as a pro-active approach each Ministry/

Division must observe the following practices

regarding their employee:-

d. Up to date list of family members of each employee for pension purpose be maintained beforehand.

e. Nomination for General Provided Fund must be ensured for each employee in his /her life.

Payment of Pension through Direct Credit Scheme (DCS)

The following steps may be taken by the concerned Ministry/Division/Department for payment of pension through Direct Credit Scheme (DCS) (optional):-

a. The Direct Credit Scheme must be made compulsory for all new pensioner(s)/family pensioner w.e.f. 01-01-2015.

b. The manual both halves would be discontinued w.e.f. 01-01-2015 for all new pensioners/family pensioners.

c. The historical pensioners must be brought into the stream of DCS phase-wise.

2. The instant package is only applicable to Shuhda of ANF personnel and shall supersede Assistant Package for families of Government employees who die in service up to the extent of “Security Related Deaths” issued vide O.M. No. 8/10/2013-

E-2(Pt), dated 4" December, 2015.

[Authority.—Establishment Division’s O.M No. 8/24/2020-E-2 dated 08-06-2021.]

XIII. MANAGEMENT POSITION SCALES POLICY,2020

14.1 Management Position Scales Policy,2020

The Prime Minister has been pleased to approve the Management Position Scales Policy,2020, hereinafter referred to as “MP Scales Policy,2020” for making appointment of highly skilled/qualified professionals from open market on tenure basis (contract) against MP Scale positions in Ministries/Divisions, Attached Departments, Sub-ordinate Offices, Autonomous or Semi-Autonomous Bodies (either statutory or otherwise), Regulatory Authorities, etc. as under:

1. Pay Scales:

S# | Description Remuneration/Pay Package

L Management Position Scale I (MP-I) As determined by Finance Division

from time to time, with the approval

IL | Management Position Scale II (MP-ID) of the Prime Minister.

Ill. | Management Position Scale II (MP-III)

2. Need Assessment:

The identification of need is an essential requirement for hiring of management scale professionals. For ascertaining the need for hiring a management scale professional, following shall be clearly established:—

i) The position/posts against which the management scale professionals are required to be hired from open market should be identified clearly with due justification and expected outcome of hiring requisite human resources from open market.

ii) | The Finance Secretary, in consultation with Establishment Division, shall be empowered to approve creation of new MP Scale position.

iii) The guiding principle for Ministries/Divisions should be that MP I Scale is meant for top tier, MP II scale for second tier and MP III Scale for third tier of Management positions in an organization.

iv) Inall cases of all such appointments, specific TORs will be developed by the Ministries/Divisions concerned featuring relevant qualification, experience, job descriptions with deliverable and timelines etc. keeping in view the needs, objectives & goals of the organizations. These TORs shall also be made part of final recommendations being sent to the appointing authority for making appointments.

3.

Initial Recruitment:

The following criteria shall be observed for recruitment:

i).

iii).

Vacancies shall be widely advertised in the national press, principally appearing in at least two national dailies, one in English and other in Urdu, indicating the following:

a) Terms of Reference based on the needs, objectives & goals of the organization.

b) Job description, targets with timeline & deliverables.

c) Job Specifications e.g. educational qualifications, requisite experience in number of year, age bracket, etc.

d) = Tenure of appointment.

e) Pay package.

The relevant field(s) of qualification and experience shall be specified by the concerned Ministry/Division for each position before the advertisement and shall be mentioned accordingly in the advertisement.

There shall be a Scrutiny Committee constituted with approval of the concerned Administrative Secretary as follows:

. An officer not below the rank of Additional Chairperson
Secretary (where there is no Additional Secretary,
then senior JS or JS of the concerned Division

e Head of HR Wing of concerned organization Member
e Joint Secretary/Deputy Secretary of Member cum
the concerned Division Secretary

This Scrutiny Committee shall scrutinize applications and, based on the advertised criteria, prepare a list of all eligible candidates for interview by the Selection Committee constituted as per Schedule-I. There shall be no shortlisting of eligible candidates and all candidates having basic eligibility as per advertised eligibility criteria will be called for interview by the Selection Committee.

The Selection Committee, after conducting the interviews, shall recommend to the appointing authority a panel of minimum three (03) suitable candidates for each position, in order of merit, for appointment against the position.

vi).

vii).

viii).

While submitting the case to the appointing authority, the necessary documents, e.g. sanction of post(s), advertisement, list of all eligible candidates duly signed by the Scrutiny Committee, original score sheet and minutes of the meeting of the Selection Committee duly signed shall invariably be annexed with the summary moved for the purpose.

The summary for the Prime in the matter shall invariably be moved through Establishment Division, without fail, and in case of submission of an incomplete case, the Establishment Division shall have the powers to return the summary without seeking further orders of the Prime Minister.

“[In case, considering the particular requirements of any MP Scale Position (s), if the Ministry/Division instead of issuing open advertisement of the post intends to opt for headhunting against the said position (s), it may do so with prior approval of the Minister Incharge concerned by hiring the services of a professional head hunting firm, through a competitive process].

4. Contract Extension:

i).

iii).

The appointment in MP Scales shall initially be for a period of three (03) years which will be extendable for a maximum period of two (02) years on annual basis subject to satisfactory performance evaluation of the incumbent by the Performance Evaluation Committee provided in Schedule-II.

All Ministries/Divisions shall invariably initiate cases for extension of the contract not less than three (03) months before the expiry of contract. The cases for extension with less than three (03) months to the expiry of contract may not be entertained and the Ministries should initiate the process of recruitment afresh as per procedure given in para-3. In such cases, the Ministries/Divisions shall ensure the completion of the process before the expiry of the contract of the incumbent.

The concerned Ministries/Divisions shall evaluate the performance of the employees in MP Scales annually as per criteria given in Schedule-II.

These Performance Evaluation Reports shall be placed before the Performance Evaluation Committee for review/consideration at the time of contract extension.

These Performance Evaluation Committee subject to satisfactory performance review of the incumbent may recommend to the appointing

authority for extension in the contract of the incumbent.

* Added vide Establishment Division’s O.M No. 1/3/2020-E-6 dated 05-08-2020.

Terms and Conditions:

Description	MP-I	MP-II	MP-III
1. | Required Educational Qualification and Experience	Ph.D in relevant subject(s) with 14 years “[#*] professional experience or Masters in relevant subject(s) with 18 years experience in the relevant field.	Ph.D in subject(s) with years professional experience relevant field or Masters in relevant subject(s) with 14 years experience in the relevant field, relevant 10 Lr] in the	Ph.D in relevant subject(s) with 06 years *[**] professional experience in the relevant field or Masters in relevant subject(s) with 10 years experience in the relevant

field.

Age Limit

[de]

Maximum=62

(to be calculated as on
the closing date of|
submission of|
applications)

PET eso *]
Maximum=62

(to be calculated as on
the closing date of|
submission of
applications)

Ope]

Maximum=62

(to be calculated as on the
closing date of submission
of applications)

3. | Tenure of

contract

Initially for a period of|
three (03) years further
extendable for a
maximum period of|
two (02) years on
annual (yearly) basis
subject to satisfactory
performance.

Initially for a period
of three (03) years
further extendable
for a maximum period
of two (02) years on
annual (yearly) basis
subject to satisfactory
performance.

Initially for a period of|
three (03) years furthe
extendable for a
maximum period of two

(02) years on annual (yearly) basis subject to satisfactory performance.	
Termination of contract	
On completion of| tenure or one month's notice from either side. In case of notice by the concerned Ministry/ Division, it shall be after approval of the appointing authority. In case of proceedings under para-6 (viii & ix) of the policy ibid, the condition of — one month's notice shall not be required.	
On completion of| tenure or one month's notice from either side. In case of notice by the concerned Ministry/ Division, it shall be after approval of the appointing authority. In case of| proceedings under para-6 (viii & ix) of the policy ibid, the condition of one month's notice shall not be required.	
On completion of tenure or one month's notice from either side. In case of notice by the concerned Ministry/ Division, it shall be after approval of the appointing authority. In case of proceedings under para-6 (viii & ix) of the policy ibid, the condition of one month's notice shall not be required.	

* Words "Post Qualification" deleted vide Establishment Division's O.M No. 1/3/2020-E-6, dated 05-08-2020.
" Words "Minimum age=45" deleted vide Establishment Div.'s O.M No.1/3/2020-E-6, dated 05-08-2020.

. Words “Minimum age=40” deleted vide ibid.

@ Words “Minimum age=35” deleted vide Establishment Division’s O.M No.1/3/2020-E-6, dated 05-08-2020

Ss. Description MP-I MP-II MP-III
No.
5. | Leave The incumbent shall] The incumbent | The incumbent _ shall
earn leave on full pay] shall earn leave on | earn leave on full pay
@ 3 days per month on] full pay @ 3 days | @ 3 days per month on
annual basis and the] per month on | annual basis and the
leaves earned shall be] annual basis and | leaves earned shall be
availed during the] the leaves earned | availed during the
currency of the year.] shall be availed | currency of the year.
Title of Leave will] during the | Title of Leave will
neither be carried over] currency of the | neither be carried over
to the next year in case} year. Title of | to the next year in case
of non-availing nor will] Leave will neither | of non-availing nor will
it be encashed. be carried over to | it be encashed.
the next year in
case of non-
availing nor will it
be encashed.
6. | Discipline As application in case]As application in As application in case of

of contract employees.

case of contract
employees.

contract employees.

7. | Appointing

Prime Minister on the

Prime Minister on
the recommendations

Prime Minister on the
recommendations of the

Authority recommendations of of the Selection|Selection Committee.
the Selection]Committee. Annual|Annual extension in
Committee. Annual|extension in contract|contract will also be given
extension in contract|Will also be given by|by Prime Minister on
will also be given b Prime Minister on|recommendations of|

. . & Y!recommendations of|Performance Evaluation
Prime Minister on! Performance Committee.
recommendations — of|Evaluation
Performance Committee.
Evaluation Committee.
6. Miscellaneous:

i). Unless any other law/rules, for the time being in force, provide otherwise, regular Civil Servant/Government Servants shall not be substantively posted against MP Scale Positions.

ii). Civil Servants/Government Servants may, however, subject to eligibility, apply for these positions, through proper channel.

iii). Subject to provisions of (i) above, in case a Civil Servant/ Government

Servant is selected through competitive process against any such position, he/she shall either resign from Government Service or seek early retirement, severing his/her connection/lien with their parent

v).

vi).

vii).

cadre/Ministry/ Division/organization, etc., before joining the MP Scale Position.

The persons already employed on MP Scales shall submit to the government an affidavit declaring their non-involvement in any other relevant business/job which may tantamount to conflict of interest.

The persons already employed on MP Scale positions and are holding the MP Scale position on the date of commencement of this policy, shall henceforth be governed under the MP Scales Policy, 2020 in all matters including but not limited to tenure, performance evaluation and contract extension, etc. as the case may be. The tenure of the incumbents in all such cases shall be reckoned from the date of their initial appointment on MP Scale whether made through competitive process or otherwise'[:

Provided that the tenure of appointment, as contained in the terms and conditions of the incumbent(s) determined at the time of their initial appointment, shall in no case be construed to be automatically extended to three (03) years from the date of initial appointment of such incumbent:

Provided further that in such cases, where the Ministries/Divisions have already advertised the MP Scale positions prior to introduction of MP Scales Policy,2020, the tenure of the post advertised shall remain the same contained in the MP Policy applicable at the time of the advertisement.]

Current charge or additional charge of the positions of MP Scales may not be granted to any regular civil/Government servants. However, in cases of Heads of Autonomous bodies/Semi-Autonomous bodies, Executive/Attached Department, Regulatory Authorities, Corporations, Commissions and Companies etc. where the situation necessitates, the additional charge may only be granted to a civil/ government servant of equivalent grade as given in Schedule-III with approval of the appointing authority for a maximum period of three (03) months only. No extra remuneration will be given to the officer holding the additional charge other than additional charge allowance as determined by Finance Division from time to time.

After completion of one tenure of 3/4/5 years *[under this policy or the policy dated 18-08-1998], as the case may be, the incumbent shall be

* added vide Establishment Division's O.M No. 1/3/2020-E-6, dated 16-09-2020.

viii).

x).

xi).

xii).

xiii).

xiv)-A.

eligible to compete afresh against any MP Scale position, subject to meeting the advertised criteria.

Anytime during currency of initial or extended tenure, the performance evaluation score of the incumbent falls in average or unsatisfactory category, the Secretary of the Division concerned/PAO may issue formal warnings to the incumbent MP Scale holder.

If satisfied with the valid reasons (unsatisfactory performance or evidence of financial or moral turpitude against the incumbent), the concerned Secretary, if deems fit and after fulfilling the formalities of disciplinary proceedings, may initiate a summary seeking approval of the Prime Minister for pre-mature termination of contract through Establishment Division.

In case of financial corruption or any other criminal charge, the references may also be filed with the relevant Law Enforcement or Anti-Graft Agencies.

Such person(s), who has been removes from Government Service or from an MP Scale Position due to unsatisfactory performance or on account of moral & financial turpitude, shall not be eligible to apply for any MP Scale position. All Ministries/Divisions shall inform Establishment Division shall maintain a negative list of all such disqualified persons which shall be circulated amongst all concerned Ministries/Divisions, from time to time.

The policy shall only be applicable on statutory bodies, including regulatory authorities, in such cases, where recruitment rules or service regulations for such positions have not been prescribed under the respective statutes. Statutory authorities and other authorities/ organizations shall also be allowed to adopt the instant policy, with approval of the authority competent to do so, while remaining within their statutory mandate.

The MP Scales shall also be used as benchmark scales for determination of terms and conditions of other positions in statutory bodies like FPSC, FST, OGRA, NEPRA, efc., with approval of the respective authorities competent to approve terms and conditions of

such posts. In such cases, the other provisions of the MP Scale Policy,2020 shall not apply.

“[If, keeping in view the specific requirements for any particular position(s), any Ministry/Division intends to modify or change the

“added vide Establishment Division’s O.M No. 1/3/2020-E-6, dated 05-08-2020.

xiv)-B

xv).

“Required Educational Qualification and Experience”, a Summary for the Prime Minister shall be moved for the purpose, through Establishment Division, by giving therein full justification of the case; Provided that any such case shall invariably be moved prior to advertising such a position].

“[Prior to submission of the case for orders of the Prime Minister, in terms of sub-para (xvi)-A above, the Division concerned shall send the case to Establishment Division for consideration and recommendations by the Committee consisting of the following: —

a) Secretary, Establishment Division (Convener)
b) — Secretary, Cabinet Division

c) Secretary, Finance Division

d) Deputy Chairman, Planning Commission

e) — Secretary, Law and Justice Division

f) | Any member to be co-opted by the Committee]

“TAIL previous Office Memorandums/policy instructions, issued by Finance and Establishment Division from time to time relating to MP Scale positions, shall stand repealed with immediate effect, in so far as these are inconsistent with the MP Scales Policy,2020].

[Authority.—Establishment Division’s O.M No. 1/3/2020-E-6 dated 12-01-2021].

* Added vide Establishment Division’s O.M No. 1/3/2020-E-6 dated 12-01-2021.
“ Sub-para (xiv) renumbered as Sub-para (xv) vide Establishment Division’s O.M No. 1/3/2020-E-6, dated

05-08-2020.

CuapTer-04

SCHEDULE-I

1. The composition of the Selection Committee will be as follows:—

Minister Incharge/Minister of State

(Where the charge of a Ministry/Division is held by the Prime Minister, the selection board shall be headed by a Federal Minister/Minister of State/Adviser to the Prime Minister/Special Assistant to the Prime Minister, as nominated by the Prime Minister).

Chairman

Secretary of the concerned Division

Member

Additional Secretary-II, Establishment Division

Member

Additional Secretary of the concerned Division or in case there is no Additional Secretary in the Division, the Joint Secretary concerned.

Member

As given in para-2 of this schedule

Co-opted Member(s)

2. Following members may be co-opted on case to case

basis:

The non-executive Chairman of the Board of Directors or a senior member of the Board of Directors of the institution in cases where such Board exists.

Co-opted Member

On expert having domain knowledge to be nominated by the Minister Incharge on recommendations of the Secretary concerned.

Co-opted Member

Head of Autonomous Body (In case of appointment in an autonomous body).

Co-opted Member

3.

If appointments are to be made in Prime Minister’s Office or the President

Secretariat, the Secretary of the Division would mean the Cabinet Secretary.

SCHEDULE-II

1. The composition of the Performance Evaluation Committee will be as follows:—

Secretary, Establishment Division Chairperson
Secretary, Finance Division Member
Secretary of the Administrative Division concerned Member

Joint Secretary concerned of Establishment Division

Secretary

Head of Autonomous Body concerned (if the post belongs to an | Co-opted Member
autonomous body)

2. Performance Evaluation Criteria: The following template has been
devised for objective assessment of performance on annual basis by the Performance Evaluation Committee for each post of MP Scale:

ANNUAL PERFORMANCE EVALUATION TEMPLATE

Major Tasks/ Key Result Areas (To be taken from Job Description)	Target % of aoe Achieved	Percentage Weightage (To be determined m the basis of sensitivity quantitative terms)	% Score* (Col.3 x Col.4) (May be allocated of each task)
1	2	3	4
1.1			
1.2			
2			
2.1			
2.2			
Total		100	

*%Age Score= Percentage weightage x Percentage target achieved

CATEGORIZATION OF PERFORMANCE EVALUATION

Performance Category	Score	Evaluation Classification
Excellent	90-100	A
Very Good	80-89	B
Good	70-79	Cc
Average	60-69	D
Unsatisfactory: Does not meet expectations and standards.	Less than 60	E

3. The employee may be categorized ranging from “Excellent” to

“Unsatisfactory” as per the table which will serve the purpose for retention or otherwise depending on the score achieved by the incumbents in their Performance Evaluation. The reporting channels for such posts in the set up are to be clearly identified by the Ministry/Division concerned.

4. Establishment Division shall function as Secretariat of the Performance Evaluation Committee and the cases referred to the Committee shall as far as possible be considered in formal meetings of the Committee. The mode of consideration of cases through circulation may only be an exception and shall not be a routine.

SCHEDULE-II

Equivalence of MP Scales with Basic Pay Scales

MP-I Scale BPS-22
MP-II Scale BPS-21
MP-III Scale BPS-20

14.2 General Criteria for Need Assessment, Recruitment and Performance Evaluation for Hiring Contractual Appointment in Special Professional Pay Scale (SPPS-I, I & IID) in Ministries/Divisions

The Federal Government has been pleased to introduce Special Professional Pay Scales (SPPS-LII & II) for hiring of Special Professional Experts/Hiring Skilled and Specialized Manpower with following pay packages and terms and conditions:—

S# | Description Remunerations
(all inclusive)
I Special Professional Pay Scale (SPPS-I) 1.5-2.00 Million
II. | Special Professional Pay Scale (SPPS-II) 1.0-1.49 Million
Ill. | Special Professional Pay Scale (SPPS-III) 0.5-0.99 Million
2. Need Assessment: The need identification is an essential requirement for

hiring of professional in specific areas. The following criteria may be followed for the purpose:—

i) To ascertain that expertise required by the concerned Ministries/Divisions in the specialized fields/areas are not available within the sanctioned strength of the Ministries/Divisions at Federal level to avoid duplication.

ii) Specific TORs/tasks for each identified area has to be framed by the Ministries/Divisions concerned clearly specifying the additional Human Resource (HR) requirement (position/post-wise break-up) in specialized field, their Educational Qualification, Job Description and Job Specification with timeline, etc.

iii) Targets in quantitative terms may be developed for each identified area and the same will be made part of the contractual appointment.

iv)

3.

Deliverables may clearly be identified and indicated.

Recruitment: The following criteria may be observed for recruitment

against SPPS positions:—

i)

iii)

vi)

Vacancies may widely be advertised in the national press indicating the term of Reference, tenure of assignment, required job description and job specification for each identified area/position to ensure transparency and merit.

The required educational qualifications, posts professional certification etc. and relevant experience alongwith age (minimum and maximum) for each identified position as a result of need assessment may clearly be elaborated in the advertisement which is to be implemented in letter and spirit.

“[Duration of the appointment against these contractual positions may be for a maximum tenure of two years, extendable for a further period of two years contingent upon result-based performance and pay package thereof for each category may clearly be identified in line with approved tenure and package for SPPS-I,II & III as the case may be].

The recruitment will be contractual based appointment and terms and conditions thereof including code of conduct, procedure of disciplinary proceedings in case of any misconduct, misappropriation and embezzlement of funds or any deviation from the prescribed guidelines and other service provisions including termination of contract may also be clearly indicated for each area/category.

An in-house Committee headed by Additional Secretary of the concerned Ministry/Division may be constituted for scrutiny of the applicant’s paper for placement before the Special Selection Board.

A Special Selection Board may be constituted in line with the criteria duly approved by the Federal Cabinet and notified by Establishment Division with the following composition:—

Scale/Position

Composition of the Committee

SPPS-I

Federal Minister or Minister of State or Adviser of the relevant Ministries/Divisions, Secretary of relevant Ministry/Division, a BS-21 representative of Establishment Division and two co-opted experts of the relevant field. Provided that where the charge of a Ministry/Division is held by the Prime Minister, the selection board shall be headed by a Minister Incharge/Minister of State/Adviser to the Prime Minister/Special Assistant to the Prime Minister, as nominated by the Prime Minister, in terms of this O.M No. 1/72/2002-E-6, dated 11-04-2005 *[as amended from time to time].

SPPS-II &III

Secretary of the relevant Ministries/Divisions, a BS-21 representative of Establishment Divisions and two co-opted experts of the relevant field.

* Subs.& added vide Establishment Division’s Corrigendum No. 1/11/2018-E-6 dated 26-04-2019.

vii)

4.

The approval of the Prime Minister may invariably be solicited for positions in SPPS-I, II and III for every action from initial stage of recruitment till its completion i.e. advertisement, for selection on the provision of a panel of minimum of three candidates selected through a competitive process by the Special Selection Board as well as for the extended period contingent upon proper justification and result based performance.

There shall be no fresh appointment or extension in appointment beyond the age of 65 years.

“[The contract of appointment may be terminated on one month notice on either side or payment of one month’s basic pay in lieu thereof .

The incumbent shall earn leave on full pay @ 3 days per month for the period of duty. The leave shall be availed during the currency of contract period. Title to leave shall expire on expiry of contract, if given a fresh contract, the period of earned leave available in respect of the previous contract shall not be carried forward.]

Performance Evaluation: Performance measurement and evaluation is the

key for employee as well for the organization as it facilitates a decision making process for

further retention of the incumbents or otherwise. The following template for objective assessment of performance on annual basis by the Special Se each category of contractual employment which may be implemented with le

as been devised
lection Board for
ter and spirit:—

ANNUAL PERFORMANCE EVALUATION TEMPLATE

Major Tasks/Key Result Areas	Target % of (To be determi-ned} Target in quantita-tive terms)	Achieved	Percentage allocated on the basis of sensitivity of each task)	% Score* (Col.3xCol.4)
1	2	3	4	5
1				
1.1				
1.2				

2
2.1
2.2

nl
n2

Total 100

*% age Score = Percentage weightage x Percentage target achieved

* Added vide Establishment Division’s Corrigendum No. 1/11/2018-E-6 dated 26-04-2019.

CATEGORIZATION OF PERFORMANCE EVALUATION

Performance Category	Score Evaluation	Classification
Excellent	90-100	A
Very Good	80-89	B
Good	70-79	Cc
Average	60-69	D
Unsatisfactory: Does not meet expectations and standards.	Less than 60	E

5. The employee may be categorized ranging from “Excellent” to “Unsatisfactory” as per the tables which will serve the purpose for retention or otherwise

depending on the score achieved by the professionals in their Performance Evaluation. The reporting channels for such posts in the setup be clearly identified.

[Authority.— Estt. Div.’s O.M. No.1/11/2018-E-6, dated 22-03-2019].

143 Clarification Regarding General Criteria for Need Assessment, Recruitment and Performance Evaluation for Hiring Contractual Appointment in Special Professional Pay Scale (SPPS-LI & IL) in Ministries/Divisions

Refer to General Criteria for Need Assessment, Recruitment and Performance Evaluation for Hiring contractual appointment in Special Professional Pay Scale (SPPS-I, II & III) in Ministries/Divisions issued by Establishment Division vide O.M of even number dated 22-03-2019.

2. With the approval of the Prime Minister, following is clarified:—

i) With reference to Para-3, sub-para-vii of the above referred O.M, approval of the Prime Minister shall be clearly solicited for the following actions during the process of recruitment under SPPS:—

a) Advertisement for the positions in SPPS-L, II & ILI and Constitution of the Special Selection Board;

b) Final recommendations of the Special Selection Board and;

c) Extension in the contract, if any, contingent upon proper justification and result based performance.

ii) | With respect to the activity of Need Assessment prior to making appointment under SPPS as provided vide para-2 of the above referred O.M, it is clarified that the Special Professional Pay Scales (SPPS) may only be offered to the highly qualified professionals who are to be hired against the positions requiring technical expertise in some specialized field(s) instead of

general/non-technical or managerial skills as required in case of Management Professionals under MP Scales. For this purpose, the sponsoring Division shall undertake an exhaustive Need Assessment based on specific Parameters/TORs developed especially for such posts/positions thereby justifying the hiring of technical specialist under SPPS instead of hiring under MP Scales. This Need Assessment carrying all necessary justifications shall be made part of the initial summary submitted to the Prime Minister for hiring under SPPS.

[Authority:— Estt. Div.'s O.M. No.1/11/2018-E-6, dated 03-12-2019].

XIV. ACCOMMODATION FACILITIES TO GOVERNMENT SERVANT

15.1 Provision of Government Accommodation to all Government Servants Employed on Contract after Superannuation

In partial modification of Establishment Division O.M. of even number dated 12.8.1998 and 9.10.1998, the competent authority has been pleased to decide that all government servants, who have been re-employed on contract after the age of superannuation, shall be entitled to retain the allotted government accommodation.

2. Ministries/Divisions are requested to bring the above decision to the notice of their Attached Departments and Subordinate Offices.

[Authority:— Estt. Div.'s O.M. No.10/52/95-R.2(Pt), dated 7-11-1998].

15.2. Provision of Accommodation to Persons Employed on Contract by Organizations from Own Available Accommodation

Reference Establishment Division O.M.No.10/52/95-R.2(Pt.) dated 12.8.1998. A question has arisen whether the instructions contained therein are applicable to persons employed on contract by the government departments which have their own accommodation. The matter has been considered carefully and the competent authority has been pleased to decide that in case any organisation has official accommodation available (other than pool accommodation of Estate Office) for allotment to its contractual employees, the same may be allotted in accordance with the rules of the respective department.

2. The competent authority has further been pleased to decide that officers/officials on retirement, shall be entitled to retain official accommodation for a period of six (6) months instead of two (2) months, as at present, and no extension shall be allowed beyond the aforementioned period. Retiring officers/officials should prepare themselves accordingly.

3. Ministries/Divisions are requested to bring the above decisions to the notice of the Departments and organisations under their administrative control.

[Authority:— Estt. Div.'s O.M. No.10/52/95-R.2(Pt), dated 1-6-1999].

15.3. Provision of Government-Owned or Hired Residence to Persons Appointed on Contract

In supersession of all previous instructions on the subject, the Chief Executive's Secretariat" have conveyed approval of the competent authority to the following: —

(i) Persons appointed on contract to civil posts relating to the affairs of the Federation, may be provided the same facility of government owned or hired residence as is admissible to persons of corresponding grade in the civil service.

* The Prime Minister's Sectt. (Public).

(ii) Autonomous/semi-autonomous bodies/corporations under the Federal Government may also be advised to follow the aforesaid policy subject to such modification as may be permissible under their prescribed service regulations.

2.

Ministries/Divisions are, therefore, requested to take necessary action accordingly.

[Authority: Establishment Division’s O.M No. 10/52/95-R.2, dated 25th June, 2001]

XV. GOVERNMENT POLICY IN REGARD TO AUTONOMOUS BODIES

16.1 Government Policy in Regard to Autonomous Bodies Established through Resolutions

A number of autonomous bodies were established by the Federal Government from time to time through Resolutions under which some measure of functional autonomy was allowed to the Board of Governors/ Board of Directors for the purpose of effective discharge of their allocated responsibilities. The legal status of such organizations came up for consideration before the Supreme Court in Civil Appeal No.154 of 1988, and it was held by the Court that organizations established through Resolutions were not bodies corporate but government departments, and their employees were held to be civil servants.

2. In the light of the aforesaid decision of the Supreme Court, the question whether the organizations established through Resolution should be made bodies corporate after fulfilling the required legal formality, or be run as a department of government has remained under consideration of the government for some time. The “Chief Executive has now been pleased to approve the following general policy guidelines:-

(i) _ All Ministries/Divisions incharge of organizations through Resolution should determine in consultation with the Management Services Wing of Cabinet Division™ whether those organizations should be run as Government Department (i.e. Attached Department or Subordinate Office) or as autonomous body.

(ii) Whether it is considered necessary in the public interest to run an organization as an autonomous body for the effective discharge of its functions, the Ministries/Divisions concerned under the relevant law or draft a separate legislation in consultation with Law and **Cabinet Divisions for changing legal status of the organizations to that of a body corporate.

3. All Ministries/Divisions are requested to take necessary action accordingly.
[Authority: Estt. Div.’s OM No. 4/1/91-R.7/R.3, dated 6th September, 2000]

16.2 Procedure Regarding Appointments in Autonomous/Semi-Autonomous Bodies, Under the Federal Government

In supersession of the instructions issued vide Office Memorandum No. 1/85/94-E.6, dated the 12" September, 1994, henceforth the cases of appointment to various posts in autonomous/semi-autonomous bodies shall be processed in accordance with the following guidelines:—

Now Prime Minister.
Management Services Wing is now under the Establishment Division.

Sl. No.	Nature of Case	Selection Procedure	Approving Authority
i.	Appointment of *[**] /Head of the Organization	Selection Board headed by the Minister Incharge to consider and recommend from a panel of three names for each vacancy. “Provided that, where the charge of a Ministry/ Division is held by the Prime Minister, the Selection Board shall be headed by a Ministry/ Division of State/Advisor to the Prime Minister/SAPM to Prime Minister nominated by the Prime Minister.	Prime Minister/ *[**]
“ii(a)	Posting of government servants of BPS 21 and above.	To be processed through the Establishment Division. *[**]	Prime Minister/
(b)	Posting of government servants of BPS 20	— Establishment Secretary	
(c)	Posting of government servants of BPS 17 to 19	To be processed in the Ministry/Division concerned.	Secretary of Ministry/Division concerned.
(d)	Posting of government servants in BPS 16 and below.	To be processed by the Department concerned.	Heads of Departments.
iii(a)	Appointment to posts in} Management Grades other] than of a Finance] Member/Director and those] covered by (i) and (ii) above.	Selection Board headed by the Secretary of the Ministry/Division —_ concer- ned to consider and recommend from a panel of three names for each vacancy.	Prime Minister/ *[**]
**(b)	Appointments to posts carrying a minimum pay equal to the minimum of BPS 20 and above.	Selection Board headed by the Secretary of the Ministry/ Division concerned to consider and recommend	Minister Incharge

* Omitted & Subs. vide Est. Div.’s O.M. No. 6/4/96-R.3, dated 14-09-2018.

a

Amended vide Estt. Division OM No. 6/4/96-R.3, dated 26.5.2000.

Sl. No.	Nature of Case	Selection Procedure	Approving Authority
			from a panel of three names for each vacancy.
iv.	Appointment of Heads of Subsidiary Companies not included in Management Grade.	Selection Board headed by Secretary of the Ministry/ Division concerned and recommend from a panel of three names for each vacancy.	Minister Incharge
v.	Appointment to posts other than those mentioned above.	Through appropriate Select- ion Board set up in the Organization. Head of _ the Organization concerned.	“An Officer authorized by

2. This procedure shall be applicable, mutatis mutandis, for selections for these posts from the open market.

3. The constitution of Selection Boards for posts mentioned at Serial Numbers (i), (ii), (iii) and (iv) of para 1 shall be subject to the approval of the Prime Minister/*“[**] through Establishment Division (unless already so approved). The constitution of the Selection Board at Sr. No. (v) of para 1 shall be approved by the Minister Incharge of the Ministry/Division concerned.

4. Incase where the services of any government servant are required for posting on deputation in any autonomous/semi-autonomous body, the administrative Ministry/Division concerned shall propose a panel of at least three names through the Establishment Division in case where the Prime Minister/**[**] is the competent authority.

5. Appointment to the post of Member(Finance), Director (Finance) or the Chief Finance Officer in any autonomous/semi-autonomous body irrespective of the designation shall be made with the approval of the Prime Minister/**[**] in case the post is in BPS 20, equivalent or above. However, for these posts in BPS 19/equivalent the government’s approval will be accorded by the Finance Secretary in consultation with the Establishment Secretary.

““T6. All appointments approved by the President or the Chief Executive/Prime Minister shall be notified by the Establishment Division. Posting of officers of BPS 20 in autonomous and semi-autonomous bodies will also be notified by the Establishment Division. The terms and conditions of deputation to autonomous bodies shall be regulated by the prescribed standard terms and conditions of deputation. Any deviation from the standard terms and conditions of deputation shall require prior approval of Finance and Establishment Divisions].

* Amended vide Estt. Division’s OM No. 6/4/96-R.3, dated 06.06.2002.
xxOmitted & Subs. vide Est. Div.’s O.M. No. 6/4/96-R.3, dated 14-09-2018.
Subs. vide Establishment Division’s O.M.No.6/4/96-R.3, dated 10-4-2002.

7. In cases where these instructions are in conflict with the provisions of the laws governing any corporation, the provision of the law to the extent of conflict shall prevail.

8. Establishment Division’s U.O.No.1/85/94-E.6, dated the 5" May, 1996 regarding ban on promotion in corporations, is hereby cancelled.

[Authority.— Establishment Division’s O.M.No.6/4/96-R.3, dated 10-5-1997].

16.3. Unauthorized Assignment of the Charge of the Posts of Secretary/ Additional Secretary/Head of Departments /Organizations

Refer to the subject noted above and to state that it has been noted that Ministries/ Divisions as a stop-gap arrangement assign the charge of the posts of Secretary/Additional Secretary/Head of Departments/Organizations, functioning, under their administrative control, at their own level without the formal approval of the competent authority, which is a violation of Rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules,1973 and Establishment Division’s instructions circulated vide O.M No. 6/4/96-R-3 dated 10-05-1997. Such a practice is not only a grave violation of rules but also reflects on an Adhoc system of management.

[Authority.— Establishment Division’s O.M.No.43/02/2016-E-1, dated 23-09-2016].

16.4 Cases to be Submitted to the Prime Minister for his Orders

The Prime Minister has observed that most of the Ministries/Divisions in cases to be submitted to the Prime Minister for his orders, such as extension in Current Charge/Additional Charge appointments etc., tend to initiate fresh and separate summaries for the Prime Minister rather than submitting such cases in continuation of earlier summary in terms of instructions of Secretariat Manual.

2. Attention of all Ministries/Divisions is invited for guidance and strict compliance to the detailed office procedure prescribed in Secretariat Instructions on the subject matter in para-49 of the Appendix “E” of the Secretariat Instruction No.70. It is informed that Establishment Division shall only process those cases for orders of the Prime Minister fully complying with the Government instructions and prescribed procedure.

[Authority.— Establishment Division’s O.M.No.52/02/2016-E-1, dated 17-11-2016].

CHAPTER 5

THE REVISED LEAVE RULES

(463-464)

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CHAPTER 05
THE REVISED LEAVE RULES
SLNo. 1
Revised Leave Rules, 1980

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

1. Short title, application and commencement. (1) These rules may be called the Revised Leave Rules, 1980.

(2) They shall apply to all civil servants other than those who were employed before the first day of July, 1978, and opted not to be governed by the Revision of Leave Rules issued under the Finance Division's Office Memorandum No.F.1(2)-Rev.1/78, dated the 21" September, 1978.

(3) They shall come into force at once.

2. When leave earned.— (1) All service rendered by a civil servant qualifies him to earn leave in accordance with these rules but shall not be earned during the period of leave.

(2) Any period spent by a civil servant in foreign service qualifies him to earn leave provided that contribution towards leave salary is paid to the Government on account of such period.

3. Earning and Accumulation of leave. (1) A civil servant shall earn leave only on full pay which shall be calculated at the rate of four days for every calendar month of the period of duty rendered and credited to the leave account as "Leave on Full Pay", duty period of fifteen days or less in a calendar month being ignored and those of more than fifteen days being treated as a full calendar month for the purpose.

(2) Ifa civil servant proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than fifteen days, the leave to be credited for both the incomplete months shall be restricted to that admissible for one full calendar month only.

3. There shall be no maximum limit on the accumulation of such leave.

4. Civil Servants in Vacation Department— A civil servant in vacation department may earn leave on full pay:—

(a) When he avails himself of full vacation in a calendar year. at the rate of one day for every calendar month of duty rendered;

(b) When during any year he is prevented from availing himself of the full vacation as for a civil servant in a non-vacation department for that year; and

(c) When he avails himself of only a part of the vacation as in (a) above plus such proportion of thirty days as the number of days of vacation not taken bears to the full vacation.

5. Leave on full pay.— The maximum period of leave on full pay that may be granted at one time shall be as follows:—

(a) Without medical certificate..... 120 days
(b) With medical certificate... 180 days
plus
(c) On medical certificate
from leave account in
entire service..... 365 days

Note.— Under the Prescribed Leave Rules, 1955, leave on half average pay could be converted into leave on full pay on the strength of Medical Certificate upto a maximum of twelve months in terms of leave on full pay in the whole service. The account of this kind of leave was separately maintained in column 14 (a) of the leave account under the said Rules. Such leave availed of by the civil servants before the introduction of these rules, shall be debited against the maximum limit of 365 days fixed under this rule.

6. Leave on Half Pay. (1) Leave on full pay may, at the option of the civil servant, be converted into leave on half pay, the debit to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one-half counting as one full day's leave on full pay.

(2) The request for conversion of leave referred to in sub-rule (1) shall be specified by the civil servant in his application for the grant of leave.

(3) There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.

7. Leave to be Applied, etc., in Terms of Days.— Leave shall be applied for, expressed, and sanctioned, in terms of days.

8. Carry Forward of Existing Leave— All leaves at credit in the account of a civil servant on the first day of July, 1978, shall be carried forward and expressed in terms of leave on full pay and the leave account in such cases shall, with effect from the first day of July, 1978, or, in the case of a civil servant who was on leave on that date, with effect from the date of his return from leave, be recast as under:—

(i) Leave on average pay:

(a) 1 month. 30 days

(b) 1 day... . 1 day
(ii) Leave on half average pay:

(a) 1 month... 15 days

(b) 2 days... 1 day

Note— Fractions, if any, shall be ignored.

9. Extraordinary leave (leave without pay).— (1) Extraordinary leave without pay may be granted on any ground upto a maximum period of five years at a time; provided that the civil servant to whom such leave is granted has been in continuous service for a period

of not less than ten years, and, in case a civil servant has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the head of his office:

Provided that the maximum period of five years shall be reduced by the period of leave on full pay or half pay, if granted in combination with the extraordinary leave.

(2) Extraordinary leave upto a maximum period prescribed under sub-tule (1) may be granted, subject to the conditions stated therein, irrespective of the fact whether a civil servant is a permanent or a temporary employee.

*(3) Extraordinary leave may be granted retrospectively in lieu of absence without leave.

10. Recreation leave.— Recreation leave may be granted for fifteen days once in a calendar year, the debit to the leave account may, however, be for ten days leave on full pay:

Provided that such leave shall not be admissible to a civil servant in a vacation department.

11. Leave not due. (1) Leave not due may be granted on full pay, to be offset against leave to be earned in future, for a maximum period of three hundred and sixty-five days in the entire period of service, subject to the condition that during the first five years of service it shall not exceed ninety days in all.

(2) Such leave may be converted into leave on half pay.

(3) Such leave shall be granted only when there are reasonable chances of the civil servant resuming duty on the expiry of the leave.

(4) Such leave shall be granted sparingly and to the satisfaction of the sanctioning authority. “TJ.

12. Special leave.— (1) A female civil servant, on the death of her husband, may be granted special leave on full pay, when applied for a period not exceeding one hundred and thirty days.

(2) Such leave shall not be debited to her leave account.

(3) Such leave shall commence from the date of death of her husband and for this purpose she will have to produce death certificate issued by the competent authority either alongwith her application for special leave or, if that is not possible, the said certificate may be furnished to the leave sanctioning authority separately.

13. Maternity leave— (1) Maternity leave may be granted on full pay, outside the leave account, to a female civil servant to the extent of ninety days in all from the date of its commencement or forty-five days from the date of her confinement, whichever be earlier.

(2) Such leave may not be granted for more than three times in the entire service of a female civil servant except in the case of a female civil servant employed in a vacation department who may be granted maternity leave without this restriction.

(3) For confinements beyond the third one, the female civil servant would have to take leave from her normal leave account.

(4) The spells of maternity leave availed of prior to the coming into force of these rules shall be deemed to have been taken under these rules.

* Added vide Finance Division’s Notification No. F.1(45)-R 4/81, dated 13-2-1982.
Omitted vide Finance Division’s Notification No. S.R.O. 218(KE)/93, dated 24-10-1993.

(5) Maternity leave may be granted in continuation of, or in combination with, any other kind of leave including extraordinary leave as may be due and admissible to a female civil servant.

(6) Leave salary to be paid during maternity leave shall be regulated, as for other leave, in accordance with the formula contained in the Finance Division's O.M No.F.9(16)-R.1/69, dated the 26" July, 1969, read with its O.M of even number dated the 28" November, 1969.

(7) | The leave salary to be paid during maternity leave will, therefore, remain un-affected even if an increment accrues during such leave and the effect of such an increment will be given after the expiry of maternity leave.

14. Disability Leave.— (1) Disability leave may be granted, outside the leave account on each occasion, upto a maximum of seven hundred and twenty days on such medical advice as the head of office may consider necessary, to a civil servant, other than a seaman or a civil servant in part-time service, disabled by injury, ailment or disease contacted in course or in consequence of duty or official position.

(2) The leave salary during disability leave shall be equal to full pay for the first one hundred and eighty days and on half pay of the remaining period.

15. Leave Ex-Pakistan.— (1) Leave ex-Pakistan may be granted on full pay to a civil servant who applies for such leave or who proceeds abroad during leave, or takes leave while posted abroad or is otherwise on duty abroad, and makes a specific request to that effect.

(2) The leave pay to be drawn abroad shall be restricted to a maximum of three thousand rupees per month.

(3) The leave pay shall be payable in Sterling if such leave is spent in Asia other than Pakistan and India.

(4) Such leave pay shall be payable for the actual period of leave spent abroad subject to a maximum of one hundred and twenty days at a time.

(5) The civil servants appointed after the 17th May, 1958, shall draw their leave salary in rupees in Pakistan irrespective of the country where they spend their leave.

(6) Leave ex-Pakistan will be regulated and be subject to the same limits and conditions as prescribed in rules 5, 6 and 9.

16. Leave preparatory to retirement.— (1) The maximum period upto which a civil servant may be granted leave preparatory to retirement shall be three hundred and sixty-five days.

(2) Such leave may be taken, subject to availability, either on full pay, or partly on full pay and partly on half pay, or entirely on half pay, at the discretion of the civil servant.

*[(3) An officer of BPS-21 or BPS-22 who, on or after the 19" day of February, 1991, opts to retire voluntarily after he has completed twenty-five years of service qualifying for pension may be granted leave preparatory to retirement equal to entire leave at his credit

“Added vide Finance Division’s O.M. No. F.1(8)-R.4/89, dated 30-5-1991.

in his leave account on full pay o
age, whichever is earlier:

r till the date on which he completes the sixtieth years of his

Provided that such officer shall not be entitled to conversion of leave preparatory to retirement on full pay under rule 6 into leave on half pay].

“[17. Encashment of refused leave preparatory to retirement. (1) If in case of

retirement on superannuation

or voluntary retirement on completion of thirty years

qualifying service a civil servant cannot for reasons of public service, be granted leave

preparatory to retirement duly ap
lump-sum leave pay for the leav
and sixty five days leave on full

(2) Such leave can
compensation shall be admissi
exceeding ***[three hundred an

(3) The payment of
civil servant either in lump-sum

plied for in sufficient time, he will in lieu thereof be granted
e refused to him subject to a maximum of ™[three hundred
pay]].

be refused partly and sanctioned partly but the cash

ble for the actual period of such leave so refused not
sixty five days].

leave pay in lieu of such refused leave may be made to the
at the time of retirement or may, at his option, be drawn by

him month-wise for the period o

(4)

leave so refused.

For the purpose of lump-sum payment in lieu of such leave, only the "Senior

Post Allowance" will be included in "Leave Pay" so admissible.

(5) In case a civil

servant on leave preparatory to retirement dies before

completing **[three hundred an

sixty five days] of such leave, his family shall be entitled to

lump-sum payment equal to the period falling short of *[three hundred and sixty five days].

18. Power to refuse le:

ave preparatory to retirement, efc— (1) Ordinarily, leave

preparatory to retirement shall not be refused.

(2) All orders refusi
recalling a civil servant from le
authorities specified below:

ing leave preparatory to retirement to a civil servant and
ave preparatory to retirement shall be passed only by the

“Ta For civil servants of BPS-20 ®Chief Executive
and above.
(ii) For civil servants Appointing Authority
in BPS-17 to 19 prescribed in rule 6 of the
Civil Servants (Appointment,
Promotion and Transfer)
Rules, 1973; and
(iti) For civil servants in BPS-16 As above in (ii).]

and below

* Subs. vide Finance Division’s Notification No. SRO 281(1)86, dated 10-3-1986.
* Subs.vide Finance Division (Regulation Wing) Notification No.SRO 70(KE)/2012 dated 29-8-2012.

Subs. vide Finance Division’s Noti:
® Now Prime Minister

fication No.F.1(2)/R.4/2000 dated 21-2-2001.

(3) The authorities specified in sub-rule (2) shall not delegate these powers to any other authority.

“((4) All proposals regarding refusal of Leave Preparatory to Retirement to the Officers in BPS-17 and above shall be submitted to the respective appointing authorities with detailed justification at least three months before the officer is due to proceed on such leave].

“[18-A. Encashment of leave preparatory to retirement— (1) A civil servant may fifteen months before the date of superannuation or thirty years qualifying service on or after the Ist July, 1983, at his option, be allowed to encash his leave preparatory to retirement if he undertakes in writing to perform duty in lieu of the whole period of three hundred and sixty-five days or lesser period which is due and admissible].

““TProvided that a civil servant who does not exercise the option within the specified period shall be deemed to have opted for encashment of LPR]. This amendment shall be effective from the 5" March, 1990.

Provided further that a civil servant appointed or posted as Officer on Special Duty with or without an assignment of duty, shall be deemed to have performed duties in lieu of the period of LPR within the meaning of this rule.

@@{(2) In lieu of such leave, leave pay may be claimed for the actual period of such

leave subject to a maximum of @@@lthree hundred and sixty five days].

@

@ [(2A) Encashment of leave preparatory to retirement (LPR) not exceeding

three hundred and sixty five days shall be effective from the first day of July,2012 and shall, for the entire period of leave refused or opted for encashment, be applicable to a civil servant retired or, as the case may be, retiring on or after the first day of July,2012, provided such leave is available at his credit subject to a maximum of three hundred and sixty five days.

(2B) The encashment of LPR shall also be applicable to employees of the autonomous and semi-autonomous bodies under Administrative control of the Federal Government which have adopted basic pay scales scheme and these rules in toto].

@@@[(3) If at any time during such period, leave is granted on account of ill health supported by medical certificate or for performance of Hajj, the amount of cash compensation on account of leave pay shall be reduced by an amount equal to the leave pay for the period of leave so granted].

(4) The civil servant shall submit the option to the authority competent to sanction leave preparatory to retirement, who shall accept the option and issue formal sanction for the payment of cash compensation.

* Subs. vide Finance Division’s Notification No.F.1(2)/R.4/2000 dated 21-2-2001.

* Subs. vide Finance Division’s Notification No. F.1(73)-R.4/84, dated 18-12-1984.

“** Added vide Finance Division’s Notification No. F.1(1)-R-4/90-320, dated 11-3-1990.

© Added vide Finance Division (Regs. Wing) SRO No. (1)/2007, dated 27.10.2007.

&@ Subs. vide Finance Division’s Notification No. SRO 1022 (D/85 dated 14-10-1985.

&@@ ‘Added and Subs. vide Finance Division’s Notification No. S.R.O. 70(KE)/2012, dated 29-8-2012.

[(5) For the purpose of payment in lieu of such leave —

(a) the rate of pay shall be the rate admissible “[at the time the leave pay is drawn],

(b) the leave pay may be drawn at any time for the period for which duty has already been rendered; and

(c) only the "Senior Post-Allowance" will be included in the leave pay as admissible].

“T(6) Leave pay for the purpose of encashment of LPR shall be computed on the basis of pay and allowances reckonable towards pension as shown in the last pay certificate of a civil servant.]

see

19. In-service death, efc— (1) In case a civil servant dies, or is declared permanently incapacitated for further service by a Medical Board, while in service, a lump-sum payment equal to leave pay upto “[three hundred and sixty five days] out of the leave at his credit shall be made to his family as defined for the purposes of family pension or, as the case may be, to the civil servant.

(2) For the purpose of lump-sum payment under sub-rule (1), only the "Senior Post Allowance" will be included in the leave pay" so admissible".

20. Reasons need not be specified, efc.— (1) It shall not be necessary to specify the reasons for which leave has been applied so long as that leave is due and admissible to a civil servant.

(2) Leave applied for on medical certificate shall not be refused:

Provided that the authority competent to sanction leave may, at its discretion, secure a second medical opinion by requesting the Civil Surgeon or Medical Board, as the case may be, to have the applicant medically examined.

21. Leave when starts and ends.— Instead of indicating whether leave starts or ends in the forenoon or afternoon, leave may commence from that day following that on which a civil servant hands over the charge of his post and may end on the day preceding that on which he resumes duty.

22. Recall from leave, efc.— (1) If a civil servant is recalled to duty compulsorily with the personal approval of the head of his office from leave of any kind that he is spending away from his headquarters, he may be granted a single return fare plus daily allowance as admissible on tour from the station where he is spending his leave to the place where he is required to report for duty.

* Subs. vide Finance Division’s Notification No. F.(1)73-R-4/84 dated 12-03-1986.

** Added vide Finance Division’s Notification No. S.R.O. 70(KE)/2012, dated 29-8-2012.

“Amended vide Finance Division’s Notification No. F.I (34) R-4/85, dated 16-9-1985, effective from the da
of issue.

Subs. vide Finance Division’s Notification No. S.R.O No. 11(KE)/2013 dated 18-02-2013.

(2) Incase the civil servant is recalled to duty at headquarters and his remaining leave is cancelled, the fare then admissible shall be for one way journey only.

(3) If the return from leave is optional, the civil servant is entitled to no concession.

23. Overstayal after sanctioned leave, etc— (1) Unless the leave of a civil servant is extended by the head of his office, a civil servant who remains absent after the end of his leave shall not be entitled to any remuneration for the period of such absence, and without prejudice to any disciplinary action that may be taken against him, double the period of such absence shall be debited against his leave account.

(2) Such debit shall, if there is insufficient credit in the leave account, be adjusted against future earning.

24. Any type of leave may be applied.— A civil servant may apply for the type of leave which is due and admissible to him and it shall not be refused on the ground that another type of leave should be taken in the particular circumstances, for example, a civil servant may apply for extraordinary leave or leave on half pay even if leave on full pay is otherwise due and admissible to him, or he may, proceed on extraordinary leave followed by leave on half pay and full pay rather than that on full pay, half pay, and without pay.

25. Combination of different types of leave, efc— One type of leave may be combined with joining time or with any other type of leave otherwise admissible to the civil servant:

Provided that leave preparatory to retirement shall not be combined with any other kind of leave.

26. Civil servant on leave not to join duty without permission before its expiry.— Unless he is permitted to do so by the authority which sanctioned his leave, a civil servant on leave may not return to duty before the expiry of the period of leave granted to him.

27. Leave due may be granted on abolition of post, efc— (1) When a post is abolished, leave due to the civil servant, whose services are terminated in consequence thereof, shall be granted without regard to the availability of a post for the period of leave.

(2) _ The grant of leave in such cases shall, so long as he does not attain the age of superannuation, be deemed automatically to have also extended the duration of the post and the tenure of its incumbent.

28. Manner of handing over charge when proceeding on leave, efc.— (1) A civil servant proceeding on leave shall hand over the charge of his post, and if he is in “Grade-16 and above, he shall, while handing over charge of the post sign the charge relinquishment report.

(2) If leave ex-Pakistan has been sanctioned on medical grounds, the civil servants shall take abroad with him a copy of the medical statement of his case.

29. Assumption of charge on return from leave, efc.— (1) A civil servant, on return from leave, shall report for duty to the authority that sanctioned his leave and assume

“ Now BPS.

charge of the post to which he is directed by that authority unless such direction has been given to him in advance.

(2) Incase he is directed to take charge of a post at a station other than that from where he proceeded on leave, travel expenses as on transfer shall be payable to him.

30. Account offices to maintain leave account.— (1) Leave account in respect of a civil servant shall be maintained as part of his service book.

(2) The accounts offices shall maintain the leave accounts of civil servants of whom they were maintaining the accounts immediately before the coming into force of these rules.

31. Leave to lapse when civil servant quits service— All leaves at the credit of a civil servant shall lapse when he quits service.

32. Pay during leave.— (1) Leave pay admissible during leave on full pay shall be the greater of:—

(a) the average monthly pay earned during the twelve complete months immediately preceding the month in which the leave begins; and

(b) the rate equal to the rate of pay drawn on the day immediately before the beginning of the leave.

(2) When leave on half pay is taken, the amounts calculated under clauses (a) and (b) of sub-rule (1) shall be halved to determine the greater of the two rates.

*[(3) A civil servant shall be entitled to the leave pay at the revised rate of pay if a general revision in pay of civil servants takes place or an annual increment occurs during the period of leave of the civil servant].

33. Departmental leave. (1) Departmental leave may be granted to civil servants drawing pay in Grade | to 9 in the National Pay Scale and serving in the Survey of Pakistan or in any such other department as may be notified by the Finance Division on the conditions laid down in this rule.

(2) Departmental leave may be granted only to a civil servant whose services are temporarily not required and no leave other than leave-not-due is admissible.

(3) A subsistence allowance at such rate as the officer granting the leave may think fit but not exceeding half pay may be granted during departmental leave.

(4) | The allowance shall be payable only on return to and resumption of duty after the expiration of the leave, whether taken by itself or combined with departmental leave without pay:

Provided that if a civil servant dies while on departmental leave, the amount of allowance, if any, otherwise admissible upto date of his death shall be paid to his heirs.

(5) Departmental leave with subsistence allowance may be granted during the recess by the head of the party or office to which the civil servant belongs only when the

“Added vide Finance Division’s Notification No. F.1(6)R-4/93, dated 21-9-1994.

officer granting the leave considers it desirable to re-employ him in the ensuing field season and the leave so granted may, in special cases, be extended by the Surveyor-General upto a maximum of five hundred and forty days at a time.

(6) Departmental leave with subsistence allowance may be granted at times other than the recess for not more than one hundred and eighty days at a time by a Director or Deputy Director, Survey of Pakistan, provided such leave is granted in the interest of public service or work and not at the civil servant's own request.

(7) Leave granted may in special cases be extended by the Surveyor-General upto a maximum of three hundred and sixty five days at a time.

(8) Leave on medical certificate shall in no circumstances be regarded as granted in the interest of public service or work.

(9) Departmental leave without pay may be granted by the Surveyor-General in continuation of departmental leave with subsistence allowance in special cases as authorized by the Finance Division by a general or special order.

(10) When a civil servant holds a post in which the Surveyor-General considers that he is unlikely to be eligible for departmental leave in future, the Surveyor-General may, by special orders in writing, declare that, with effect from such date not being earlier than the civil servant's last return from departmental leave, as the Surveyor-General may fix, any balance of leave at debit in the civil servant's leave account shall be cancelled, and all leave earned after such date will be credited as due in the civil servant's leave account, and all leave taken after such date, including departmental leave with allowances, if any, will be debited to it.

(11) Departmental leave may be combined with any other kind of leave which may be due.

34. Sick leave to a seaman.— A civil servant serving as an officer, warrant officer or petty officer on a government vessel may, while undergoing medical treatment for sickness or injury, either on his vessel or in hospital, be granted leave on full pay, outside his leave account, for a period not exceeding forty-five days by the master or the captain of the vessel provided that the civil servant is not malingering or his ill health is not due to such of his own action as cause or aggravate disease or injury.

35. Leave to disabled seaman.— A civil servant referred to in rule 34 who is disabled while performing his duty may be allowed leave on full pay for a maximum period not exceeding ninety days on each occasion if:-

(a) _ the disability is duly certified by a government Medical Officer,
(b) _ the disability is not due to the civil servant's own carelessness, and

(c) | the vacancy caused by his absence is not filled up.

36. Leave earned by civil servant employed in non-continuous establishment.— (1) A civil servant employed in a non-continuous establishment may be granted only earned leave and disability leave as admissible to, and subject to the conditions laid down for, a civil servant employed in a continuous establishment and no other kind of leave shall be admissible to such civil servant.

(2) A civil servant who is transferred from a non-continuous establishment to a continuous establishment and vice versa shall carry forward the balance of earned leave at his credit on the date of his transfer.

Explanation. \n this rule, "non-continuous establishment" means an establishment which does not function throughout the year and "continuous establishment" means an establishment which functions throughout the year.

37. Quarantine leave.— (1) Quarantine leave is in the nature of extra casual leave and a substitute shall normally not be employed during the absence of civil servant on such leave:

Provided that where the exigencies of service are compelling, the head of the office may employ a substitute for reasons to be recorded in writing.

(2) A civil servant may be granted quarantine leave outside his leave account to the extent that his authorized medical attendant recommends and the period of such leave shall be treated as duty with full pay and allowances of the post held by him at the time of proceeding on leave.

38. Leave application, its sanction, efc— (1) Except where otherwise stated, an application for leave or for an extension of leave must be made to the head of office where a civil servant is employed and, in the case of the head of office, to the next-above administrative authority and the extent of leave due and admissible shall be stated in the application.

(2) An audit report shall not be necessary before the leave is sanctioned.

(3) When a civil servant submits a medical certificate for the grant of leave, it shall be by an authorized medical attendant *[or other registered medical practitioner] in the form attached to these rules.

*[(3-A). No civil servant who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in the form attached to these rules.]

(4) Leave as admissible to a civil servant under these rules may be sanctioned by the head of a Ministry, Division, Department, Office or any other officer authorized by him to do so and, when so required, leave shall be notified in the official Gazette.

(5) In cases where all the applications for leave cannot, in the interest of public service, be sanctioned to run simultaneously, the authority competent to sanction leave shall, in deciding the priority of the applications, consider:-

(i) | whether, and how many applicants can, for the time being, best be spared;

(ii) whether any applicants were last recalled compulsorily from leave; and

(iii) whether any applicants were required to make adjustment in the timing of their leave on the last occasion.

* Ins. & added vide Finance Division’s Notification No. 847-R.4/83, dated 19-11-1983.

39. Hospital leave and study leave. Subject to these rules, the provisions regarding hospital leave and study leave contained in the Fundamental Rules and Supplementary Rules shall apply to the civil servants.

“[40. Relaxation of Rules. The Federal Government may, in a case of hardship, relax all or any of the provision of these Rules:

Provided that such relaxation shall not be less favourable to any benefit available to a Civil Servant under these Rules].

[Authority:- Finance Div.’s $.R.O. No.1313(D/80, dated 20-12-1980, as amended from time to time].

“Added vide Finance Division Notification No. F.1(4)-R.4/92, dated 01-10-1992.

Form-I
FORM OF MEDICAL CERTIFICATE
Signature of applicant

MEDICAL CERTIFICATE FOR CIVIL SERVANTS
RECOMMENDED FOR LEAVE OR EXTENSION

personal examination of

.. whose signature is given above, is suffering

from ..... and I consider that a period of absence from duty of wee with effect
FFOM woes is absolutely necessary for the restoration of his health.
Dated, the.....

Government Medical Attendant
*

or
Other Registered Medical Practitioner

Form-II
[FORM OF MEDICAL CERTIFICATE OF FITNESS TO RETURN TO DUTY

[ee ,..... do hereby certify that I have carefully examined ..... of the
ney. mn department, and find that he has recovered from his illness and is now fit to resume duties in Government service. I also certify that before arriving at this decision I have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended, and have taken these into consideration in arriving at my decision.

Dated, the .....
Government Medical Attendant

*or
Other Registered Medical Practitioner]

* Added vide Finance Division’s O.M No. F.1(22)R.4/82, dated 22-12-1982.
“* Added vide Finance Division’s Notification No. 847-R. 4/83 dated 19-11-1983.

Form-lll
G.F. R.13
APPLICATION FOR LEAVE

Notes.-Items 1 to 9 must be filled in by all applicants. Item 12 applies only in the case of Government servants of Grade 16 and above.

Name of applicant

Leave Rules applicable

Post held

Department or Office

Pay

House rent allowance, conveyance allowance or other compensatory allowances drawn in the present post

7. (a) Nature of leave applied for

(b) Period of leave in days

(c) Date of commencement

Particular Rule/Rules under which leave is admissible
9. (a) Date of return from Last Leave

(b) Nature of leave

(c) Period of leave in days

ANRWNS

9

Dated:-
Signature of applicant
10. Remarks and recommendation of the Controlling Officer

11. Certified that leave applied for is admissible under Rule.
conditions are fulfilled.

and necessary

SIQNALUTE... cece eee
Dated Designation... ... 20.0...
12. Report of Audit Officer
Dated
SIQNALUTE 0... .e cee tee eee
Designation... ..cceccccves
13. Orders of the sanctioning authority certifying that on the expiry of leave the

applicant is likely to return to the same post or another post carry the compensatory allowances drawn by him

Dated SIQNALUTE 0. eee cece eee

Designation 00 000064

Cuaprer-5

FORM A.T.C.8

FORM-III

FORM OF LEAVE ACCOUNT UNDER THE REVISED LEAVE RULES,1980
[Approved vide Finance Division’s letter No. F.1(3)-Rev.1/78, dated 18-1-1979]

Leave Account of Mr. /Miss/Mrs.:

Date of commencement of service----------

Date of attaining the age of superannuation----------(N.B.- Instructions for filling in the form are printed on

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SI.No.2

Explanatory Instructions for Filling Up the Leave Account Form

This leave account will be maintained for all civil servants of the Federal Government who were in service on the 1“ July, 1978 including those who were on leave on that date and have not opted to retain the existing leave rules and all others, who enter service on or after 1* July, 1978.

2.

All leave at credit in the account of a civil servant who was in service on

the 1 July, 1978 shall be converted in terms of leave on full pay at the following rates: —

@)

(i)

LAP’.

(a) 1 month... 30 days
(b) I day.. .1 day
L.H.A.P*.

(a) 1 month... 15 days
(b) 2 days wwe 1 day

[Fractions if any to be ignored]

3.

The leave account shall commence with an opening entry "Due on

1-7-1978" or in the case of a civil servant, who was on leave on 1-7-1978 with effect from the date of his return from leave. For the purpose of computing the leave at credit, the service upto 30-6-1978 will be taken into account. The leave due in terms of leave on full pay in days will be noted in Column No. 21.

4. (i) In calculating the leave earned on full pay at the rate of 4 days for every

(i)

calendar month the duty period of 15 days or less in a calendar month shall be ignored and those of more than 15 days shall be treated as a full calendar month for the purpose. If a civil servant proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than 15 days, the leave to be credited for both the incomplete months will be restricted to that admissible for one full calendar month only. There shall be no maximum limit on accumulation of this leave.

The provision in (i) above will not apply to a vacation department. In such case, a civil servant may earn leave on full pay

(a) when he avails himself of full vacation in a calendar year at the rate of one day for every calendar month of duty rendered;

(b) when during any year he is prevented from availing himself of the

“ LAP means Leave on Average Pay, LHAP; Leave on Half Average Pay.

full vacation as for a civil servant in a non-vacation department for that year; and

(c) when he avails himself of only a part of the vacation

as in (a) above plus such proportion of thirty days

as the number of days of vacation not taken bears to the full vacation.

5.(a) Leave on full pay may be converted into leave on half pay at the option of the civil servant; the debit to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one half counting as one full day's leave on full pay. The request for such conversion shall be specified by the civil servant in his application for the grant of leave.

(b) There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.

6. — L.P.R. on full pay will be noted in column No. 10 while that on half pay in columns No. 13 and 14.

7. Leave not due may be granted on full pay to be offset against leave to be earned in future for a maximum period of 365 days in the entire period of service, subject to the condition that during the first five years of service it shall not exceed 90 days in all. Such leave may be converted into leave on half pay. It shall be granted only when there are reasonable chances of the civil servant resuming duty.

8. The grant of Special Leave, Maternity Leave, Disability Leave, Extraordinary Leave, payment of leave pay for refused L.P.R. upto a maximum of “180 days, lump-sum payment equal to full pay upto *180 days out of leave at credit made to the family of a government servant, whose death occurs while in service, Seaman Sick Leave, Departmental Leave, Study Leave, Hospital Leave and Quarantine Leave shall be noted in Column No. 22, Maternity Leave, other than three times in entire service shall, however, be debited to the relevant column of the Leave Account.

9. | When a government servant applies for leave Columns 2 to 7, shall be filled in showing the period of duty upto the date preceding that on which a government servant intends to go on leave. The full calendar months to be noted in Column 5 shall be worked out on the lines indicated in (4) above.

10. When a government servant returns from leave, Columns 8 to 23 shall be filled according to the nature of leave. If leave not due is availed off the minus balance to be shown in Column No. 21 should be written in red ink.

3.1. Clarification of Withdrawal of Request of LPR/Retirement After Sanction/ Notification

Refer to the correspondence resting with M/o Defence (Defence Division)’s O.M.No.3/25/D-11(CSH)/2006 dated 01-04-2011 on the above subject and to clarify that:-

i) After the withdrawal of Establishment Division’s O.M No.14/2/2009-R-2 dated

"Now 365 days.

25-08-1996 vide their O.M No. 14/2/2002-R-2 dated 14-07-2011, a Governm-ent servant may withdraw his option of voluntary retirement within the period of LPR and after retirement, there is no option available to the Government servant for re-joining the duty.

ii) An individual, who goes on 365 days LPR and after availing a part thereof, he rejoins his duty. In such cases, the period of leave availed by an individual be adjusted in the order of leave on full pay, leave on half pay and extraordinary leave (leave without pay). Later on, on attaining the age of superannuation, he agains opts for 365 days LPR OR leave encashment of 180 days in lieu of 365 days LPR. Such option of an individual may be treated as a fresh case and he will be allowed LPR or encashment thereof in toto.

[Authority:- Finance Division's O.M. F.1(1)R-4/2007(Vol-I) dated 17-11-2011].

3.2 Further Clarification of Withdrawal of Request of LPR/Retirement After Sanction/Notification

Refer to Finance Division's O.M.No.F.1(1)R-4/2007-(Vol.I]) — dated 17-11-2011 on the above subject and to state that it has been decided in consultation with Establishment Division that a Government Servant can withdraw option of voluntary retirement, during the period for which encashment has been applied/granted, subject to the following conditions:-

i. He / She may withdraw his/her option of voluntary retirement before retirement matures;

ii. It is binding on a government servant to return any amount of leave pay received by him/her, in lieu of encashment of LPR for that period;

iii. Later on, on attaining the age of superannuation, if he/she again opts for 365 days leave encashment in lieu of 365 days LPR, such option of an individual may be treated as a fresh case and he/she will be allowed encashment of LPR in toto.

[Authority:- Finance Division's O.M. No.F.1(1)R-4/2007-Vol-II(Pt) dated 06-10-2015].

3.3. Option for Encashment of L.P.R.

Reference Finance Division's O.M. No.F.1(19)R-3/83, dated 11-7-1984 (Annex). It is stated that in case the leave of any kind including Extra-Ordinary Leave without pay is taken during the last 15 or 12 months by a retiring government servant, who opts for encashment of L.P.R. except on grounds contained in the above reference, the period of such leave will be reduced from 180 days or lesser period for which the encashment is allowed.

[Authority.— Finance Division's O.M. No.F.1(73)R-4/84, dated 10-12-1989].

(ANNEX)
[Copy of Finance Division O.M. No.F.1(19)R.3/83, dated 11-7-1984].

Reference para 25, of the Scheme of Basic Pay Scale contained in Finance Division O.M. No.1(1)Imp/83, dated 18.8.1983, according to which the encashment of L.P.R., which was previously admissible to civil servants only if L.P.R. was refused in public interest, would now be admissible to the employees concerned at their own option. In this connection, various points have been raised for clarification. It has, therefore, been decided to clarify the points of doubt as in the following paragraphs.

2. Under the earlier orders, the concession of encashment of L.P.R. on retirement on superannuation or on completion of 30 years qualifying service was admissible upto the maximum of leave pay for “365 days under rule 17(i) of the Revised Leave Rules, 1980. The words "leave salary" and *"one year" used in para 25 of the Scheme of Basic Pay Scales contained in Finance Division's O.M. No.F.1(1)-Imp/83, dated 18.8.1983, shall, therefore, mean "leave pay" and *"three hundred and sixty five days" respectively, as in para 17 of Revised Leave Rules 1980.

3. A civil servant, who wishes to forego his L.P.R. in favour of cash compensation, shall exercise his option to this effect in writing 15 months prior to the date of retirement, and submit it to the authority competent to sanction for the payment of cash compensation.

4. After having exercised the option for encashment of L.P.R., the government servant shall have to perform duty during the entire period upto the date of retirement and cannot, save as stated in para 5 below, avail himself of any kind of leave, during the last 15 months of his service if the leave, at his credit was 365 days or less, and during the last 12 months of his service if the leave at his credit was more than 365 days. Provided that in the later case, leave can be taken prior to the period of the last 12 months only to the extent that the balance leave at credit does not fall below 365 days.

5. The competent authority may, where it is satisfied that the leave applied for is unavoidable or is fully justified, e.g, in cases of illness, supported by medical certificate, or for performance of ‘Hajj’ etc., grant leave to an employee during the last 15 or 12 months of his service, as the case may be, in accordance with para 4 above. In such a case, the amount of cash compensation shall be reduced by an amount equal to the leave pay for half of the period of leave taken. For example, if an employee, who has opted for encashment of L.P.R., has taken 60 days of leave, his cash compensation equal to 30 days leave pay would be forfeited.

6. — It is requested that the cases of encashment of L.P.R. may be regulated according to the clarifications contained in this Office Memorandum.

3.4 Encashment of LPR on Premature Retirement

The matter of allowing of encashment of L.P.R on premature retirement, on completion of 31 years qualifying service, has been under consideration of the Finance Division. It is clarified that encashment of LPR upto *365 days will also be admissible to

* Amended vide Finance Division’s Notification No. S.R.O. 70(KE)/2012, dated 29-8-2012.

a civil servant who renders 31 years or more qualifying service and who seeks voluntary retirement on three months' notice in terms of Finance Division's O.M No. 591-R.4/83, dated 04-09-1983 treating the last year of his service (including the notice period) as duty performed during LPR. It is further clarified that such a government servant would also be entitled to encash his LPR upto maximum of 365 days subject to the same terms and conditions as laid down in rule *18-A of the Revised Leave Rules, 1980' as amended from time to time read with Finance Division's O.M No. F.1 (19) R.3/83, dated 11-07-1984 and F.1 (73) R.4/84, dated 10-12-1989 respectively.

[Authority.— Finance Division (Regulations Wing) O.M. No.F.1(8)R-4/90, dated 2-6-1991]

3.5 Encashment of L.P.R

Reference Finance Division's Office Memorandum No. F.1(8)r-4/90, dated 2"¢ June,1991 on the subject. It is to state that the competent authority has been pleased to withdraw the O.M referred to above with immediate effect.

[Authority.— Finance Division (Regulations Wing) O.M. No.F.1(2)R-4/2001, dated 12-03-2002]

3.6 Encashment of L.P.R (Clarification)

Reference Finance Division's Office Memorandum No. F. 1 (2) R-4/2001, dated March, 12, 2002 on the subject. Through the aforesaid O.M, this Division's earlier O.M No. F.1(8)-R.4/90, dated 2™ June, 1991 has been withdrawn being contradictory to rule 18-A (1) or Revised Rules, 1980. The cancellation of OM dated 02-06-1991 has created the impression as if the facility of encashment of LPR has been discontinued is not correct. The OM dated 02-06-1991, stipulates that encashment of LPR is admissible on completion of 31 years service. On the other hand, under rule 18-A(1), encashment of LPR is admissible on superannuation or thirty years qualifying service. Therefore, with the cancellation of this Division OM No. F.1(8)-R.4/90, dated 02-06-1991, the cases regarding encashment of LPR may be decided under rule 18-A (1) of Revised Leave Rules, 1980.

[Authority.— Finance Division (Regulations Wing) OM No. F.1(2) R-4/2001, dated 27-03-2002].

3.7 Encashment of LPR/Amendment in the Revised Leave Rules 1980 in Respect of Leave Encashment/Grant of Encashment of LPR for 365 Days Instead of 180 Days

Sub rule (2A) inserted in Rule 18-A of the Revised Leave Rules, 1980 vide Finance Division SRO 70 (KE)/2012 dated 29-08-2012 clearly says that encashment of Leave Preparatory to Retirement (LPR) not exceeding three hundred and sixty five days shall be effective from the first day of July 2012,and shall, for the entire period of leave refused or opted for encashment, be applicable to a Civil servant retired or, as the case may be, retiring on or after the first day of July,2012, provided such leave is available at his credit subject to a maximum of three hundred and sixty five days. A Civil Servant,

* Substituted vide Finance Division's Notification S.R.No.70(KE)/2012 dated 29-8-2012.

whose last working day was 30" June, 2012 and who stood retired w.e.f. 01-07-2012, is not entitled to the encashment of Leave Preparatory to Retirement(LPR) @ 365 days in lieu of 365 days (LPR).

[Authority.— Finance Division’s (Regulation Wing) O.M.No.F.1(7)R-4/2004-Encashment dated 28-01-2013].

4.1 Permission to Seek Private Employment by Civil Servants During LPR Within Two Years of Retirement

A proforma is required to be filled in by Civil Servants who may be desirous or seeking private employment during LPR or within two years of the date of the retirement, in accordance with Section 14 of the Civil Servants Act, 1973.

[Authority:- Establishment Division’s O.M. No.8/1/81-D.4/D.3, dated 17-07-2002].

Cuapter-5

Annexure

Revised Proforma
(See. SL. No. 4.1)

APPLICATION FORM FOR SEEKING PRIVATE

EMPLOYMENT DURING LPR/WITHIN TWO YEARS OF RETIREMENT

2. Appointments held during last 5 years of service:

Post(s) held Department(s)/Organization(s) Total Period of Stay

with BPS From

To

Nature of Retirement (*):...
Date of Proceeding on LPR

Aww

Particulars of Private Employee:

(i) Name of organization: 0.0.0... ceecteeeseeeeeeesetieeeneeeseeseees
(ii) | Law under which registered: .....
(iii) Composition of the Board of Directors
(iv) Nature of business efc: .
(v) Location of Head Office: .

7. Designation of the Post and Pay Offered:
8. Nature of duties:.

9. Whether the firm had official dealings with any of the department in which the

officer served during the last five years. If so please give details:

10. Any other information

Signature

with Designation/Grade”

of last post held and Organization

(i) On attaining the age of superannuation.
(ii) Voluntary retirement on completion of 25 years service.

(iii) Premature retirement, under Section 13(1)(i) of Civil Servants Act, 1973.

(iv) Compulsory retirement on account of disciplinary action.

(v) Retirement on medical grounds.

(Additional sheet(s) may be added where necessary)

* PL. indicate one of the following:
(a) Voluntary retirement on completion of 25 years service.
(b) Retirement on attaining the age of superannuation (60 Years).

“ Now BPS.

4.2 Arrangements for Providing Substitutes
for Officers Proceeding on L.P.R

The maximum period upto which a civil servant may be granted LPR shall be 365 days.

2. To make suitable arrangement for the replacement of retired personnel, a list should in the beginning of a calendar year be prepared of such officers and other employees who may be due to retire during that calendar year and early next year. Those officers/employees should accordingly be asked in writing whether or not they intend to proceed on LPR and if so by which date. Thereafter, action for providing suitable substitute should be initiated. On this principle, action may be taken much in advance during the year preceding the year during which officers are due to retire.

3. Establishment Division is to be contacted as early as possible by (or through) the Ministry/Division concerned for providing a substitute if he belongs to an administrative group/service which is controlled by the Establishment Division.

[Authority:- Establishment Division’s O.M. No.8/53/78-F.1, dated 31-10-1978].

5.1 Special Instructions Relevant to Leave of
Civil Servants: Absence from Headquarters

Absence from headquarters during leave, holidays or casual leave without obtaining permission from the competent authority is irregular. It is necessary for the government servant concerned to take permission of the authority which sanctioned the leave before leaving his headquarters station and keep his controlling officer advised of the change of address.

[Authority.- Estt. Division’s O.M, No. 23(49)-RI(2)/54, dated 29-12-1954].

5.2 Leaving Headquarters During
Holidays or Casual Leave

The orders contained in the Ministry of Finance Office Memorandum No.46-F. 23 (49)-RI (2)/54, dated the 29" December, 1954 are also applicable to the cases of Government Servants who leave their headquarters during holidays or while they are on casual leave.

[Authority.- Estt. Division’s O.M. No. 7/6/55-SE-II, dated 13-6-1955].

5.3 Bar Against Leaving Place of Duty Without
Waiting for Sanction of Leave

The civil servants applying for grant of leave are not to leave their offices/places of duty without waiting for actual sanction of the leave applied for. Attention is invited to F. R. 67 wherein it is clearly stated that leave cannot be claimed as of right. Thus an application for leave should not be anticipated as grant of leave. It should therefore, be brought home to the civil servants serving under the control of Ministries/Divisions that if they apply for grant of leave, they must wait for sanction of leave and should not leave the place of their duty before the leave applied for is actually granted by the competent authority. Non-compliance of these instructions might warrant action on account of misconduct under the relevant rule.

[Authority:- Establishment Division’s O.M. No.10/22/83-R.2, dated 12-08-1985]

5.4 Procedure for Grant of Leave to High Officials and to the Officers Belonging to Groups/Services/Cadres Controlled by Establishment Division

Under rule 38 of the Revised Leave Rules, 1980, leave is to be sanctioned by the head of the Ministry, Division, Department, Office or any other officer authorized by him to do so and in the case of the head of office by the next above administrative authority. While the officers belonging to Group/ Service/Cadre controlled by the Establishment Division shall apply and be granted leave as provided for in rule 38, copies of notifications granting leave to such officers shall invariably be endorsed to Establishment Division. Where a Ministry/Division required a substitute in place of the officer belonging to the Groups/Services/Cadres controlled by the Establishment Division who is desirous of proceeding on leave of duration of 90 days or more, leave may be granted after consulting the Establishment Division.

2. In the case of grant of leave to a Secretary General, Secretary or Acting Secretary to the Federal Government, or to Additional Secretary/Joint Secretary Incharge of a Ministry/ Division or Heads of department in BPS-22 and civil servants of equivalent status serving as heads of the autonomous and semi-autonomous bodies/corporations under the administrative control of the Federal Government, the following procedure will be followed:—

(i) | The application for leave on full pay upto a period of 30 days will be submitted through the Minister to the Prime Minister for orders and a copy of the notification granting leave shall be endorsed to the Secretary, Establishment Division.

(ii) The application for leave on full pay for a period of more than 30 days would be submitted through the Secretary, Establishment Division by the Minister to Prime Minister for obtaining the Prime Minister’s orders.

3. The Provincial Governments will continue to exercise the powers to grant leave, including leave ex-Pakistan, upto 120 days to the officers of *All Pakistan Unified Grades/Services/Cadres working under them. Applications for leave in excess of 120 days shall be referred to the Establishment Division.

4. The Establishment Division shall be consulted prior to the grant of leave to officers of the *APUG and OMG for a period exceeding four months.

5. | When an officer is transferred from one department to another, no leave should be sanctioned to him by the department from which he is transferred. In such cases, leave can be allowed only by the authority under whose control the transferred officer has to go.

6. Ministries/Divisions are to ensure compliance of the above instructions also by the Attached Departments, Subordinate Offices, Autonomous/ Semi-autonomous Bodies/Corporations under their administrative control.

[Reviewed by Establishment Division’s O.M. No.10/22/83-R.2, dated 18-11-1985 vide Establishment Division’s O.M. No.10/13/2001-R.2, dated 01-03-2001]

“All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(D/73 dated 14-09- have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructions iss the subject from time to time were mutatis mutandis amended.

SLNo. 6

Grant of Leave to Government Servants for the Period Spent in Giving Evidence Otherwise than on Behalf of the State in a Criminal/Civil Case not Connected with their Official Duties

A question has arisen as to whether a government servant who is summoned by a court of law to give evidence otherwise than on behalf of the State is to be treated on duty or on leave. It has been decided in consultation with the Ministry of Finance that in such cases the Government Servant concerned should be granted leave.

[Authority.- Estt. Division's O.M. No. 846/59-E, XII, dated 17-11-1959].

7.1 Grant of Leave to Officers Transferred to Other Posts

It has been decided that, in future, an officer transferred to another post, either in the Federal Secretariat, its Attached or Subordinate Offices, or to a post under a Provincial Government on reversion from the "Centre, should not be allowed leave for any period, except by the authority to whose control he is transferred.

[Authority.- Estt. Division's O.M .No.6 (21)/60-E.IX, dated 8-10-1960].

7.2 Sanction and Notification of Leave of Officers Transferred to Other Posts

Doubts have arisen as to who should sanction and notify the leave in the case of officers referred to in Establishment Division Office Memorandum No.6(21)/60-E.[X, dated the 8" October, 1960. The intention is that after the date of issue of transfer orders, leave should be allowed and notified only by the authority under whose control the officer transferred has to go.

[Authority.- Estt. Division's O.M. No. 8/20/60-F.I, dated 30-11-1961].

8.1 Grant of Extraordinary Leave (Leave Without Pay) under Rule 9 of the Revised Leave Rules, 1980

It is clarified after consultation with Law and Justice Division, Establishment Division and Auditor General of Pakistan that EOL of five years is admissible to a government servant for each 'spell of ten years of continuous service. If, however, a civil servant has not completed ten years of continuous service on each occasion/time, EOL without pay for a maximum period of two years may be granted at the discretion of the head of his Ministry/Division/ Department.

2. | The maximum leave availed during one continuous period should also not exceed 5 years.

3. The cases already decided by the Ministries/Divisions need not be re-opened.

[Authority:- Finance Division's Notification No.F.1(68)/R.4/84, dated 02-07-1991]

Federal Government.

8.2. Grant of (EOL) Without Pay and Conversion of EOL into Another Kind of Leave

The following special features of the EOL need to be kept in view while dealing with such cases:

(i) The pay and allowances are inadmissible during the EOL. Annual increments also are inadmissible under FR-26.

(ii) | The period of the EOL is not counted towards pension under CSR 361.
(iii) The EOL can cover a period of unauthorized absence; either under an administrative order vide rule 9(3) of Revised Leave Rules 1980 or on a court's directions.

(iv) The period of EOL is not considered as period spent on duty under FR-9 (6).

2. Due to the special characteristics of EOL stated above, no rule has been framed for its conversion into another kind of leave retrospectively because it not only involves payment of salary for the previous EOL period but would also involve change in the directions/orders of the authority. Moreover, a Government Servant under rule 24 of Revised Leave Rules 1980, has been given the option to apply for any kind of leave. The leave sanctioning authority has no power to change the nature of leave. This option, once exercised by the government servant, is considered final. Sometimes, cases for retrospective conversion of EOL into another kind of leave are moved on the basis of CSR 232 (3) despite the fact that this rule does not specifically deal with EOL. Similarly, Government decision (3) under FR-87 cannot be used for conversion of EOL into another kind of leave because the said rule governs the leave salary. In the light of foregoing, it has been decided that EOL cannot be converted into any other kind of leave, retrospectively.

[Authority:- Finance Division (Regulation Wing)'s O.M. No.F.1(12) R.4/97,dated 7-1-2002]

8.3. Employment of Government Servants with International Organizations, Foreign Governments on the Basis of Leave DUE/EOL

Ministries/ Divisions/Provincial Governments have to obtain, through Establishment Division, approval of the competent authority in case of employment of Government Servants with International Organizations/UN Specialized Agencies/Foreign Governments on the basis of leave due/EOL. Ministries/Divisions/Provincial Governments must ensure compliance with the existing requirement to obtain clearance of all such cases of employment of Government Servants (BPS-17 and above/equivalent) with International Organizations/UN Specialized Agencies/Foreign Governments from the SSB* and approval for BPS-20 and above officers from the Prime Minister.

2. The cases of officers in BPS-16 and below/equivalent may be approved by the administrative Secretary of the Ministry/Division.

[Authority:- Establishment Division's O.M. No.1/65/90-T.IV, dated 11-07-2000]

* Special Selection Board.

SI.No.9
Grant of Special Leave to Khuddam-ul-Hajjaj

“Khuddam-ul-Hajjaj’, (servants of the pilgrims) who remain away from their respective duties to work as khuddam, (servants) may be granted special leave on full pay for that period outside their leave account.

[Authority:- Finance Division’s O.M. No.F.1(15) R.4/82, dated 11-08-1982]

10.1 Leave Reserve under the Section Officers'
Scheme and its Proper Utilization

The posts of Section Officers, Assistants, Stenotypists, Upper Division Clerks and Lower Division Clerks created under the Section Officers' Scheme include posts in the leave reserve which is equal to ten percent of the sanctioned strength in those “grades. The position in regard to the utilization of the leave reserve and of filling up of the leave vacancies in the *grades in which leave reserve has been provided, is as follows:-

(i) | No leave vacancy in the *grades in which leave reserve has been provided, should normally be filled.

(ii) In case there is a deficiency in the *grades in which leave reserve has been provided, or where the number of persons on leave is in excess of the number of persons actually available in the leave reserve and it is difficult for the Ministry concerned to discharge its responsibilities efficiently without additional staff, officiating arrangements may be made as a special case, after consulting the Financial Adviser in the case of non-gazetted staff and the Ministry of Finance in the case of Gazetted officers.

(iii), All officers and staff employed in the *grades in which leave reserve has been provided should be asked, towards the end of each calendar year to indicate the approximate date on which and the period for which they wish to proceed on leave during the next year. On the basis of the information so collected, a leave programme for the year should be prepared in such a way that, at any given time, the number of persons on leave does not, as far as possible, exceed the leave reserve in the *grade concerned. The officer and staff available against the leave reserve would thus be available to attend to the work of those granted leave. If there are occasional gaps when the number of officers/staff wishing to proceed on leave is less than the leave reserve, the services of the officers/staff available as leave reserve may be utilized for special items of work which the Ministry may be called upon to undertake, the clearance of arrears in overworked Sections or re-arranging and weeding the records of the Ministry.

* BPS/Post(s).

(iv) Leave reserve should be treated as an integral part of the *grades concerned and the persons who are appointed against that reserve should not be labelled as such. The work in a Ministry or Division should, however, be divided in such a way as to facilitate the proper utilization of leave reserve on the lines suggested above.

(2) | This issues with the concurrence of the Ministry of Finance.
[Authority.- Estt. Division's O.M. No.3/1/60-SR, dated 1-2-1961].

10.2 Leave Reserve Section

The review of the staff position carried out by the Management Services Wing has revealed that practically all Ministries/Divisions have converted Leave Reserve Section Officers into regular Sections by assigning to them specific items of work which are of regular nature. It defeats the very objective for which Leave Reserve has been created.

2. In order to ensure the proper utilization of the Section Officers and their ancillary staff in the Leave Reserve, it has been decided that following arrangements should be made in various Ministries/Divisions:-

(i) | Experienced Section Officers along with their ancillary staff who could dispose of all types of cases, should be selected to work as Leave Reserve Officers, and no regular work should be assigned to them ;

(ii) The Leave Reserve Section Officer(s) at Rawalpindi /Islamabad or Karachi should be attached directly with the Secretary or other senior officer(s) at the station; and

(iii) When not employed in leave vacancies, the Section Officers should, along with their ancillary staff, attend to the difficult cases of other Sections which may be assigned to them by the Secretary or the senior officer(s) with whom they have been attached.

[Authority.- Estt. Division's O.M. No.3/1/60-C-III, dated 4-10-1961].

10.3 Utilization of Leave Reserve Section

It is obligatory on the Ministries/Divisions to observe the instructions contained in the Establishment Division Office Memoranda No. 3/1/60-SR, dated the 1“ February, 1961, and No. 3/1/60-C.Il, dated the 4" Oct., 1961 regarding the utilization of Leave Reserve Section Officers. In this connection, it may be mentioned that in their meeting held on the 14th November, 1961, the “Standing Committee for Consideration of Ideas for Improvement in Administration' observed that the Leave Reserve Officers were primarily to be used for the purpose for which they were meant and should not be absorbed in the normal organisation of the Ministries and that when not employed against leave vacancies they should be used as a striking force to deal with arrears in any section or sudden pressure of work. In view of this, the Ministry of Commerce, efc. are requested to re-organize their Sections in such a way as not to entrust the Leave Reserve Section Officers with regular Sections. However, if they require any additional post of Section Officer they should take up the matter in the normal way. Attention in this connection is also invited to the Establishment Division's Office Memorandum No. 5/34/59-SR, dated the 13" February, 1961 (Annex)

regarding procedure for creation/abolition of posts of Section Officers.
[Authority.— Estt. Division's O.M. No.3/1/60-C-III, dated 5-2-1962].

(ANNEX)
[Copy of Establishment Division O.M No. 5/34/59-SR dated 13" February, 1961].

Procedure for creation/abolition of posts of Section Officers: For some time past, the Establishment Division have been considering the question of issuing sanction letters regarding the creation of posts of Section Officers. It has now been decided in consultation with the Ministry of Finance that such sanction letters should be issued by the administrative Ministries concerned in the usual manner.

2. It has further been decided that prior concurrence of the Establishment Division should invariably be obtained before any additional post is created or any existing post is abolished in the cadre of the Section Officer.

10.4 Filling-up of Vacancies on Proceeding of Section Officers on LPR

It has since been decided in consultation with the Ministry of Finance that leave vacancies caused due to Section Officers proceeding on leave preparatory to retirement, may be filled in accordance with the rules.

[Authority.- Estt. Division's O.M. No. 3/1/60-C.III, dated 6-4-1962].

10.5 Leave and Training Reserve

A Leave Reserve equal to ten percent of the duty posts in the Section Officers Grade has been provided to each Ministry/ Division. Instructions regarding the utilization of the services of Section Officers in this Reserve are contained in the Establishment Division Office Memoranda No. 3/1/60-SR, dated the 1* February, 1961 and No. 3/1/60-C.III, dated the 4" October 1961 and Sth February, 1962. These instructions, inter alia, provide that Leave Reserve Section Officers should not be absorbed in the regular sections of the Ministries. However, it has been observed that with the passage of time these instructions have been lost sight of by almost all the Divisions who have converted the Leave Reserve into regular Sections. The result is that when any Section Officer proceeds on leave, no Leave Reserve Section Officer becomes available to attend to his work. This has defeated the very purpose for which the Leave Reserve was created, i.e., to have a pool of Officers whose services could immediately become available without any dislocation when any Section Officer proceeded on leave.

2. In addition to the Leave Reserve, each Division has been provided with a Training Reserve, equal to ten percent of the duty posts in the Section Officers' Grade. This reserve is mainly intended to accommodate the Section Officers (Probationers) after the completion of their training at the Secretariat Training Institute and till their absorption against regular vacancies on the successful completion of their probationary period. The officers in this Reserve are also required to attend to the work of those Section Officers who proceed on training (e.g. to the S.T.I., the NIM and training courses abroad ezc.).

Establishment Division's Office Memorandum No. 2/2/62-CIII, dated the 30" November, 1962 refers in this connection. It is observed that like the Leave Reserve, the Training Reserve has also been absorbed in the regular set-up of the Divisions. Therefore, this also has militated against the very concept of having a Training Reserve with the result that Ministries/Divisions are usually unable to make available their officers for training when required to do so on the plea that arrangements against the resultant vacancies cannot be made. This obviously retards the process of training of Section Officers which is so necessary for improving efficiency in the Secretariat.

3. In order to ensure proper utilization of the Leave and Training Reserves, all the Ministries are requested to review the position and limit the number of their regular Sections to the number of duty posts in the Section Officers Grade sanctioned for them.

[Authority.- Estt. Division’s O.M. No.3/1/60-C-III, dated 17-6-1967].

11.1 Grant of Study Leave Outside Pakistan

The grant of study leave outside Pakistan admissible under F.R. 84 read with Appendix No. 9 of F.R. & S.R. Volume II was held in abeyance. Subject to the conditi-ons laid down in the succeeding paragraphs the ban imposed on the grant of study leave is lifted.

2. In the case of professors, teachers and professional experts like engineers and doctors, study leave may be granted subject to the usual conditions provided necessary facilities in the particular field of study are not available in Pakistan.

3. In the case of other Government Servants, study leave should be granted, in consultation with the Financial Adviser concerned, in exceptional cases, after it has been established that the proposed course of study shall be beneficial in relation to the functions of the Ministry/Division etc. and that suitable and/or equivalent facilities for such a study are not available within the country.

[Authority:- Finance Division’s O.M No.F.10(3)-R-I/65, dated 20-09-1966].

11.2 Study Leave for L.L.M. (Shariah and Law)
Courses of Islamic University Islamabad

Under F.R. 84 read with Appendix 9 of F.Rs. & S.Rs Vol.II that study leave is admissible to permanent officers in BPS 16 and above for the study of scientific, technical or similar problems, or to undertake special courses of instruction. The study leave may be granted to permanent officers of BPS 16 and above to study the course of L.L.M. (Shariah & Law) introduced by the Islamic University, Islamabad, subject to the limit and other conditions as laid down in Appendix 9 of F. Rs & S. Rs Vol. II and orders issued thereunder.

[Authority:-Finance Division’s O.M. No. F.1(39)R-4/81-801, dated 17-12-1981].

11.3. Study Leave Rules Prescribed
by the President (F.R. 84)"

Study leave may be granted as additional leave to Government servants for the study of scientific, technical or similar problems, or in order to undertake special courses of instruction.

2. | These rules are not intended to meet the case of Government Servants deputed to other countries at the instance of Government, either for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties. Such cases will continue to be dealt with on their merits under the provisions of Rules 50 and 51 of the Fundamental Rules.

3. The rules shall apply to the Department of Archaeology, Public Health and Medical Department, Botanical Survey, Civil Veterinary Department, Factory Departments, Geological Survey of Pakistan, Agricultural Department, Meteorological Department, Railways Division (Traffic, Locomotive & Engineering Branches), Education Department, Pakistan Public Works Department, Pakistan Forest Institute and National Council for Conservation of Wild Life (except in respect of continental tours, to which special rules apply).

4. The rules may be extended by the authorities empowered to sanction study leave to any Government Servant, including a Government Servant of a Provincial Service, not belonging to any of the departments mentioned above, in whose case if the sanctioning authority is of the opinion that leave should be granted in the public interest to pursue a special course of study or investigation of a scientific or technical nature.

5. The powers granted by these Rules to the Government of Pakistan or to local Governments may be delegated by them to the Ambassador for Pakistan subject to any condition they may think fit to impose.

6. Extra leave on half pay for the purpose of study leave may be taken either in or outside Pakistan. It may be granted to a Government servant of any of the Departments named above by the Local Government under whom he is serving provided that when a Government Servant borne permanently on the cadre of one Province or department is serving temporarily in another Province or department the grant of leave is subject to the conditions:—

(a) that the sanctioning authority can take local arrangements to carry on his work in his absence; and

(b) that the sanction of the Province or department to which he is permanently attached is obtained before leave is given.

7. Study leave should not ordinarily be granted to Government servants of less than five years' service or to Government servants within three years of the date at which

* See FR 84 at pages 127-128, Compilation of FRs and SRs Vol. I, First Edition (Second Reprint), 1978. above is at Appendix 9 (FR 84), Vol. II, pages 65-68, Appendices & Forms, Second Edition Revised (corr upto September, 1985 of the book ibid).

they have the option of retiring, or, if they have the option of retiring after 25 years' service, within three years of the date at which they will complete 25 years' service. Nor should it be granted to Government Servants who are about to retire on proportionate pension.

8. Ministries and Divisions of the Government of Pakistan may grant study leave to Government Servants under their administrative control, subject to the restrictions which apply to the powers of a Local Government.

"9. The study leave should be granted with due regard to the exigencies of the public service. In no case should the grant of this leave, in combination with leave other than extraordinary leave or leave on medical certificate, involve absence of a Government servant for more than forty-eight months from regular duties nor should it be granted with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave. The study leave if taken on different occasions, shall not exceed forty-eight months in entire service of a Government servant.

10. A Government servant whose study leave in combined with any other kind of leave should be required to take his period of study leave at such a time as to retain, at its conclusion, a balance of other previously sanctioned leave sufficient to cover the period spent in returning to duty.

11. When a Government servant has been granted a definite period of study leave and finds subsequently that his course of study will fall short of the sanctioned period to any considerable extent, his absence from duty should be reduced by the excess period of study leave unless he produces the assent of the sanctioning authority in Pakistan to his taking it as ordinary leave.

12. Except as provided in Rule 13, all applications for study leave should be submitted with the Audit Officer's certificate to the Head of the Department through the prescribed channel and the course or courses of study contemplated and any examination which the candidate proposes to undergo should be clearly specified therein. If the course of study is abroad the Head of the Department should also forward to the Ambassador for Pakistan a copy of the approved programme of study. If it is not possible for the Government servant to give full details, as above, in his original application, or if, at leaving Pakistan he wishes to make any changes in the programme which has been approved in Pakistan, he should submit particulars as soon as possible to the Ambassador for Pakistan. In such cases he should not unless prepared to do so at his own risk, commence the course of study, nor incur any expenses in connection therewith, until he receives approval to the course through the Ambassador.

13. (1) Government servants on leave ex-Pakistan who wish to convert part of the leave into study leave or to undertake a course of study during leave, should before commencing study and before incurring any expenses in connection therewith, submit a programme of their proposed course of study to the Ambassador for Pakistan. The programme should be accompanied by an official syllabus of the course, if one is available, and by any documentary evidence that the particular course, or examination, has the approval of the authorities in Pakistan. In the absence of such evidence the programme may, if approved by the Ambassador, be proceeded with, but no study leave allowance will be admissible until the concurrence of the authority concerned in Pakistan is received.

* Amended vide Finance Division (Regulation Wing) Notification No. F.1(2)R.4/2003 dated 5-6-2004.

(2) Government servants on leave ex-Pakistan who desire to have it extended for purposes of study under these Rules, should address the Ambassador for Pakistan but in addition to furnishing a statement of proposed study they must support their application with documentary evidence of their having obtained the approval of the authorities concerned in Pakistan to their applying for an extension of leave. They must also produce documentary evidence of the concurrence of the authority concerned in Pakistan to the grant of study leave or study allowance or both.

14. No course of study will be recognized as qualifying for the grant of study allowance, or for study leave for any other purpose, unless it has been approved in at least broad outline by the sanctioning authority in Pakistan in accordance with Rules 12 and 13 above, and unless, in cases where it has not been found possible to submit full particulars to the authorities in Pakistan, it has been approved in detail by the Ambassador before it is begun.

15. A study allowance will be granted for the period spent in prosecuting a definite course of study at a recognized Institution or in any definite tour of inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study. In no case will subsistence allowance be granted in addition to study allowance and ordinarily travelling expenses will not be paid, but in exceptional cases claims will be considered on their merits by the Government of Pakistan or the Local Government.

16. Study allowance will be admissible up to 14 days for any period of vacation. A period, during which a Government servant interrupts his course for his own convenience, cannot be considered as vacation. Study allowance may be given at the discretion of the Government of Pakistan or a local Government for any period up to fourteen days at one time during which the officer is prevented by sickness duly certified by a medical practitioner from pursuing the sanctioned course of study. In the case of a Government servant retiring from the service without returning to duty after a period of study leave, the study allowance will be forfeited. If the Government servant is under civil leave rules the study leave will be converted into ordinary leave to the extent of the ordinary leave standing to his credit at the date of retirement. Any balance of the period of study leave mentioned above which cannot be so converted will be excluded in reckoning service for pension.

17. Government servants granted study leave are ordinarily required to meet the cost of fees paid for courses of study. In exceptional cases, the Government of Pakistan or the Local Government will be prepared to consider proposals that such fees should be paid by Government.

18. On completion of a course of study a certificate on the proper form (which may be obtained from the Ambassador), together with certificates of examinations passed or of special study shall be forwarded to the authority which sanctioned the leave. In the case of a definite course of study at a recognized Institution, the study allowance will be payable by the Ambassador or in Pakistan, as the case may be, on claims submitted by the Government servant from time to time, supported by proper certificates of attendance. When the programme of study approved under Rule 12 does not include or does not consist entirely of such a course of study, the Government servant shall submit to the Ambassador or to the

authority in Pakistan which sanctioned his leave, as the case may be, a diary showing how his time has been spent, and a report indicating fully the nature of the methods and operations which have been studied, and including suggestion as to the possibility of applying such methods or operations to Pakistan. The sanctioning authority in Pakistan will decide whether the diary and report show that the time of the Government servant has been properly employed, and will determine accordingly for what period the study allowance referred to in Rule 15 may be granted.

19. Study leave will count as service for promotion and pension, but not for leave. It will not affect any leave which may already be due to a Government servant; it will count as extra leave on half average pay and will be taken into account in reckoning the aggregate amount of leave on half average pay taken by the Government servant towards the maximum period admissible under the Fundamental Rules".

20. During study leave a Government servant will draw half pay. A Government servant may, subject to the approval of the proper authorities being obtained as required by Rule 12 or 13, undertake or commence a course of study during leave on average pay, and, subject to Rules 15 and 16, draw study allowance in respect thereof, provided that study allowance is not drawn for an aggregate period exceeding two years during the entire service of a Government servant. This rule applies to military officers in civil employment taking leave under the Fundamental Rules.

21. On an application for study leave abroad being sanctioned by a Local Government, it should inform the Ambassador of the particulars of the case. It will be necessary for the Government servant concerned to place himself in communication with the Ambassador, who will arrange any details and issue any letters of introduction that may be required.

[Authority.- Finance Division's Notification No. $.R.O. 923(1)/85, dated 8-9-1985 published in gazette of Pakistan, Extraordinary dated 1-10-1985].

12.1 Casual Leave — Grant of Maximum Leave at a Time

Amount of Casual Leave admissible during a calendar year and the maximum at a time. It has been decided that Casual Leave upto a maximum of 20 days in a calendar year may be granted to the staff employed in the offices of the Federal Government.

[Authority.- Home Affairs Division's O.M. No.34/27/48-Public, dated 13-3-1948].

12.2 Grant of Casual Leave at a Time

Under the existing orders, 20 days' Casual Leave is admissible during a calendar year, and the maximum amount that can be allowed at a time is 10 days in the case of members of staff and 15 days in the case of officers. It has now been decided that 15 days' casual leave at a time may be granted to the members of staff also. This rule may be relaxed at the discretion of the Head of Department in special circumstances in the case of officers as well as members of staff.

2. It has also been decided that Ministries, Departments, etc., should be more liberal in the grant of casual leave. Although casual leave cannot be claimed as a matter of

* Compilation of FR&SR, Vol I, Part IV, Chapter 10. FR 84 read with Appendix 9.

right, it should be granted invariably unless the presence of an officer is absolutely necessary e.g. in an emergency or in very extraordinary circumstances.

[Authority.- Home Affairs Division's O.M. No.9/2/53-Public, dated 12-8-1953].

12.3. Spreading of Casual Leave
Over Two Years

A question has been raised whether casual leave can be granted within the prescribed limit at one time in such a manner as to spread it over 2 years, i.e. some portion of it in one calendar year and the rest in the following year in one stretch. It has been decided that a Head of Department may grant casual leave in one spell within the prescribed limit so as to debit a part of it against the account of one calendar year and part of it against the account of the following calendar year, provided leave is due. For instance, if a person take 15 days casual leave on the 22™ December and has to his credit 10 days casual leave in that year, there will be no objection if 10 days leave is debited against that credit and the remaining 5 days are debited to the account of the following year. In other words, he would be deemed to have taken 10 days casual leave at the end of that year and 5 days leave in the beginning of the next year.

[Authority.- Home Affairs Division's O.M. No.9/1/56-Public, dated 9-8-1956].
12.4 Combination of Casual Leave with Holidays

Some doubts have been raised regarding the combination of casual leave with holidays. After careful consideration of the matter it has been decided that:

(a) casual leave may be prefixed or suffixed to a closed or optional holiday,

(b) casual leave may be sandwitched in between two closed or optional holidays.
2. However, if a closed or an optional holiday falls between two days of casual leave it should also be counted as a casual leave.

[Authority.- Home Affairs Division's O.M. No.9/1/53-Public, dated 24-4-1953].

12.5 Procedure for Grant of Casual Leave
to the Secretaries to the Government
and Heads of Departments

A question has been raised as to who should grant leave to Secretaries to the Government of Pakistan.

2. According to item 48 in Appendix 13 of the Fundamental and Supplementary Rules-Volume II, the Ministries have been delegated full powers to grant leave to a gazetted Government Servant not in foreign service.

3. In accordance with the above rule, the Secretary as the official head of the Division is empowered to grant leave to his subordinates. It is not, however, clear as to who is the appropriate authority for grant of leave to the Secretaries. Under the Rules of Business, 1973, the Minister, who is the next higher authority, is mainly concerned with policy matters and does not ordinarily pass executive orders himself. Normally, such cases have to be

submitted for the President's orders. In order to avoid frequent references to the President, the following procedure has been laid down:-

(i) The Minister-in-Charge may grant casual leave upto 10 days to a Secretary to the Government of Pakistan on behalf of the President and the Establishment Division should be informed in such cases.

(ii) All cases of casual leave beyond 10 days and cases of earned leave upto a period of 1 month will be submitted through the Minister to the President" for orders under intimation to the Establishment Division.

(iii) Leave applications of Secretaries for a period of more than | month would be endorsed by the Minister to the Establishment Division for obtaining the President's orders.

4. The above instructions may please be brought to the notice of all concerned for strict compliance.

[Authority.- Estt. Division's O.M.'s No. 23 (D/69-AI, dated 18-3-1969].

12.6 Procedure for Grant of Casual Leave to Secretaries

Reference Establishment Division's O.M. No. 23(1)/ 69-A.I. dated 18-3-1969. With immediate effect, the following procedure shall be observed for grant of casual leave to a Secretary General, Secretary or Acting Secretary to the Federal Government or to Additional Secretary/Joint Secretary Incharge of a Ministry/Division:—

(i) In cases of leave upto ten days, the Minister-in-Charge may sanction the leave and intimation to that effect given to the Secretary, Establishment Division by the Ministry/Division concerned.

(ii) In cases of leave beyond ten days, the leave application shall be submitted by the Minister-in-Charge to the Prime Minister for orders and if the leave is sanctioned, an intimation to that effect shall be given to the Secretary, Establishment Division by the concerned Ministry/Division.

2. The above instructions may be brought to the notice of all concerned for compliance.

[Authority.— Estt. Division's O.M. No.10/22/83-R. 2, dated 18-11-1985].

12.7. Grant of Casual Leave to Heads of Departments and Subordinate Offices

A reference is invited to the Establishment Division letter No. D-671/ 71-F.I, dated the 13" July, 1971, in which Ministries/ Divisions were requested to inform the Establishment Division about the present practice followed in regard to the method of

Prime Minister.

appropriation of casual leave by the Heads of their Attached Departments and Subordinate Offices. From the replies received, the Establishment Division has observed that no uniform practice is being followed in this regard. While some officers appropriate their own casual leave without reference to the Ministry/Division concerned, and take permission only when they have to leave the station, others simply inform the Ministry/Division after the casual leave has been availed of. The question of laying down a uniform policy in this regard has been examined in the Establishment Division and the following instructions are issued for compliance:-

(1) The Heads of Attached Departments/Subordinate Offices should obtain, as ar as possible, prior approval of the Ministry/Division concerned before availing themselves of the casual leave, when the purpose thereof could be ‘oreseen in advance.

(2) In case of unforeseen and urgent circumstances when the casual leave is required for one or two days and it is not possible to obtain prior permission, he may avail of the leave and send leave application to the authority concerned immediately, and may also, if possible, inform the authority on telephone.

(3) In special circumstances when even the procedure mentioned at (2) above cannot be followed, the officers should appropriate their own casual leave and inform in writing, the officer concerned in the Ministry/Division as early as possible.

2. As regards the status of officers in the Ministries/Divisions administratively concerned to whom the Heads of Attached Departments/ Subordinate Offices should apply for casual leave, the normal procedure for applying to the next higher officer should be followed. For example, if the Head of the Department/Subordinate Office enjoys the status of Deputy Secretary to the Federal Government or is of equivalent rank, he may apply to the Joint Secretary of the Ministry/Division concerned and so on.

[Authority.- Estt. Division’s O.M. No. D-671/71-F.I, dated 29" December, 1972].

12.8 Absence from Office Due to Curfew to be Treated as Casual Leave

During curfew/emergency, such absence should be treated as Casual Leave but not debited to the causal leave account.

[Authority:- Establishment Division’s O.M. No.8/2/69-F.1, dated 12-03-1969]

12.9 Grant of Casual Leave Ex-Pakistan

It has been decided that the authority competent to grant leave to a Government Servant can also permit him to avail himself of casual leave ex-Pakistan in special circumstances subject to the condition that the limit of 20 days casual leave as prescribed is not exceeded.

[Authority:- Home Affairs Division’s O.M. No.9/10/54-Public, dated 27-01-1955]

12.10 Grant of Casual Leave to Government Servants Deputed Abroad

According to the administrative instructions in Para V (2) of Appendix 3 of the Fundamental and Supplementary Rules, Volume II, casual leave must not be granted to a Government Servant so as to cause evasion of the rules regarding return to duty. Similarly, according to Government Order under F.R 51-A, the grant of return passage to Pakistan on conclusion of deputation abroad is conditional on the official's return to duty forthwith on the conclusion of the deputation, unless the arrangement to the contrary effect had been specially permitted at the time the deputation closes, or is about to close, and the proposed leave is begun. A question had been raised as to whether in view of these instructions, the grant of casual leave to a Government Servant deputed outside Pakistan on temporary official duty or on training, either before the commencement or after the expiry of the sanctioned period of deputation, which, would have the effect of extending his stay outside Pakistan, would be in order. It is clarified that although there is no absolute bar on the grant of casual leave outside Pakistan in such cases, it should, ordinarily be discouraged and should be allowed only in exceptional circumstances.

[Authority:- Finance Division’s O.M. No.F.8 (7)-R.2 (Rwp)/61, dated 17-11-1961]

12.11 Grant of Leave to Officers in BPS-22 other than Secretaries and Heads of Departments in BPS-22

The Secretaries of Ministries/Divisions sanction leave to officers in BPS-22 and equivalent, other than Special Secretaries and Heads of Departments in BPS-22, posted under their respective charge.

2. All orders passed in exercise of the powers as delegated, should invariably be endorsed to Establishment Division.

[Authority:- Establishment Division’s O.M. No.10/15/2000-R.2, dated 29-10-2001]

13.1 Grant of Leave to Secretaries, Heads of Departments and Heads of Autonomous/ Semi-Autonomous Bodies/Corporations

The following procedure for grant of leave to Secretaries to Federal Government, Heads of Departments and Autonomous Bodies shall be followed:—

(i) All requests for grant of leave on full pay (LFP) including leave ex-Pakistan, to Secretaries of Ministries/Divisions, Heads of Departments in BPS-22, and Heads of Autonomous Bodies in M-I shall be submitted to Minister Incharge of the respective Ministry/Division who will be competent to grant LFP subject to title.

(ii) All requests for leave from officers mentioned at (i), should also suggest specific arrangements for entrusting the work of the Secretary or Head of Department or Autonomous Body, as the case may be, during the period of leave. The Minister may approve for a maximum period of three

months following temporary arrangements for entrusting the work of the officer proceeding on leave to another officer:

(a) current charge of the duties of the post may be given to the most senior officer available within the organization, and

(b) where an officer of an appropriate seniority and background is not available within the organization, the work may be entrusted to another officer of the same status working under the charge of the Minister.

(iii) All requests for grant of LFP to Heads of Departments in BPS-21 and below and Heads of Autonomous Bodies in M-II and M-III, shall be decided by the Secretary of the respective Ministry/Division.

(iv) All orders passed in exercise of the powers delegated at (i), (ii) and (iii) above should invariably be endorsed to Establishment Division.

[Authority:- Establishment Division's O.M.No. 10/15/2000-R.2, dated 08-04-2000]

13.2 Grant of Leave to Secretaries, Heads of Departments and Heads of Autonomous Bodies

Reference Establishment Division's instructions regarding grant of LFP including leave ex-Pakistan to Secretaries of Ministries/Divisions, Head of Departments in BPS 22 and Heads of Autonomous Bodies in M-I issued vide its O.M No. 10/15/2000-R.2, dated 8.4.2000. Sub para (i) of the aforesaid instructions read as under:

"(i) All requests for grant of "LFP including leave ex-Pakistan, to Secretaries of Ministries/Divisions, Head of Departments in BPS 22, and Head of Autonomous Bodies in M-I shall be submitted to Minister Incharge of the respective Ministry/ Division who will be competent to grant LFP subject to title".

2. Secretaries of the Ministries/Divisions concerned are competent to grant LFP to Heads of Departments in BPS 21 and below and Head of Autonomous Bodies in M-II and M-III. Secretaries of the Ministries/Divisions have also been authorized to grant leave to officers in BPS 22 and equivalent other than Heads of Departments in BPS 22 posted under their respective charge vide Division's O.M No. 10/15/2000-R-2, dated 29.10.2001.

3. Procedure for visits abroad by Government officials has been prescribed separately vide Cabinet Division's D.O. Letter No. F.9-148/2002-Min, dated 19" February, 2003. According to para 2 of the said instructions, visits abroad by the Secretaries/Additional Secretaries Incharge of the Ministries/ Divisions and Head of Autonomous/Semi-Autonomous Bodies and Corporations in MP-I Scale shall require prior approval of the Prime Minister.

4. A question has arisen as to whether *LFP including leave ex-Pakistan to Secretaries/Additional Secretaries Incharge of the Ministries and Head of Departments in

"Leave on Full Pay.

BPS 22 and Heads of Autonomous Bodies in MP-I Scale shall be granted by the Minister Incharge or such leave would require approval of the Prime Minister.

5. | The matter has been considered. It is accordingly clarified that grant of LFP" including leave ex-Pakistan to Secretaries/Additional Secretaries Incharge of the Ministries/Divisions, Head of Departments in BPS 22 and Head of Autonomous in MP-I Scale shall be granted by the Minister Incharge. Whereas, for official visits abroad only i.e. participation in international conferences, meetings, seminars, workshops etc. by the Secretaries/Additional Secretaries Incharge of the Ministries/Divisions, Heads of Department in BPS 22 and Heads of Autonomous Bodies in MP-I Scale, the prior approval of the Prime Minister shall be required.

[Authority.— Estab. Div's OM No. 10/15/2000-R.2., dated 30" March, 2006].
SI.No. 14

Expeditious Processing of Cases Where a Medical Authority Certified that a Government Servant is Permanently Incapacitated for Service

According to the provisions contained in FR 10-A, the competent authority is empowered to retire, from service, a government servant, if a medical authority certifies that the government servant is permanently incapacitated for further service. The cases of such government servants are to be processed expeditiously. As such, Ministries/ Divisions may process such cases expeditiously for seeking orders of the competent authority.

[Authority:- Establishment Division's O.M. No.14/2/95-R.2, dated 18-10-2000]
SI.No. 15

Employment of Government Servants with NGOs or Private Organizations within Pakistan

Refer to Establishment Division's of even number dated 11-06-2001 on the subject cited above and to state that the competent authority has been pleased to desire that existing policy regarding grant of permission to Government servants to work with NGOs/private sector organizations, firms, establishments or persons on leave/EOL basis allowed through Establishment Division's O.M.No.F.9/4/66-E.5 (DMG), dated 11-06-2001 is cancelled forthwith. Further, the Government Servants who have already been granted such permission/leave etc. be advised to report back for duty as soon as their leave/existing contract with private employers expire.

2. Ministries/Divisions are requested to bring the above policy decision in the notice of attached departments/sub-ordinate offices under their administrative control for strict compliance with immediate effect.

[Authority:- Establishment Division's 0.M.No.F.9/4/99-E.5(DMG) dated 28" August,2002].

*Leave on Full Pay.

CHAPTER 6

TRANSFERS, POSTINGS AND ROTATION

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CHAPTER 6
TRANSFERS, POSTINGS AND ROTATION
I. POSTING & TRANSFER

1.1. General Conditions Regarding Postings, Transfers and Deputation- F.R. 15

(a) |The Governor-General* may transfer a Government servant from one post to another; provided that, except—

(1) | on account of inefficiency or misbehaviour,
or

(2) onhis written request,

a Government servant shall not be transferred substantively to, or, except in a case covered by rule 49, appointed to officiate in, a post carrying less pay than the pay of the permanent post on which he holds a lien or would hold a lien had, his lien not been suspended under rule 14.

(b) Nothing contained in clause (a) of this Rule or in clause (13) of Rule 9 shall operate to prevent the retransfer of a Government servant to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of clause (a) of rule 14.

Government decision. Permanent transfers from a higher to a lower scale in anticipation of the abolition of a post are not transfers within the meaning of F.R. 15.

[Authority.- Government of India, Finance Div.’s letter No.F-452-R.1/27, dated 1-2-1928].

1.2. Policy Guidelines for Postings/Transfers of Officers

It has now been decided by the President that postings/transfers of officers of **Grade-17 and above in all Occupational Groups/Services/Ex-cadre posts, etc., will, henceforth, be made according to the Rules of Business, 1973 by the respective Ministries/ Departments who are responsible for their administrative control.

2. The following guidelines may, however, be observed by the Ministries/ Departments regarding policy concerning transfers:—

(1) | Transfer between Pakistan and foreign countries should normally be made only after 3 years. If an officer is required to be transferred earlier than 3 years, the orders of Establishment Division are required to be obtained.

* President/Prime Minister.
** BPS,

(2) Officers should not be transferred as a result of their taking leave for short periods for rest and recreation for which only acting arrangements should be made.

(3) Ordinarily 3 months notice should be given to government servants who are transferred from one station to another to enable them to plan their affairs.

3. The above instructions may be passed on to departments under the administrative control of the Division/Ministry.

[Authority.- Establishment Secretary's D.O. letter No.1/24/78, C.P., dated 30-9-1978].

1.3. Normal Tenure of Posting

It has been observed that government instructions with regard to normal tenure for an officer on the same job/post issued from time to time are not being followed with the result that in some Ministries/Divisions/Departments, officers have continued to work on the same desk for unduly long periods. The position has been reviewed and the competent authority has laid down the following criteria for posting/transfer of the officers working in Ministries/ Divisions and the Attached Departments/Subordinate Offices, Autonomous and Semi-Autonomous Organizations, under their administrative control:

L POSTINGS/TRANSFERS WITHIN PAKISTAN

(i) The normal tenure of an officer on the same post should be three years. Posting of an officer on the same post beyond the normal tenure will require concurrence of the competent authority, in each case.

(ii) Shifting of the officer may be phased in a manner that no dislocation in the official work takes place due to large scale transfers.

(iii) | Ordinarily, three months notice should be given to the officer who is to be transferred. Exception may, however, be made in case the officer is required to be shifted immediately in the public interest with the approval of the competent authority.

(iv) Orders for premature transfers in the Ministries/Divisions/Departments of the Federal Government should be referred to the Establishment Division; and in the Autonomous/Semi-Autonomous Organizations to the administrative Ministry concerned.

(v) | These instructions will not strictly apply to technical and professional officers/experts recruited for particular posts. However, posting/ transfer of such officers may also be rotated in their parent departments/cadres as far as possible in accordance with the rules of the post.

II. Postings/Transfers to Pakistan Missions Abroad (Other Than Posts Administered by Ministry of Foreign Affairs)

(i) Posts in foreign missions abroad should be filled on the basis of detailed job descriptions to be prepared by the controlling Ministry;

(ii) |The controlling Ministry should prepare a panel of suitable officers for the post;

(iii) The panel of suitable officers should be considered by a Committee of the controlling Ministry including a representative of the Establishment Division;

(iv) The recommendations of the Committee should be considered by the Special Selection Board; and

(v) The recommendations of the Special Selection Board should be submitted to the competent authority for approval.

2. Ministries/Divisions are requested to proceed further in the matter of postings/transfers as above and bring these instructions to the notice of all departments, offices, autonomous/semi-autonomous bodies and corporations under their control for strict compliance.

[Authority.— Estt. Division's O.M. No.10/10/94-R.2, dated 22-3-1994].

1.4 Normal Tenure for an Officer on the Same Job/Post

It has been observed that a number of officers remain at the same desk for considerable period of time. This arrangement is not administratively desirable as the officers holding the same post for a long time tend to develop rigidity in the outlook and ideas and do not view the problems with the same objectivity as they normally should. It is, therefore, essential that officers should not be allowed to remain on the same job for any length of time. Normal tenure for an officer on the same post should be three years and should not exceed five years in any case.

2. The above orders apply not only to the Ministries and Divisions but also to all kinds of organizations, including the Attached Departments and Subordinate Offices as well as autonomous bodies and corporations under the administrative control of the various Federal Ministries/Divisions.

3. As regards the technical officers/experts, if they have been recruited for the same post in which they are working, the orders referred to above will not apply. However, if it is possible to rotate such officers, this may be done.

[Authority.- Establishment Secretary's d.o. letter Nos.27/370-F.1, dated 4-11-1970 and 30-6-1971].

1.5 Posting of Officers in Pakistan Missions Abroad

Refer to the decision of the Competent Authority in the Chief Executive Secretariat on the above subject and to say that the Chief Executive of Pakistan shall be the approving authority for all appointments/postings against posts in BS-17 and above, pertaining to Ministry of Commerce, Ministry of Labour, Manpower & Overseas Pakistanis, Ministry of Information & Media Development and for posts at the strength of other Ministries/ Divisions in Pakistan Missions abroad.

2. The Special Selection Board constituted with the approval of the Competent Authority in respect of officers in BS-17 and above, shall continue functioning as at present. The recommendations of the S.S.B. will be placed before the Chief Executive for final approval as mandated by the policy guidelines vide this

Division's O.M. of even number dated 28-12-1981 for posting in Pakistan Mission abroad.

3. The authorities to approve cases of deputation/employment abroad with International Organization/Foreign Governments shall continue to be the same as notified vide this Division's O.M No.1/25/99-T-IV, dated February 12,2000.

4. These instructions may be circulated for strict compliance.
[Authority:—Establishment Division's O.M. No.4/7/81-T-IV dated 25-06-2001].

1.6 Guidelines for Selection of the Officers for Posting Abroad in Pakistan Missions

The President has been pleased to approve the following guidelines for selection of officers for posting abroad in Pakistan Missions:—

1. Posts will be filled on the basis of detailed job descriptions to be prepared by the controlling Ministry.

2. The controlling Ministry will:

(a) prepare a panel of suitable officers for the post on the basis of job description from amongst the officers working in or controlled by the Ministry;

(b) [The Ministries /Divisions shall invite nominations and process the applications at their own for selection of officers against their posts in Pakistan Missions abroad in accordance with Guidelines laid down in the Establishment Division's OM No. 4/7/81-T-IV dated 28-12-1981. Cases for consideration of the Special Selection Board shall be submitted to the Establishment Division by concerned Ministry / Division, complete in all respects, as usual. The Establishment Division shall remain member on the selection board of the Ministry and Special Selection Board (SSB)].

3. This panel will be considered by a Committee in the Ministry/Division which exercises administrative control of the posts to be filled. The Committee shall include a representative of the Establishment Division.

4. | The Committee will select, after due scrutiny, a panel of three officers against each post, taking into consideration the following factors:-

(a) The selectee fulfills the requirements of the post as detailed in the job description.

(b) The selectee is in the same "grade as the post to be filled. Officers from higher or lower "grades will not be considered.

* Substituted vide Estt: Div.'s OM No. 4/17/89-T-IV dated 8-6-2012.
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(c) The selectee has an overall good record of service particularly during the last five years of service.

(d) The selectee is, at least, a graduate or possesses the technical qualification required for the job.

(e) Persons within promotion zone within the next 2 years should not be considered.

(f) Those likely to retire during the next 4 years should not be considered.
(g) An officer should not be posted abroad more than once.

5. The panel of three officers selected by the Committee on the above criteria will be submitted to the Special Selection Board for final selection including interview.

6. The recommendations of Special Selection Board shall be submitted to the President for approval.

7. The Ministries/Divisions are requested to strictly follow this procedure in uture while recommending officers for posting abroad in Pakistan Missions.

[Authority.- Estt. Div.'s O.M.No.4/7/81-TIV, dated 28-12-1981].
CLARIFICATION

It is clarified that Ministries/Divisions having administrative control of the post shall be responsible for scrutiny of the applications/documents called directly by the Ministry or received through the Establishment Division in order to finalize the eligibility of the applicant, in the light of the above referred policy O.M. and submit case complete in all respect to its Departmental Selection Committee (DSC) for consideration before sending the recommendation of DSC to Special Selection Board (SSB).

[Authority:— Establishment Division's O.M. No.4/7/81-T-IV dated 24-04-2012].

1.7. Uniform Treatment of Officers Proceeding
Abroad to Pursue Higher Studies

Refer to the subject cited above and to state that Prime Minister has been pleased to approve that Civil Servants who are selected on open merit scholarship shall be dealt at par with those who are selected for Technical Assistance Programme (TAP) without differentiation or discrimination

2. Moreover, the civil servants may be considered on duty only for one degree programme at one level i.e. once each for Masters, M.Phil, Ph.D etc.

3. Policy is effective from its date of issuance (16-12-2015) and is only applicable to scholarships/programmes started on or after the date of issuance of aforementioned policy.

[Authority.— Establishment Division's O.M No. 9/2/2014-T-III dated 16-12-2015.]

"Inserted vide Establishment Division's O.M No. 9/2/2014-T-III dated 17-03-2017.

1.8 Uniform Treatment of Officers Proceeding Abroad to Pursue Higher Studies

Refer to National Assembly Secretariat's O.M No. G(524)/Estt. dated 18" February,2020 on the subject cited above and to state that Establishment Division's O.M No. 9/2/2014-T-III dated 16-12-2015 does not provide the minimum length of service required to become eligible to avail open merit scholarship by a civil servant. Establishment Division is of the view that since a civil servant availing open merit scholarship programme is required to be treated on duty and doesn't have to earn leave for adjustment of his study period against any kind of leave, therefore, requirement of acquiring minimum length of service may not be required.

2. It is pertinent to mention here that eligibility of such a civil servant is subject to the condition that he/she may have completed his probation period and the same has formally been terminated by the competent authority before availing the scholarship.

[Authority.—Establishment Division's O.M No. 9/2/2017-T-III dated 27-02-2020.]

1.9 Procedure for Selection of Candidates for Appointment in Pakistan Missions Abroad

Reference Establishment Division's O.M. of even number dated 28" December, 1981 that in order to ensure uniformity in selection of candidates for appointment in Pakistan's Missions Abroad, the following procedure be adopted by the Selection Committee to draw up the panel for submission to the Special Selection Board:—

1. The Selection Committee will allocate marks to be distributed as under:—

	Marks
(i) Officer's Record	50
(ii) Assessment by the Committee	50
(a) Interview	30
(b) Experience	20
Total	"100.

2. The evaluation of record shall be computed against the scale of 50 marks in accordance with the formula for overall assessment enunciated in the Promotion Policy circulated vide Establishment Division's _ letter No. 10(3)/81-CP-I(Pt), dated 31* October, 1982.

3. The Committee will interview the candidates to assess their fitness for the job.

4. Marks for experience should take into account the experience and additional qualifications relevant to the job. No marks need be allocated for the basic qualifications required for the post.

[Authority: Estt. Div.'s O.M. No.4/7/81-T.IV, dated 18-1-1983].

1.10 Seeking Reversion to Lower Post for Posting Abroad

Instances have come to the notice of Establishment Division where the Ministries/ Divisions have been found indulging in the practice of permitting the employees serving under them, especially those belonging to the ministerial cadre holding posts of Private Secretary, Superintendent, Assistant, “Stenographer etc. to revert to the lower post with a view to facilitating their posting in Pakistan Missions abroad. In the recent past a few Ministries/ Divisions approached this Division also supporting requests of their employees for reversion to lower posts for the purpose of posting abroad.

2. The above matter has been given careful consideration keeping in view the provisions of section 10 of the Civil Servants Act, 1973 and F.R. 15. It has been held that these provisions do not lend any support to voluntary requests of officials for reversion to lower posts with a view to winning posting in Pakistan Missions/offices in foreign countries.

3. In view of above, it is advised that the requirements of Pakistan Missions/offices abroad may be met by restricting selection to holders of corresponding posts in Ministries/Divisions. The selection for posting abroad may be made on the basis of seniority-cum-fitness by an ad hoc committee to be constituted specifically for the purpose.

[Authority.- Estt. Division’s O.M.No.4/8/85-R.6 dated 3-12-1985].

1.11 Authorities Empowered to Make Postings and Transfers of Officers and Staff

Officers in “Grade 17 and Above

1. Apart from first appointments and disciplinary measures, other administrative powers will be exercised by the Heads of Departments who should deal with all matters of postings, transfers, increments and leave, etc. except in the case of their deputies about whom references will be made to government.

Officers in **Grade 16

2. — Subject to the observance of general rules regulating the strength of the service, the method of recruitment (including consultation with the F.P.S.C. wherever required) and the conditions of service, the Heads of Departments will be the appointing authority in respect of all services/posts under his jurisdiction and exercise full powers in respect of their posting, transfer and discipline.

Officials in **Grade 1-15

3. The Head of the Department will be the final authority in all matters.

[Authority.- Estt. Division’s O.M.No.7/ 59-S.O., dated 15-1-1960 read with SI. No. 6/A of Appendix 4 of the Compilation of Fundamental and Supplementary Rules].

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1.12 Postings and Transfers of Officers who hold the Status of Joint Secretary to the Federal Government

Reference Government of Balochistan letter No. 7-1/70-SOI (S&GAD), dated the 29" January, 1974 on the subject. In cases where the appointing authority is the President/ Federal Government, the Provincial Government may issue only notifications of posting/ assumption of charge in respect of an officer after his services have been placed at their disposal by the Federal Government through a formal notification. The Federal Government is required to be invariably consulted before the services of an officer, whether belonging to Provincial Government or to the Federal Government, serving under a province, are either replaced or placed at the disposal of the Federal Government.

[Authority.- Estt. Division’s Letter No. 35/2/74-AlL, dated 9-5-1974].

1.13 Instructions on Visits Abroad

Refer to the subject cited above and to inform that the Prime Minister has been pleased to direct as under:—

a. For an officer to be nominated, the Competent Authority shall be the Secretary of the Division concerned except in cases of Federal Secretaries in which the Competent Authority shall be the Federal Minister ; and

b. Case shall be submitted to the Prime Minister Incharge once the sponsoring agency has confirmed participation of the officer, after his nomination by the Competent Authority as mentioned at ... (a) above.

[Authority:— Cabinet Division’s O.M No. 9-148/2002-Min-II dated 22-10-2020].

Il. WEDLOCK POLICY

2.1 In exercise of the powers conferred by sub-section (1) of section 25 of the Civil Servants Act, 1973 (LXXI of 1973), read with Notification No. SRO 120 (1)/98, dated the 27" February, 1998, the Prime Minister is pleased to direct that the following further amendment shall be made in the Civil Servants (Appointment, Promotion and Transfer)

Rules, 1973, namely:—

2. In the aforesaid Rules, in rule 20 A after sub-rule (3) the following proviso has been inserted and shall deem to have always been so inserted, namely:—

Provided that posting of serving husband and wife at the same station, unmarried female government servants at the place of residence of their parents/family and that of married female government servants at the place of residence/posting of their husbands who are not in government employment shall be exempted from the said rule.

Note:—

Please see Sl.No. 1.2 Chapter-4 as Rule 20-A of Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

[Authority — Establishment Division’s SRO 375(1)/2012 dated 16-04-2012].

2.2 Posting of Serving Husband/Wife at the Same Station

The government has taken note of the socio-economic problems and hardship faced by husbands and wives in government service due to posting at different stations of duty, and it has been decided to prescribe the following guidelines to facilitate posting of husband and wife at the same station:

(i) Where a request is made for posting at a different station in the same department/service/cadre in which an employee is already serving, the request may be accepted subject to availability of a post in the same BPS.

(ii) Ifa request involves temporary deputation to another department, it may be processed in consultation with the department concerned, and may be accepted on the prescribed terms of deputation subject to availability of a post in the same BPS.

(iii) When a request is made for permanent transfer to absorption in another department/agency, the request may be processed in consultation with the department concerned, subject to the condition that in the event of permanent transfer, seniority shall be determined in accordance with the Civil Servants (Seniority) Rules, 1993.

(iv) If there is a tie between two or more government servants for posting at the same station in the same department/unit of an organization, the government servant with greater length of service may be preferred.

(v) | Request for posting by a spouse facing serious medical problems may be accorded highest priority.

(vi) Spouses already posted at one station, including those posted on deputation beyond the prescribed maximum period, may not normally be disturbed without compelling reasons of public interest. Requests for extension of deputation period beyond the permissible limit may be considered with compassion if interests of public service would permit.

2. The above guidelines are subject to the following conditions:-

(i) Posting of husband and wife at the same station should not be made by dislocation of any government servant already serving at a particular station unless his transfer is necessitated by compelling reasons of public interest or within the framework of general policy of postings and transfers.

(ii) | The prescribed selection authority should be consulted in each case.

3. All government servants whose spouses are in government service may be asked to furnish, at the end of every calendar year, the particulars of their spouses to their controlling Ministries/Divisions so as to facilitate maintenance of 'ICP Charts and up-to-date monitoring of the situation.

4. The above guidelines may be circulated to the autonomous bodies under the charge of Ministries/Divisions for adoption, with such modifications, as may be considered necessary.

[Authority.— Estt. Division's O.M.No. 10/30/97-R.II, dated 13-5-1998].

2.3. Posting of Unmarried Female Government Servants at the Place of Residence of Parents/Family

It has been brought to the notice of government that unmarried female government servants face socio-economic and security problems when they are posted at stations other than the place of residence of their parents/family. The government has taken note of this difficulty and it has been decided to prescribe the following guidelines for dealing with requests of unmarried female government servants for posting at the place of residence of their parents/family:—

(i) | Where a request is made for posting at a different station in the same department/service/cadre in which an employee is already serving, the request may be accepted subject to availability of a post in the same BPS.

(ii) Ifa request involves temporary deputation to another department, it may be processed in consultation with the department concerned, and may be

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accepted on the prescribed terms of deputation subject to availability of a post in the same BPS.

(iii) When a request is made for permanent transfer to absorption in another department/agency, the request may be processed in consultation with the department concerned, subject to the condition that in the event of permanent transfer, seniority shall be determined in accordance with Rule 4 of the Civil Servants (Seniority) Rules, 1993.

(iv) If there is a tie between two or more government servants for posting at the same station in the same department/unit of an organization, the government servant with greater length of service may be preferred.

(v) Request for posting by an unmarried female government servant facing serious medical problems may be accorded highest priority.

(vi) Unmarried female government servants already posted at a station, including those posted on deputation beyond the prescribed maximum period, may normally not be disturbed without compelling reasons of public interest. Requests for extension of deputation period beyond the permissible limit may be considered with compassion, if interests of public service would permit.

2. The above guidelines are subject to the following conditions:-

(i) Posting of unmarried female government servants at the station of residence of their parents/family should not be made by dislocation of any government servant already serving at a particular station unless his transfer is necessitated by compelling reasons of public interest or within the framework of general policy of postings and transfer.

(ii) The prescribed selection authority should be consulted in each case.

3. — It has also been decided that the above guidelines shall also be followed by autonomous/semi-autonomous bodies/ corporations etc. under the control of the Federal Government.

[Authority.— Estt. Division’s O.M. No.10/30/97-R-2, dated 17-12-1999].

2.4 Posting of Married Female Government Servants at the Place of Residence/Posting of Their Husbands Who are Not in Government Employment

Keeping in view the socio-economic problems and hardships faced by husbands and wives in government service due to posting at different stations of duty, the Establishment Division issued instructions/guidelines vide its OM No. 10/39/97-R-2, dated 13.5.1998 and 17.12.1999 to facilitate posting of husbands and wives at the same station and the posting of the unmarried female civil servants at the place of residence of then parents/families. With a view to facilitating those female government servants whose spouses are not in government service or employed in the private sector or unemployed, it

has been decided to extend the facility to this class of government servants also to the above to serve at the place of residence of their spouses irrespective of whether such spouses, are employed with the government, private sector, or even un-employed.

[Authority:— Estt. Div.'s OM No. 10/30/97-R-2, dated 21-4-2006].

2.5 Standard Operating Procedure (SOP) for Disposal of Cases of Deputation Under Wedlock Policy

Refer to National Assembly Secretariat's Office Memorandum No. 1(1)/2019-Com-I (Vol-V) dated 06-12-2019 on the subject conveying the recommendations of the Standing Committee on Cabinet Secretariat to develop Standard Operating Procedure for disposal of cases of deputation in Federal Government Departments under Wedlock Policy.

2. The following Standard Operating Procedure shall be observed for disposal of cases of deputation under Wedlock Policy:—

(i) In terms of the deputation policy of the Federal Government issued vide O.M No. 1/28/75-D-II/R-I dated 11-04-2000, the Secretaries of the administrative Ministries/Divisions and Heads of Attached Departments and Subordinate Offices not below BPS-21 have been delegated powers to approve initial deputation of officers upto BS-19 belonging to cadres and posts under the administrative control for a period of three years under standard terms and conditions of deputation. The deputation policy is also applicable to the cases under Wedlock Policy as well. In terms of rule 6 of the Civil Servants (Appointment, Promotion & Transfer) Rules,1973, the Authority to approve the appointment on deputation of officers in BS-20 & above is the Prime Minister.

(ii) After the lapse of initial three years deputation the case for further extension shall be referred to Establishment Division within sixty (60) days before completion of initial period of three years.

(iii) The case for extension under Wedlock Policy complete in all respect alongwith following documents should be forwarded to Establishment Division for its concurrence:—

(a) Singed application of the applicant.

(b) Prescribed proforma duly filled in from lending and borrowing organizations with signatures and official stamps in original.

(c) | Copy of approval of initial period of three years deputation.
(d) NOC from the parent department.

(ec) Status of the incumbent beyond the initial/approved period of deputation i.e. three years.

(iv) In case where the above mentioned requirements are not fulfilled or parent department of the deputationist is not agreed to issue NOC for further extension of deputation under Wedlock Policy on following grounds the incumbent shall be repatriated to the parent department:—

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(a) | Services of incumbent are required in the parent department on account of exigencies of services.

(b) The department concerned cannot fill the post on regular basis on account of deputation of its incumbent.

(c) No appointment on deputation basis shall be allowed against a short term vacancy.

(d) In the event of repatriation and joining of deputationist to the parent department the services of a person so appointed against the deputation vacancy is likely to be terminated.

In case where the borrowing Ministry/Division/Department is of the consideration that the services of a deputationist are worth retaining in the organization, it may forward the case for extension in deputation under Wedlock Policy well in time so that the process could be completed before the expiry of deputation period.

No ex-post facto approval shall be granted in belated cases for extension in deputation period.

In case where the deputation of a government servant is under normal terms and conditions and during such period his case is converted under Wedlock Policy with the concurrence of lending and borrowing organizations.

In case where the government servant on deputation is promoted in the parent, it would be responsibility of such government servant to actualize promotion in accordance with the requirement of the parent department.

In case of disciplinary proceedings, a government servant on deputation under Wedlock Policy, shall liable to be repatriated to parent department with the consent of borrowing organization.

The cases of deputation under Wedlock Policy in respect of officers belonging to Pakistan Administrative Service and Police Service of Pakistan shall be considered in the light of Rotation Policy for these Services.

[Authority.—Establishment Division’s O.M No. 10/30/97-R-II dated 28-01-2020.]

I. ROTATION POLICY

3.1. Rotation Policy of PAS/PSP Officers

Article 240 of the Constitution provides for the All Pakistan Service(s) (APS) common to the Federation and provinces which was/were in existence immediately before the commencing day of the 1973 Constitution. Pakistan Administrative Service (PAS) and Police Service of Pakistan (PSP) are the only two All Pakistan Services, having sanctioned strength in BS 17 to 22 in the Federal Government, the four Provincial Governments and Government of Gilgit-Baltistan (GB). Given the fact that many areas in these governments are far flung, geographically dispersed, sharply differing from one another culturally, linguistically and administratively, allocation of officers of the PAS and PSP to these governments requires careful and objective handling.

2. For the purpose of ensuring a transparent, objective and equitable framework for transfers and postings, to and from these governments, a policy framework known as “Rotation Policy of PAS/PSP Officers” was introduced in the year 2000. This framework was amended from time to time and needed a thorough review keeping in view the distortions and lacunae that were noticed while implementing this policy framework, since its notification. This policy has been drafted keeping in view the issues, identified during implementation of the existing policy, based on the broad principles that Federation ensures provision of adequate number of PAS/PSP officers against the sanctioned posts in the Federation units and the Federal Government besides ensuring that all officers are provided opportunities to serve across the federating units before they attain the highest levels in governments. Rotation Policy, 2000 shall be replaced with Rotation Policy,2020 under the Civil Servants Act,1973, so that rotation of officers among various governments becomes an unavoidable undertaking in which creation of exceptions is minimized. The Rotation Policy,2020 has been finalized after consultation with all governments.

Application and Exceptions

3. The applicability of this policy will be as follows:

a. These policy provisions shall be applicable to PAS/PSP officers;

b. There shall be no exception to the application of the policy on any grounds whatsoever, including gender or marital status except where
expressly stated;

c. Standard exceptions like personal hardship and spousal location,

which are a norm in many other cadres and departments across the country, shall not be available to the officers of PAS and PSP,

given the primacy, priority and eminence of their service groups and positions they occupy; and

d. Wedlock Policy shall also not be applicable to PAS/PSP officers.

Objectives:

4. The objectives of this policy are:

a) Based on the experience of operation of existing Rotation Policy and the lacunae/distortions observed therein, it is important to ensure that all governments, are served by the PAS/PSP officers in various grades.

b) The tendency of officers to remain in one government for years by bringing extraneous pressures is checked and curbed.

c) Onus to serve in all the governments on sanctioned posts is equitably shared by the officers of PAS/PSP.

d) Shortage of officers in all grades, of these services, is equally distributed among all the governments in Pakistan.

Principles of Policy

5. Rotation Policy, 2020 shall regulate transfer/posting of PAS/PSP officers, falling in the following categories:

a. First allocation, and service after completion of Specialized Training Programme (STP), in a government other than that of an officer's province of domicile;

b. Mandatory service in hard areas for male officers in BS-17 to 19; Rotation of officers serving for long continuous periods at one geographical location;

d. Rationalization of shortage of officers in each grade, among all the governments, by transferring least rotated officers to government(s) with highest shortage.

A. First Allocation

6. First allocation of every PAS/PSP officer shall be made outside the province of his/her domicile on the basis of preferences based on seniority/merit and keeping in view the vacancies in each government.

7. A male officer shall be required to serve in the provincial government/ICT/Gilgit Baltistan until his promotion to BS-18 or for 5 years starting from the date he joins the provincial government/ICT/Gilgit Baltistan after STP as AC (UT)/ ASP (UT), whichever is earlier;

8. A female officer shall be required to serve in the provincial government/ICT/Gilgit Baltistan until her promotion to BS-18 or for 3 years starting from the date she joins the provincial government/ICT/Gilgit Baltistan after STP as AC (UT)/ASP (UT), whichever is earlier.

9. For PSP officers, the one-year FC posting in BS 17 will be considered as period served in the government of initial allocation irrespective of the geographical location where the FC posting in BS 17 is undertaken.

10. No transfer of an officer, on any ground to any provincial government/ ICT/Gilgit Baltistan shall be allowed until his/her promotion or completion of 5 years in case

of male officers and 3 years in case of female officers, whichever is earlier.

11. Policy provisions regarding posting of officers, under this section of the policy, shall apply to batches who are inducted in PAS/PSP through CSS examination held in the year 2020 and onwards.

B. Mandatory Service in Hard Areas

12. Every male PAS/PSP officer will have to serve a minimum of two years in the hard areas notified by Establishment Division during service in BS 17 to 19.

Cc. Continuous Service of 10 Years in a Government

13. No PAS/PSP officer of BS 20 and below shall be allowed to serve in a Government for more than 10 years continuously. In order to determine the length of period served in any government:

a. The period spend on EOL/earned leave/study leave/OSD/training/ foreign deputation/foreign posting shall not be considered as break and will be included, for the purpose of computing the continuous period of ten years.

b. The time spent by an officer on a post of the Federal Government located within the geographical limits of the provincial/other governments shall be counted towards computing his service in that provincial/other governments shall be counted towards computing his service in that provincial/other government.

c. For the purpose of calculating a break in the continuous period served by officers currently posted in a government i.e. on the day of notification of this Policy, following special provision shall be used:

for a period to be considered a valid ‘break’ within the previous ten years’ service. an officer would have served in another government, and on stations outside the geographical limits of his/her current government, for at least one year continuously. Provided that period spent on EOL/OSD/earned leave /study leave / training/ foreign deputation/foreign posting shall not be counted towards this one year.

d. Once an officer has been compulsorily rotated under this policy, and posted to a particular government, then:

(i) Male officer shall not return to the government of his previous ten-year posting, before completing two years at stations of his posting situated outside of the geographical limits of government of his ten-year posting.

(ii) | Female officer shall not return to the government of her previous ten-year posting, before completing one year at stations of her posting situated outside of the geographical limits of government of her ten-year posting.

(iii) Provided that period spent on EOL/OSD/earned leave /study leave/ training/ deputation shall not be counted towards these

two years and one year respectively.

The current officers who have served continuously for 10 years or more in any of the government shall be transferred to other governments in three phases spanning over six months each and starting with the officers who have longest tenures in a government. Female officers will not be relocated in the first phase but transferred in second and third phase.

D. Least Rotated Transferred First

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Illustration:

To meet further shortage, the officers can be rotated even before completion of ten years' continuous service in a government on the principle of least rotated transferred.

Least rotated will be calculated as:

a.

" On the basis of the time spent posted outside the government in which the officer has served the longest. That officer will be transferred first who has the lowest percentage of time spent posted outside the government in which the officer has served the longest in relation to _ his total length of service."

The period spent on any kind of leave/OSD/competitive scholarship/ foreign deputation/foreign posting shall not be considered as break and will be included, for the purpose of computing the continuous service in a government.

The time spent by an officer on a post of the Federal Government located within the geographical limits of the provincial/other governments shall be counted towards computing his service in that provincial/other government. The only exception to this rule would be the post of Directing Staff in National School of Public Policy, CSA and NPA, provided the officer was among the top three (03) in his/her batch in the last of the mandatory trainings (NMC,SMC and MCMC as the case may be).

Officer A (BS-20) has a total of 25 years service. He has served 15 years in Province I, while serving 8 years in Federal Government and 2 years in Province II. Thus his cumulative time spent outside the government in which he has served the longest (Province I) comes out to be 10 years (or 40% i.e. 10/25).

Officer B (BS-20) has a total of 20 years-service. He has served 11 years in Federal Government, while serving 4 years in Province I and 5 years in Province II. Thus, his cumulative time spent outside the government in

which he has served the longest (Federal Government) comes out to be 9 years (or 45% i.e 9/20).

Officer C (BS-20) has a total of 22 years service. He has served 15 years in Province I, while serving 3 years in Province II, 2 years in Province III and 2 years in Province IV. Thus, his cumulative time spent outside the government in which he has served the longest (Province I) comes out to be 7 years (or 32% i.e. 7/22).

Officer D (BS-20) has a total of 24 years, including 2 years Study Leave and one year deputation abroad. He has served 15 years in Federal Government (including one-year deputation abroad), while serving 3 years in Province I, 3 years in Province II (including Study leave) and 3 years in ICT. Thus, his cumulative time spent outside the government in which he has served the longest (Federal Government) comes out to be 9 years (or 37.5% i.e. 9/22).

Thus, the order in which these officers shall be posted to other governments will be Officer C, Officer D, Officer A and Officer B.

6. Government may transfer any officer from any government, and post him/her to any government, at any time in his/her career keeping in view the exigencies of governance, before completion of 10 years' continuous service in a government.

7. Shortage of officers, alongwith the numbers required for equalizing the shortage ratio, in all governments viz-a-viz sanctioned posts in each grade shall be worked out by Establishment Division in January and July of each year.

Enabling Provisions

8. Notwithstanding anything contained in this policy, Government may transfer a BPS 21 or 22 officer from any government and may post him/her to any other government keeping in view the exigencies of governance.

9. Officers proceeding on any kind of leave/competitive scholarship/ foreign deputation/foreign posting for a period of one year or more shall report to Establishment Division before proceeding on the same.

20. Grade-wise Lists of Officers for rotation shall be prepared by Establishment Division twice a year, in the months of January and July.

21. Shortage of Officers, alongwith the numbers required for equalizing the shortage, in all governments viz-a-viz sanctioned posts in each grade shall be worked out by Establishment Division in January and July of each year.

Conditions Related to Promotions

22. For the purpose of eligibility for promotion BS-19, service of at least 5 years and 3 years outside of the province of domicile shall be compulsory for every male and female officer respectively. This condition, however, shall be applicable on the batches who are inducted in PAS/PSP through CSS examination in the year 2020 and onwards.

23. A male officer shall not be considered eligible for promotion to BS-20 by Central Selection Board if he has not served in a hard area, to be notified by Establishment Division, for at least 2 years during the entire career as a PAS/PSP officer. This provision shall become applicable after three years from the date of notification of this Rotation Policy, PAS/PSP officers having completed 14 years of service in BS-17 and above, after notification of this Rotation Policy, shall be rotated to hard areas based on seniority forthwith so as the provide adequate opportunity to all officers to serve 2 years in hard areas before they are due to be considered for promotion to BS-20.

24. An officer shall not be considered eligible for promotion to BS-21 by a Central Selection Board if he/she was serving in a government/ within geographical limits of the Government continuously for more than 10 years until he/she has been transferred out of that government and has served for at least one year in another government outside the geographical limits of the government of 10 or more years stay. This provision, however, shall become applicable after two years from the date of notification of this Rotation Policy.

25. These conditions related to promotion will be duly observed under rule 6 (1) (d) of the Civil Servants Promotion (BPS-18 to BPS-21) Rules,2019.

ANCILLARY PROVISIONS

26. Wedlock Policy shall not apply to PAS/PSP officers in relation of Rotation Policy; instead, spouses shall be posted closest to places of posting of PAS/PSP officers and not vice versa.

27. Offices shall be allowed to retain at least one Government accommodation anywhere in the country for settling their families. Subject to availability suitable accommodation shall be made readily available to the offices transferred to other governments.

28. Hard area incentives for Balochistan & Gilgit Baltistan, as already notified, shall remain intact and shall also apply to any other hard area to be notified by Establishment Division with approval of the Prime Minister.

29. The Rotation Policy 2020 shall come into force w.e.f. 1“ January, 2021. Rotation Policy, 2000, and all amendments made therein from time to time, shall be repealed on the notification of this policy. However, all orders/notifications made under the Rotation Policy 2000, as amended from time to time, shall continue to hold force.

[Authority:— Establishment Division’s Notification No. 10/02/2018-E-5 (PAS) dated 05-08-2020.]

3.2 Policy Guidelines for Foreign Appointments and Postings in Pakistan Missions Abroad and Against Pakistan’s Seats in International, Multilateral, Bilateral and Regional Organizations, FORA and Bodies

The Prime Minister has been pleased to approve the following guidelines for foreign appointments and postings in Pakistan Missions Abroad and against Pakistan’s seats in international, Multilateral, Bilateral and regional organizations, Fora and Bodies:—

i. For the purpose of these policy guidelines, “foreign posting” means and includes, but is not limited to, foreign appointments and postings in Pakistan Missions Abroad and against Pakistan’s Seats in International, Multilateral, Bilateral and Regional Organizations, Fora and Bodies; but does not include foreign postings related to defence, intelligence and security affairs and foreign posts which are the cadre posts of any service, cadre or occupational group;

ii. The services, cadres and occupational groups, eligible for selection against each foreign post, against which foreign posting is made, will be clearly defined and identified by the concerned Ministry or Divisions, keeping in view the job description and responsibility of each foreign post vis-d-vis

services, cadres and occupational groups, the officers of which generally

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2.

possess the qualification, experience and skills necessary to fulfill these responsibilities efficiently;

The concerned Ministry or Division, in each case, shall ensure that selection process is completely transparent and absolutely merit-based. Such transparency and merit shall be clearly visible from the processes, procedures and practices that are adopted for selection;

All foreign posts that are vacant and available or are likely to become vacant and available within one year of the date of circulation of such vacancy, will be circulated amongst the officers of the identified services, cadres and occupational groups, clearly specifying eligibility criteria in terms of educational qualifications, experience, age and so forth;

There shall be a precondition of passing a written qualifying test, but the test shall be organized by the concerned Ministry through the Lahore University of Management Sciences, Lahore or the Institute of Business Administration, Karachi;

The minimum qualifying score in the written test will be set at 60 percent; Candidates qualifying the test will be called for an interview, which will be conducted by a committee to be constituted with the approval of the Prime Minister;

“[Sixty percent weightage will be given to the written test scores and forty percent weightage to the interview scores;

Fifty percent passing marks in the interview, and the candidates scoring less than the required threshold shall be deemed to have failed to qualify for the position;]

Successful candidates shall be given, in order of their merit, comprising of summation of scores in written test and interview, the option to choose the station of their choice from amongst circulated stations;

The tenure fixed for each foreign post shall be strictly followed and will not be extendable;

An officer of identified services, cadres and occupational groups for any foreign post will be eligible for two tenures of foreign posting in his entire service, provided that there shall be an intervening period of at least three years between two such tenures;

No relaxation or exceptional to the above policy guidelines shall be granted without prior approval of the Prime Minister for which the concerned Ministry shall provide detailed justifications in a summary; and,

Failure to initiate and complete the process of selection of new officers, prior to completion of tenures of incumbents shall be the personal responsibility of the concerned Secretary.

The Ministries/Divisions are requested to strictly follow this procedure in

future while recommending officers for posting abroad in Pakistan Missions and against Pakistan's seats in International, Multilateral, Bilateral and Regional Organizations, Fora

and Bodies.

[Authority:— Establishment Division's O.M No. 4/3/2016-T-IV dated 16-02-2016].

* Para-1(viii,ix) amended vide Establishment Division's O.M No. 4/3/2016-T-IV dated 21-10-2020.

IV. IMPLEMENTATION OF TRANSFER/POSTING ORDER

4.1 Implementation of Transfer Orders of Officers

Attention is drawn to office Memorandum No. 10/1/85-R.2. dated 11" November, 1985 issued by the Establishment Division whereby it was conveyed that under current procedures in force the Ministries/Divisions etc. on receipt of transfer orders of an officer were to relieve the incumbent within one week with the responsibility of such action lying with the head of office. In case it was not possible to relieve the officer under transfer within a week, a reference was to be made to the Establishment Division by the head of the Ministry/Division concerned explaining the circumstances due to which it was not possible to relieve the officer and when he would be relieved.

2. The tendency of not honouring the Notifications issued by the Establishment Division puts Establishment Division in an embarrassing position besides creating administrative difficulties/problems for the Ministries/Divisions where such officers are being posted. It would be appreciated that whereas the Ministries/Divisions have to look after their own interest only, the Establishment Division is required to oversee the position of the postings/transfers in all Ministries/Divisions of the Federal Secretariat. This situation is accentuated when are faced with shortage of Section Officers in the Federal Secretariat.

3. In view of the above it is re-iterated that when orders of transfer of an officer serving under a particular Ministry/Division are received he should be relieved within a week’s time. Furthermore, if the transfer of an officer is pending with your Ministry /Division the same may please be implemented immediately, failing which disciplinary action may be taken against the officer under transfer.

[Authority:—Establishment Division’s O.M No. 6/3/92-OMG-II dated 06-12-1993]

4.2 Posting and Transfer of Officers

The instructions issued by Establishment Division vide O.M. No. 16/1/85-R-2 dated 11" November 1985 and D.O letter No. 6/3/92-OMG-II dated 6" December, 1993 and to the state that instances have come to the notice of the Government where officers(s) on promotion or transfer to other Ministry(s)/ Division(s) are not relieved promptly by the offices where they were serving to enable them to take up their new assignments. Similarly, in certain cases, the transferred officers are not taken on charge/accepted in their new assignments on one pretext or the other. This tendency of not honoring Notifications issued by Establishment Division, in the public interest, creates administrative difficulties/ problems for the Ministries/Divisions where such officers are being posted.

2. In view of above it is once again reiterated that whenever orders of transfer/posting of an officer received these should be implemented in letter and spirit. In case of non-compliance Establishment Division will be constrained to take action against the officers under transfer.

[Authority:— Establishment Division’s O.M No. 1/1/2014-OMG-II dated 24-03-2014]

4.3 Surrender of Section Officers Without Issue of Notification by Establishment Division

The Establishment Division have noticed a tendency among Ministries/Divisions that when they are not satisfied with the performance of a Section Officer they surrender the officer without consulting the Establishment Division and do not wait for issue of formal notification by the Establishment Division. This action creates a problem for the Establishment Division because the officer report to the Establishment Division and Establishment Division has to pay them salary for the period till they are posted elsewhere, thus unnecessarily burdening the budget of the Establishment Division.

2. The Establishment Division have decided that Ministries/Divisions should not surrender Section Officers unless and until a proper notification has been issued by the Establishment Division. If a Section Officer is not desired to be retained by any Ministry/Division, a formal request indicating specific reasons for surrender may be intimated in the first instance, and after issue of notification, the officer may be relieved for joining his new posting. If , however, any Ministry surrenders an officer without waiting for a proper notification from the Establishment Division, Establishment Division will not be obliged to provide a replacement section officer to the Ministry.

[Authority:—Establishment Division’s d.o letter No. 1/1/86-OMG.IL. dated 20-02-1986]

V. GRANT OF LEAVE

5.1 Grant of Leave to Transferred Officers

It has been decided that, in future, an officer transferred to another post, either in the Federal Secretariat, its Attached Departments or Subordinate Offices, or to a post under a Provincial Government on reversion from the charge should not be allowed leave for any period, except by the authority to whose control he is transferred.

[Authority:— Estt. Div.'s O.M. No. 6 (21)/ 60-E.IX, dated 8-10-1960].

5.2. Grant of Leave and Notification of Transferred Officers

Doubts have arisen as to who should sanction and notify the leave in the case of officers referred to in the Establishment Division's Office Memorandum No.6 (21)/60-E.IX, dated the 8" October, 1960. The intention is that, after the date of issue of transfer orders, leave should be allowed and notified only by the authority under whose control the officer transferred has to go.

[Authority.— Estt. Division's O.M. No. 8/20/60-FI., dated 30-11-1961].

5.3. Charge Report by Officers Proceeding on Transfer

Officers proceeding on long leave, transfer or retirement are required to sign a certificate of transfer of charge (Form TR-I) under Rule 114 of General Financial Rules, Vol.-I. In cases where the transfer of charge involves assumption of responsibility for cash, stores, etc., the instructions laid down in rule 44 of Treasury Rules, Volume-I and rules 115 and 150 of the General Financial Rules, Vol.-I are followed. As regards maintenance and handing/taking over of classified and accountable documents adequate instructions exist vide paras 25 to 29 of the booklet "Security of Classified Matter in Government Departments".

2. There is, however, no institutional arrangement in the Federal Secretariat under which an officer, proceeding on long leave, transfer or retirement should leave behind a memorandum on matters of importance concerning his charge, for the benefit of the successor. Consequently, the successor has now himself to grope and find out major development about various issues relating to his office, either incidentally or as and when they force his attention because of their urgency or importance. This lack of institutional arrangement could affect adversely proper perspective or continuity in the handling of problems at different levels.

3. It has, therefore, been decided that, apart from the procedure being followed in respect of cash, stores etc. mentioned in para 1 above, the officer proceeding on leave, transfer or retirement should also prepare a brief note (Note to successor) describing important cases, major issues and the directions in which they are developing and any other matter that his successor should know.

[Authority.- Estt. Division's O.M. No. F. 8/6/ 74-F.L., dated 7-2-1974].

VI. DIPLOMATIC STATUS TO CIVILIAN OFFICERS

6.1 Diplomatic Status to Civilian Officers of Other Ministries/ Divisions Posted in Pakistan Missions Abroad

In consultation with the Ministry of Foreign Affairs it has been decided that following formula regarding grant of Diplomatic Status shall be applicable to those civilian officers of Ministries/ Divisions who are/shall be posted to Pakistan Missions abroad:-

(1) Second Secretary (Junior *Grade-17.
*Grade or any designation
in future).

(2) Second Secretary *Grade-18.

(Senior *Grade or any
designation in future).
(3) First Secretary. At least 5 years service in
*Grade-18 & cleared by the Special
Selection Board in case of
non-FAG*™* officers.
(4) Counsellor. *Grade-19.

(5) Minister. *Grade-20.

2. It has also been decided that on the appointment of officers to foreign missions not only their seniority in accordance with the formula but also their suitability for appointment at that senior level would be taken into account.

[Authority.- Estt. Division’s O.M. No.4/16/80-T.IV, dated 8-10-1981].

6.2 Premature Transfer of Government Servants Between Pakistan and Pakistan Missions Abroad

In 1958, the Establishment Division decided, in pursuance of the recommendations of the Economy Committee that the transfer of officers between the two zones of Pakistan and between Pakistan and foreign countries should normally be made after three years. If a transfer was unavoidable before the expiry of this period, sanction of the Cabinet Secretariat (Establishment Division) should be obtained invariably before the transfer orders were issued by the administrative Ministry. The Establishment Division reiterated these instructions from time to time.

2. This Ministry felt that transfer of officials within the two zones of the then Pakistan stood on an altogether different footing from transfer of officials from Pakistan to Missions abroad and vice versa. The exigencies of service, such as inadequacy of staff for certain types of posts, the special suitability of certain officers for certain Missions, the almost continuous re-organization of Missions abroad, etc. made it well-nigh impossible to rigidly adhere to the principle of three years’ tenure abroad. However, the Establishment

* BPS
** Foreign Affairs Group; now Foreign Service of Pakistan.

Division were not agreeable to exempt this Ministry from the operation of the instructions in question.

3. | The Secretary (Administration) discussed the case with the Establishment Secretary, when the latter agreed to exempt this Ministry from the application of the said restraint. It may be stated in this connection that in many cases orders of premature transfers are issued under the directions of the Prime Minister. In the case of Heads of Missions all orders of appointment and recall/transfer are issued in accordance with the directives of the Prime Minister.

4. The Establishment Secretary may kindly see for his formal concurrence in the proposed exemption of this Ministry from the requirement of obtaining prior approval of the Establishment Division in cases of premature transfer of officials between the Ministry of Foreign Affairs and the Pakistan Missions abroad.

[Authority.-. Ministry of Foreign Affairs U.O. Note No. Rules-1/3/76, dated 3-5-1976 and Estt. Division U.O. Note No. 6/2/70-CV, dated 5-5-1976].

VIL. APPLICATIONS FOR SERVICES AND POSTS RULES, 1966 & INSTRUCTIONS

7.1 Government Servants (Applications

for Services and Posts) Rules, 1966

In exercise of the powers conferred by paragraph (a) of clause (2) of Article 178 and clause (1) of Article 179 of the Constitution, the President is pleased to make the

following rules, namely:-

1.

Short title, application and commencement.— (1) These rules may be

called the Government Servants (Applications for Services and Posts) Rules, 1966.

(2)

or holds any post in connection with the affairs of the federation except:-

(a)
(b)

(3)
2.

They shall apply to every person who is a member of an All-Pakistan Service

persons to whom the Pakistan Railway Establishment Code applies; and

members of such Services and holders of such posts as the Federal Government may, by notification in the official Gazette, specify.

They shall come into force at once.

Definitions. In these rules, unless there is anything repugnant in the

subject or context,—

(a)

(b)

3.

“competitive examination” means a competitive examination held by the Federal Public Service Commission or a Provincial Public Service Commission for recruitment to any Service or post and includes any method whatever adopted for recruitment to the Central Engineering Services; and

“temporary Government servant” means a person who is temporarily employed in connection with the affairs of the Federation, but does not

include a person employed on contract or on probation [against a permanent post or as probationer of a regularly constituted service].

Manner of making applications.— No Government servant shall apply

for appearing at any competitive examination or for appointment to any post other than the post which, he for the time being, holds except—

(a)

(b)

for appearing at a ministerial services competitive examination through the head of the office, Ministry or Division in which he is employed; and

for appearing at a competitive examination other than a ministerial services competitive examination or for appointment to a service or post to be filled otherwise than by a competitive examination with the prior permission in writing of the head of the office, Ministry or Division in which he is employed, who may, for reasons to be recorded in writing, refuse such permission if he considered that such permission would not be consistent with the interests of the public service.

4. Permission to be given or application to be forwarded not more than twice.— (1) Subject to the provisions of rule 3, the applications of, or permission to, a Government servant for appearing at competitive examinations at which he is otherwise eligible to appear shall not be withheld or refused, but in no case shall the applications be forwarded or permission be granted for appearing at more than two ministerial services competitive examinations during any calendar year or at more than two competitive examinations other than ministerial services competitive examinations during the whole service of a Government servant:

Provided that a Government servant appointed on the results of a competitive examination other than a ministerial services competitive examination shall not be permitted to apply for such examination more than once during his whole service.

(2) Subject to the provisions of rule 3, no Government servant shall apply more than twice in any calendar year for, or for appearing at any test or interview for appointment in, or for the transfer of his services to, a service or post to be filled otherwise than by a competitive examination, in another office, Ministry or Division of the Federal Government or under the Provincial Government or a public statutory corporation.

(3) Notwithstanding anything contained in sub-rules (1) and (2), the applications of, or permission to, a Government servant employed on contract for a specified period, for appointment in a Service or post or for appearing at a competitive examination test or interview, may be withheld or refused if it appears that in the event of selection for appointment to any Service or post pursuant to such application, or on the result, of such examination, test or interview, such Government servant will have to be released before the expiry of his period of contract and that such release would not be consistent with the interests of the public service.

5. Release of Government servants for appointment to a better Service or post.— (1) Where a Government servant who applied in accordance with rule 3 for appearing at a competitive examination is selected for appointment on the result, of such examination, his release for such appointment shall not be withheld or refused if he is a member of a Service in a group and is selected for appointment to a Service in a higher group, but not to a Service in the same or a lower group. For the purpose of this rule, the Central Services are grouped in the following descending order:-

1* Group Civil Service of Pakistan.
Pakistan Foreign Service.
2" Group Police Service of Pakistan.

3" Group Finance Services eligible for the Economic Pool, viz.,
Pakistan Audit and Accounts Service, Pakistan
Railway Accounts Service, Pakistan Military Accounts
Service, Pakistan Taxation Service and Pakistan
Customs and Excise Service.

4" Group Pakistan Postal Service (Class I) and Pakistan Military Lands and Cantonments Service.

5" Group Central Secretariat Service (Class I) and other Class I Services and Posts.

6" Group Class II (Gazetted) Services and posts.

7" Group Non-Gazetted Services and posts.
ILLUSTRATION

A Police Service of Pakistan Officer shall be released for appointment to the Civil Service of Pakistan or Pakistan Foreign Service, but not to any of the Finance Services. A Pakistan Taxation Service Officer shall not be released for appointment to the Pakistan Audit and Accounts Service; or a Pakistan Military Lands and Cantonments Service Officer to the Pakistan Postal Service (Class I).

(2) If any person who, before his appointment to a Service of the Centre or a post in connection with the affairs of the Centre, had appeared at a competitive examination, test or interview or applied for appointment to a Service or post, it is, on the result of such examination, test or interview or pursuant to such application, selected for and offered appointment to a Service or post other than the one to which he belongs or which he holds, his release for such appointment, it desired by him, shall not be withheld or refused.

(3) Notwithstanding anything contained in sub-rules (1) and (2), release before the expiry of the period of contract of a Government servant employed on contract for a specified period may be withheld or refused if such release would not be consistent with the interests of the public service.

6. Temporary Government Servants. Notwithstanding anything contained in these rules, the applications of, or permission to, a temporary Government servant for appointment to any service or post or for appearing at any competitive examination, test or interview or his release on being selected for any service or post pursuant to such application or on the results of such examination, test or interview shall not be withheld or refused.

7. Exemption.— The President may, in such cases as he thinks fit, exempt any Government servant or class of Government servants from the operation of, or relax the restrictions imposed by, these rules.

8. | Repeal.— The Government Servants' Applications for posts (Central Services) Rules, 1953, as amended from time to time, are hereby repealed.

[Authority.- Estt. Division's Notification No. SRO 593 (K)/66, dated 8-6-1966].

7.2 Failure of the Provincial Governments and Federal Ministries/ Divisions to Inform the F.P.S.C. about Withholding of Application Within One Month of the Closing Date Not to Affect the Candidate's Selection/Appointment

In the Establishment Division's letter No. 8/54/79/F.I(D.5) dated 5" August, 1980 it was requested that the applications, if submitted by Provincial Governments employees through proper channel to FPSC, for posts advertised by the Commission, should please be forwarded on top priority basis; and in case an application is required to be withheld for any reason, the Commission should be informed within one month of the respective "closing date" of the applications.

2. The FPSC have reported that despite the instructions issued on 5" August, 1980, the objective has not been achieved. Several candidates, who appeared before the Commission on the basis of their "duplicate/advance copy", have told the Commission that their original applications fell a prey to the clerical redtapism in their respective offices, and their applications could not be forwarded to the Commission. The Commission have also complained that in several cases, the Provincial Governments as well as the Federal Ministries/Divisions/ Departments informed the Commission about the withholding of applications, after the closing date and in certain cases at a stage when the employee/ candidate had even been interviewed. It will be appreciated that with such state of affairs, not only the efforts of the Commission are wasted, but the talented/ suitable candidates are also prevented from selection/ nomination.

3. Under these circumstances, it has been decided that:-

(i) If the Provincial Governments and the Federal Ministries do not inform the Commission of their refusal, within one month of the "closing date", it will be presumed by the Commission that permission has been granted to the employee/ candidate who has applied in advance; and

(ii) In view of (i) above, if a departmental candidate/employee is selected/ nominated by the Commission, the parent Government/Ministry/ Department/Corporation etc. of that candidate shall be bound to relieve him, to enable him to join the post for which he has been nominated.

[Authority:— Estt. Div.'s Letter No.8/54/79-F.1-D.(5), dated 16-8-1981].

73 Recruitment of Candidates on a Pay Higher Than the Minimum Scale of the Post

It has been decided in consultation with the Ministry of Finance that the following procedure shall be adopted in connection with recruitment through the Federal Public Service Commission when it is proposed to appoint a candidate on an initial pay higher than the minimum of the post and the requisition sent to the Commission admits of such higher initial pay being given in suitable cases:

(i) | Ordinarily, posts will be advertised on prescribed scales and there need be no provision in the advertisement for a higher initial pay being given. In

all such cases, the appointments must be made on the minimum of the scales. No representation for a salary higher than the minimum of the scale will be entertained from any person who enters government service in response to such advertisement without prior consultation with the Federal Public Service Commission and the Ministry of Finance.

(ii) In special cases, however, where due to dearth of suitable candidates or where previous attempts to attract candidates on the minimum of the scale had failed, it may be felt necessary to provide for a higher starting pay. In such cases, whenever the requisitions for recruitment are sent to the Federal Public Service Commission, the prior concurrence of the Ministry of Finance must be obtained, if it is intended in deserving cases to provide a higher initial pay than the minimum of the advertised scale. The limit in the scale up to which the Federal Public Service Commission may be authorised to recommend the starting salary will be laid down by the Finance Ministry in each such case.

(iii) Before a recommendation as to the higher initial pay made by the Commission is accepted by the Ministry concerned, the concurrence of the Ministry of Finance must be obtained.

(iv) Normally, no candidate should be given a salary higher than that recommended by the Commission. If, however, in an exceptional case it is considered desirable to give a higher salary to a candidate than that suggested by the Commission, it will be necessary to obtain the concurrence of the Commission before seeking the approval of the Ministry of Finance.

(v) Any subsequent recommendation made by the Commission must, before it is accepted, have the prior concurrence of the Ministry of Finance.

2. The procedure outlined above, will apply to posts to which recruitment is made on contract. Each such case will however, be considered on its merits as regards the scale of pay and the maximum of the higher start.

[Authority:— Estt. Div.’s O.M.No.11/4/50-SEL, dated 16-5-1951].

7.4 Modifications in Requisitions
Placed with FPSC

Reference instructions contained in the Establishment Division O.M. No. 9/3/73-DV, dated 26" November, 1973 and O.M. No. 2/10/74- F.IV, dated 18" December, 1974.

2. Instances continue to come to notice where after placing requisitions, for recruitment with the Federal Public Service Commission, the Ministries/Divisions/ Departments have made changes in those requisitions. In some cases, the number of posts notified for recruitment was reduced, in other cases the qualifications notified were modified. There have also been cases where the domicile for the post was changed or the requisition altogether withdrawn after the post had been advertised and the candidates interviewed. Such modifications in requisitions placed with the Commission are not only

against the instructions issued by the Establishment Division but also place the Commission as well as the government in great embarrassment, apart from delay in recruitment and wastage of public time and money. It has, therefore, been decided that, in future, if for very cogent reasons a requisition placed with the Commission has to be amended or cancelled, the reference to the Commission should be made under the signature of the Secretary of the Ministry/Division concerned giving the reasons for the proposed amendment. A copy of the communication should be endorsed to the Establishment Division.

[Authority:— Estt. Div.'s O.M.No.11/4/76-D.V., dated 17-7-1976].

7.5 Change in Requisition for Recruitment
Placed with the FPSC

Reference.- Establishment Division O.M. Nos. 9/3/73-DV, dated 26-11-73, 2/10/74-F.IV, dated 18-12-1974 and 11/4/76-DV, dated 17-7-1976.

2. It has been brought to the notice of Establishment Division by the Federal Public Service Commission that requests for amendment/ cancellation of the requisitions for recruitment on the plea of amendment in the recruitment rules are still being received by them after the posts are advertised and, in some cases, even after notice for interview is issued. The Commission have observed that such amendments are generally proposed to accommodate ad-hoc appointees who otherwise do not fulfill the requirements of the relevant recruitment rules.

3. As such situations cause embarrassment to the Commission, and result in considerable waste of time and funds spent on re-advertisement, it has been decided that in future no request for amendment/withdrawal of requisition for recruitment will be entertained by the Commission on the plea of an amendment in the recruitment rules. The amendments, if any, will have only prospective and not retrospective application.

4. | With a view to exercising proper check on such requests for amendment, cancellation/withdrawal of requisition etc., it has been decided that, in future, all such requests should be routed through the Establishment Division by Ministries/ Divisions etc.

[Authority:— Estt. Div.'s O.M. No.11/4/76-D.V. dated 19-10-1977 and Estt. Division's O.M.No.2/51/78.D.1II, dated 11-7-1979].

7.6 Revised Requisition Form for Direct-
Recruitment Through the Commission
Revised Requisition Form FPSC-21 for use in recruitment of candidates for appointment to various posts by interview method only is annexed. It is requested that in

future the revised Requisition Form may please be used while forwarding requisition to the Commission, instead of the old Forms.

[Authority:— Federal Public Service Commission's letter No.F.16/6/82-RI, dated 4-7-1982].

ANNEX

Revised Requisition Form F.P.S.C.-21

FEDERAL PUBLIC SERVICE COMMISSION
cs (Division)

“A” FOR CANDIDATES’ INFORMATION

(1) (a) Designation of the post.
(b) Number of posts to be filled.

(c) Grade

(d) BPS

(e) Special pay (if any).

(f) Whether higher starting salary admissible if any, upto, and necessary prior sanction of the Ministry of Finance has been obtained?

(g) Any other special concessions such as free quarters, light, water etc.

(2) Whether permanent or temporary. (if temporary period for which it will last)?

(3) (a) Duties.
(b) Place of duty.
“B” FOR ADVERTISEMENT
(4) Qualifications required (no deviations from notified recruitment rules are permissible).

(a) Academic:(If more than one qualifications are prescribed, preference, if any, as reflected in the recruitment rules).

(b) Training.

(c) Experience.
(The prescribed experience counts after acquiring the requisite basic educational qualification. Whenever the Ministry/Division consider that the prescribed experience gained before acquiring the minimum prescribed educational qualification should also be considered as relevant, this should be made clear, and full justification may please be given for providing this relaxation in the interest of service).

(5) Age Limits.
(a) Minimum.
(b) Maximum.

(Any relaxation, whether in Minimum or Maximum age limits).

(6) Provincial/Regional distribution of post(s) in terms of Recruitment Policy.

In figures In words

Merit *(7.5%)

Punjab (50%) we ee
- Sindh (Urban Areas)

(40% of 19% or 7.6%) ween teen
- Sindh (Rural Areas).

(60% of 19% or 11.4%)
- KPK (11.5%)

Balochistan”(6%)
- GB/FATA(4%)

Azad Kashmir (2%) weet wee

(No change in allocation or reduction in the number of posts would be permitted so far as this requisition is concerned).
Merit *7.5%

Punjab (including Federal Area of Islamabad) 50%
Sindh 19%
The share of Sindh will be further sub-allocated in the following ratio :

Urban Areas, namely Karachi, Hyderabad
and Sukkur 40% of 19% or 7.6%,

Rural Areas, i.e. rest of Sindh

excluding Karachi, Hyderabad and Sukkur.
60% of 19% or 11.4%.

KPK 11.5%
Balochistan *6%

Gilgit Baltistan and Federally Administered Tribal Areas
4% and Azad Kashmir 2%.

(7) Are government servants eligible for concession of age, qualifications, experience, etc., which are relaxable in their favour, as per notified recruitment rules.

(8) Any other condition or qualification not covered by above questions.

(9) Are women eligible in terms of recruitment rules? If women are to be declared ineligible, the Establishment Division’s prior approval must be obtained.

“ Subs. vide Establishment Division’s O.M. No. 4/10/2006-R2, dated 12" February, 2007.

“Cc” OTHER POINTS

(10) Have the recruitment rules, including method of recruitment and qualifications for the posts been approved by the Establishment Division and the Commission? If so, please state.

(a) The Gazette Notification No. and date of the recruitment rules.

(b) Whether the recruitment rules (with amendments if any) amended in consultation with the Establishment Division and _ the Commission? If so, please give the Gazette Notification No. and date of all amendments and a copy of the same should be enclosed.

(c) An up-to-date and complete copy of recruitment rules must be enclosed with this Requisition.

(1) Was this post advertised previously? if so, in which year (Commission’s Consolidated Advertisement No. should be quoted).

(12) Name, telephone number and address of Departmental Representative will be asked by the Commission about a fortnight ahead when the interviews are fixed up.

N.B.- The Departmental Representative should be of the status of Joint Secretary to the Federal Government and for the sake of uniformity of assessments of candidates, the same Departmental Representative would be required to assist the Commission at all interviews centres for a particular appointment.

(13) Particulars of the present ad-hoc appointee (s).

Name Date of Qualification | Experience Domicile Date of birth Ad-Hoc Appointment

(14) It is certified that:

(i) The qualifications, age limits and experience laid down in the above requisition are in accordance with the recruitment rules, which have been published in the Gazette of Pakistan after approval by the Establishment Division and the Federal Public Service Commission.

(ii) The particulars of ad-hoc appointees have been given in the requisition against Column 13. The ad-hoc appointees fulfill all the prescribed qualifications as educational qualification, experience, age limits and *domicile.

(iii) The provincial/regional distribution of posts as given against item No. 6 is in accordance with the Government Recruitment Policy as contained in the Establishment Division's O.M. No. F. 8/9/72-TRV, dated the 31" August, 1973, as amended from time to time.

The allocation of the post has not been changed since it was last advertised. The allocation of the post since it was last advertised has been changed with the concurrence of the Establishment Division, as required in their O. M. No. 8/15/73-TRV, dated the 28" November, 1973.

(iv) The requisition has been signed by an officer of the status of Deputy Secretary or above.

(v) Detailed duties of the post against Column 3 of the requisition have been mentioned and enumerated.

(vi) No changes as regards qualification, experience, age, domicile, grade, scale of pay, etc., as far as this requisition is concerned will be accepted, save in unavoidable circumstances when any change in requisition will have to be routed through the Establishment Division. Request for such a change will be signed by the Secretary of the Ministry/Division and routed through the Establishment Division, as required vide O.M. No. 11/4/76-DV, dated the 17" July, 1976 and No. 2/51/78-DIII dated 11" July, 1979.

Signature... cece eeeeeeeeees
Designation of forwarding authority

7.7 Grant of Starting Salary to Candidates after Selection by the Federal Public Service Commission

It has been brought to the notice of Establishment Division by the Federal Public Service Commission that Ministries/Divisions sometimes approach the Commission to recommend starting salary higher than the minimum prescribed for the candidates after they have been nominated by the Commission. The position in this respect is stated below.

2. In case it is intended to grant higher starting salary to incumbent of any post, the F.P.S.C. should be informed of such details at the time when the requisition for that post is sent to them to enable them to include this provision in their advertisement. Further, according to Serial No. 16 of Annexure II to the Ministry of Finance O.M. No.

* Strike out the alternatives not applicable.

F-1(5)R 12/80, dated the 11" March, 1981", the F.P.S.C. may recommend the grant of not more than six premature increments to a nominee only when suitable persons of requisite qualifications are not available on the minimum prescribed pay of the post. In either case the Commission may use its discretion to recommend and to fix the number of such increments within the prescribed limit or not to recommend the premature increments.

3. As explained above, in cases where the F.P.S.C. has nominated a person without recommending premature increments, there is no justification for a Ministry/ Division/ Department to ask the Commission for recommendations for such increments.

4. Ministries/Divisions are requested to explain the above position to all the Departments/Offices under their jurisdiction.

[Authority:— Estt. Division’s O.M.No.2/22/75-D-IIL, dated 3 1-3-1976].

78 Recruitment to Posts in BPS 16 and Above

While processing recruitment against various posts in BPS 16 and above under the Federal Government, the administrative Divisions/Departments are required to nominate professionally competent and senior officers (in BPS 20 or above),as Departmental Representatives to assist the Federal Public Services Commission in assessing suitability of the candidates.

2. FPSC has reported that, over the years, it has been noticed that the Departmental Representatives are either not nominated at all or they do not attend on specified dates. At times they come late also. Generally, officers of BPS 19 or below are nominated. They, very often, do not have the requisite experience and/or lack relevant professional/ technical expertise in the field of the advertised post. The Commission is not informed about the non-availability of a qualified officer for which last minute alternative arrangements are impossible to make. The names/addresses of the Departmental Representatives are seldom given, nor are their telephone (Office and Residential) numbers provided. Thus the Commission is prevented from reaching them to ensure their presence.

3. It is, therefore, requested that FPSC’s instructions in this regard may kindly be complied with in letter and spirit so as to avoid any untoward situation in future.

[Authority:— Estt. Div.’s (Training Wing) Circular No. 3/8/92-T.V. dated 17-10-1993].

19 General Instructions for Submission of Applications for Various Posts-Competitive Examination-Number of Chances for Government Servants who are in *Grade-16 and Below

The government servants in “Grade-16 or below who have completed two years service and have failed to secure direct entry into **Grade-17 through competitive examination have been allowed to take two more chances upto the age of 30 years in competitive examination vide Office Memoranda of Establishment Division forming various Occupational Groups”. This provision is, however, in conflict with the provisions of rule 4

"The latest orders are contained in Finance Division’s OM No.F.3(2)-Exp.III/2006 dated 13" September, 2
BPS

“Add ‘and Services’.

of the Government Servants (Application for Posts and Services) Rules, 1966. It has, therefore, been decided that rule 4 of the Government Servants (Applications for Posts and Services) Rules, 1966 may not be applied in the case of such government servants (in *Grade-16 and below) who wish to take two chances in Competitive Examination upto the age of 30 years.

[Authority.- Estt. Division's O.M. No. 1/21/76-T. III, dated 2-8-1976].

7.10 Right of Government Servants to Apply for Higher Posts in Other Offices

It has been decided that normally officials appointed to a *grade, either by promotion or by direct recruitment should —

(a) not be considered for appointment to, and
(b) not be allowed to apply for

posts in other offices of government or of statutory bodies to a *grade carrying a higher "grade, till they have rendered an appreciable length of service in the former *grade.

2. This ban will, however, not apply to—

(i) Appointments made through the Federal Public Service Commission or the Central Selection Board;

(ii) Posts within the normal promotion prospects of the government servant concerned, e.g., the posts of Section Officers in the case of Superintendents of the Federal Secretariat; and

(iii) Purely temporary government servants who are not likely to be employed permanently in the office, Ministry, Division, Service or cadre in which they are employed.

3. Departures from the above instructions should be made only in special cases.

4. Attention of all the Divisions is also invited to the fact that the Establishment Division administer the Civil Service of Pakistan", the Police Service of Pakistan, the G.A.R.*™* (General Wing), the Economic Pool®, and the Section Officers' cadre. Therefore, cases relating to the deputation to other offices of the officers of these categories should not be made by the Division in which they are for the time being posted, but should be referred to the Establishment Division for disposal.

[Authority.- Estt. Division's O.M. No. 1/26/61-C.III, dated 20-2-1963].

BPS
" Now Pakistan Administrative Service.
"* Means General Administrative Reserve. Not relevant now.
© Not relevant now. There is an Economists and Planners Group as distinct from the Economic Pool. For Economic Pool, see O&M Establishment Manual Vol. I, O&M Wing, Estt. Division 1968, Chapter X, pages 445-457.

7.11 Applications of Section Officers

The instructions contained in paragraph 5 of the Establishment Division Office Memorandum No. 1/8/52-C.III, dated the 7" August, 1963 are not generally observed by various Ministries/Divisions while forwarding to Establishment Division the applications of Section Officers for appointment elsewhere.

2. It is reiterated that while forwarding the applications in question to the Establishment Division, information on the following points should also be invariably furnished to this Division:-

(1) | Pay Scale attached to the post applied for
(2) Method of recruitment to the post in question
(3) | Whether the post in question has been advertised

(4) Minimum educational qualifications and/or experience prescribed for the post concerned.

(5) A statement showing the educational qualifications, and/or experience of the candidate concerned indicating also whether he fulfills the requisite qualifications and/or experience.

3. Such applications should be forwarded to the Establishment Division at least a fortnight before the last date prescribed for their receipt by the authorities concerned.

[Authority.- Estt. Div.’s O.M. No. 1/8/62-C. II, dated 14-5-1966].

7.12 Appropriate Authority for Forwarding of Applications Through Proper Channel

The question has arisen as to what should be considered the appropriate authority for forwarding applications of the staff employed in a particular office. As only a responsible and fairly senior officer of a Division etc. is generally in a position to know the staff requirements of his Division, it has been decided, in consultation with the Federal Public Service Commission, that, in the case of a Ministry or a Division, the forwarding authority should be at least a Deputy Secretary and in the case of an Attached Department or a Subordinate Office, it should be the Head of the Department or Office, or an officer of rank equivalent to that of a Deputy Secretary designated by him.

[Authority.- Estt. Division’s O.M.No.50/1/48-Ests.(ME), dated 3-6-1948].

7.13 Avoidance of Delay in Forwarding Applications of Government Servants to the F.P.S.C

Under the existing orders, all government servants, whether in Provincial or “Central Service, have to apply to the Federal Public Service Commission in connection with the examinations/selections held by them, through their respective Heads of Departments or Offices. The last date for the receipt of applications by the Commission is set down in the

*
Federal.

notice relating to every examination conducted by them and in the advertisements issued in connection with selections to be held by them.

2. The Federal Public Service Commission have pointed out that many such applications are received in their office long after the closing date, and have hitherto been entertained if the Commission were satisfied that candidates themselves were not at fault. The Commission are not prepared to continue this indulgence indefinitely and desire it to be made clear that in future late applications will not normally be accepted whatever the reason. It is, therefore, requested that care should be taken to see that applications of candidates who apply to the Federal Public Service Commission for the Central Superior and Ministerial Services examinations and selections are not delayed beyond the permitted date, since delay in future will not be condoned.

3. To deprive a candidate of his candidature by reason of a negligent omission to forward his application could be a serious act of irresponsibility.

[Authority.— Estt. Division letter No. 25/4/53-SE (1), dated 23-7-1953, to all Provincial Governments and Ministries of the Federal Government].

7.14 Competitive Examinations/Selections Held by FPSC — Applications of Departmental Candidates

ReferenceEstablishment Division's letter No.25/4/53-SEI, dated the 23% July, 1953. It has been reported by the F.P.S.C. that in several cases the applications from departmental candidates for the various competitive examinations/selections held by the F.P.S.C. are forwarded by the department concerned very late, without regard to the last date prescribed for receipt of applications announced by the Commission. To avoid that departmental delays, the Commission have decided that departmental delays in forwarding the applications of the departmental candidates will not normally be condoned. They will be condoned only in exceptional circumstances, which will be considered by the Commission on the merit of each case.

2. In view of what has been stated above, it will be very much appreciated if every possible effort is kindly made to ensure that applications from departmental candidates for appearing at the competitive examinations/selections held by the FPSC, are forwarded to the Commission by the due dates. In case of unavoidable delays reasons should please be recorded, otherwise applications received after the due dates will not be entertained by the Commission.

[Authority.— Estt. Division's letter No. 8/4/60-E, XIV, dated 18-7-1960].

7.15 Practice of Withholding/Forwarding of Applications of Departmental Candidates to FPSC

The practice of withholding applications initially and forwarding them at a late stage should also be discontinued as no departmental permission which is granted subsequently will be acceptable to the Commission.

[Authority:— Estt. Div.'s (Training Wing) O.M. No.1/1/84-TR-IV dated 18-6-1985].

VIII. (A) TRANSFER TO FOREIGN SERVICE IN PAKISTAN: DEPUTATION

8.1 Explanation of the Term “deputation”

Deputation in Pakistan.— C.S.R. 77: An officer is said to be on deputation when he is detached on special temporary duty for the performance of which there is no permanently or temporarily sanctioned appointment.

According to the practice in vogue a government servant begins to be regarded as a “deputationist” when he is appointed or transferred, through the process of selection, to a post in a department or service altogether different from the one to which he permanently belongs, he continues to be placed in this category so long as he holds the new post in an officiating or a temporary capacity but cease to be regarded as such either on confirmation in the new post or on reversion to his substantive post.

(Extract from PLD, 1981 S.C. 531-Islamic Republic of Pakistan versus Israr ul Haq and 23-others.)

8.2 Deputation of Government Servants — Period of Deputation

Maximum Period of Deputation— In continuation of Establishment Division’s circular D.O. letter No. 4/1/84-R.I (A) dated 20-11-1986 (Annex), conveying the directives of the Prime Minister requiring the period of appointment to be clearly specified in each case of contract, secondment or deputation, the following policy is laid down for deputation of government servants:

(i) The normal period of deputation for all categories of government servants would be three years. This would be extendable by two years with the prior approval of the competent authority.

(ii) All cases of initial deputation of government servants holding posts in BPS 17 and above would be referred to the Establishment Division for approval of the competent authority. The initial deputation in the case of government servants holding posts in BPS 16 and below would be approved by the Secretary of the administrative Ministry concerned/ Head of the Department not below BPS 21.

(iii) The competent authority to grant extension in deputation beyond the initial period of 3 years, would be as below:—

(a) Government servants in BPS 1 and 2.	Head of the Department.
(b) Government servants in BPS 3 to 16.	Secretary of the Admn. Ministry/Head of the Department not below BPS 21.
(c) Government servants in BPS 17 to 19.	Secretary of the Admn. Ministry concerned.

(d) Cases of government servants in BPS 20 and above would be referred to the Establishment Division.

(iv) On completion of the maximum period of five years, both the borrowing and the lending organizations should ensure immediate repatriation of the deputationist.

(v) In case it is not possible to repatriate a person to his parent organisation for compelling reasons, the case should be referred to the Establishment Division before the expiry of the maximum period of 5 years, fully explaining the circumstances due to which immediate repatriation is not possible and measures taken to obtain or groom a replacement as early as possible.

2. The above policy would also be applicable to transfer on foreign service in terms of FR 9(7) and rules contained in Chapter XII of the Fundamental Rules.

3. Ministries/Divisions are requested to bring these instructions to the notice of their Attached Departments/ Subordinate Offices/Corporations and Autonomous Bodies etc.

4. The existing instructions on this subject issued vide Estt. Division's O.M. No. 1/28/75-D. II (CV), dated 4-11-1980 and O.M. No. 22/47/82-R-3, dated 12-4-1983 stand modified to the above extent.

[Authority — Estt. Division's O.M. No. 1/28/ 75-D.IU/R. 3/R.I. dated 18-2-1987].
(ANNEX)

[Copy of Estt. Division Additional Secretary's D.O. letter No. 4/1/84-RI (A) dated 20-11-1986]

Re-employment/Appointment on Contract, Secondment or Deputation.— It has come to the notice of the Prime Minister that officers, appointed on contract or serving on re-employment, secondment or on deputation in the Federal Government, are allowed to continue in their posts after the expiry of their tenure without specific orders of the competent authority for its extension. The Prime Minister has taken a serious view of this situation and has directed that:-

(a) In all cases of appointment on contract, re-employment, secondment or deputation, the period of appointment should be clearly specified.

(b) On the last date of the specified period, the officer should automatically stand relieved of his duties unless the orders of the competent authority have been obtained in advance extending the period.

2. mmediate action may be taken to specify the period of appointment in those cases where it has not been specified. It may be ensured that in future no officer is appointed on contract, re-employment, secondment or on deputation without specifying the period of appointment. On the expiry of the specified period, the officer should be relieved of his assignment forthwith, unless the period has already been extended by the competent authority.

3. n order to ensure compliance of the above directive of the Prime Minister, all Ministries/Divisions are requested to identify the cases in which officers are

continuing to work in their posts after the expiry of the specified period of contract/ re-employment/ secondment/deputation and intimate these to the Establishment Division immediately with recommendations for extension of the tenure where required. Action may also be taken to terminate the appointments where extension is not required.

4. — All Ministries/Divisions etc. are also advised to initiate cases for extension in the period of contract/re-employment/secondment/deputation in future at least six months in advance of the date of expiry of the period of such appointment.

5. | The provision in para 28 of Establishment Division's O.M. No. 14/5/ 78-D.II1, dated 10-2-1980 dealing with induction/re-employment of the officers of armed forces in civil and such other instructions issued from time to time also stand modified in accordance with the Prime Minister's orders contained in para 1 of this letter.

6. The above instructions may also be brought to the notice of all Corporations and Autonomous/Semi-Autonomous Bodies under the administrative control of Ministries/ Divisions as these would apply to them as well.

8.3 Delegation of Powers in Regard to Deputation of Government Servants

In order to ensure expeditious processing of cases of deputation, the "Chief Executive has been pleased to delegate to Secretaries of administrative Ministries/ Divisions and Heads of Attached Departments and Subordinate Offices not below BPS 21, powers to approve initial deputation of officers upto BPS 19 belonging to cadres and posts under their administrative control for a period of three years. The above powers are subject to observance of the following guidelines:-

(i) Where a post proposed to be filled is reserved under the rules for departmental promotion, appointment on deputation may be made only if the department certifies that no eligible person is available for promotion or the eligible person is found unfit for promotion by the appropriate DPC/Selection Board. In such cases, deputation may be approved till such time a suitable person becomes available for promotion.

(ii) In case of posts reserved for initial recruitment, appointment on deputation may be made only as temporary arrangement, pending joining of the nominee of the FPSC, and subject to the condition that such appointment shall be made only after a requisition has been placed with the FPSC.

(iii) In cases where a post is tenable through appointment by deputation, the normal period of deputation should be three years and no extension beyond three years may be allowed without prior approval of the Establishment Division.

(iv) No officer should be sent on deputation unless he has completed three years' service in his parent department after return from an earlier deputation.

Now Prime Minister.

2. The provision of para 1(ii) of Establishment Division O.M. No.1/28/75-D.U/R.3/R.1, dated 18-02-1987 shall stand amended accordingly.

3. Ministries/Divisions are requested to bring these instructions to the notice of their Attached Departments/Subordinate Offices.

[Authority:— Est. Div.'s OM No. 1/28/75-D.II/R.3/R.I, dated 11" April, 2000]

8.4 Deputation of Government Servants

Reference Establishment Division's O.M. No. 1/28/75-D.II/R-3/R.I, dated 18 February, 1987 as amended vide O.M. of same No. dated 11" April, 2000 on the above subject. The term "deputation" as defined by the Supreme Court of Pakistan vide PLD 1981 SC 531 means that a government servant begins to be regarded as a "deputationist" when he is appointed or transferred, through the process of selection, to a post in a department or service altogether different from the one to which he permanently belongs, he continues to be placed in this category so long as he holds the new post in an officiating or a temporary, capacity, but ceases to be regarded as such either on confirmation in the new post or on reversion to his substantive post.

2. According to the judgement of Federal Services Tribunal in Appeals No. 39 and 40 (R)(CS)/2003 (M/s Liagat Ali Chaudhry and others Vs Federation of Pakistan), up-held by the Supreme Court of Pakistan, as interpreted by the Law, Justice and Human Rights Division, all the incumbents who are deputed to work in an agency foreign to the service to which they belong, are entitled to draw Deputation Allowance.

3. In view of the position stated above, the Finance Division have issued orders/instructions vide their O.M. No. F.5 (8) R-2/2007, dated the 4" July, 2007 stating that deputation allowance may be granted to all officers/officials of Ministries/ Divisions/Departments who have been transferred and posted on deputation basis or under Section 10 of Civil Servants Act, 1973, to a post in a department or service altogether different from the one to which they permanently belong.

4. In view of the above, Ministries/Divisions are advised that hence-forth the Notifications/Orders issued by them regarding the deputation of their officers/officials to a department/office altogether different from the one to which they actually belong, must invariably state that:

(i) | The incumbent will be entitled to deputation allowance.

(ii) The period of deputation shall be three years extendable by two years, with the approval of the competent authority.

[Authority:— Estt. Div.'s O.M. No. 1/18/2007-R-1, dated 10 December, 2007].

8.5 Deputation Period — Absorption of Deputationists

In continuation of Establishment Division's O.M. of even number, dated 15.10.1979 (Annex), it is stated that:-

(1) The normal deputation period, for all categories/ grades of government servants, shall be three years, extendable for another two years with prior permission of the Establishment Division. A government servant shall not, however, remain on deputation to another government organization or an autonomous body/corporation etc. for more than five years.

(2) If a person is on deputation to a government organization, and has completed the maximum tenure of five years, he must revert or be reverted by the borrowing office to his parent/lending organization of the expiry of that period; otherwise, the Audit Offices concerned shall not make payment of salary and allowances to him beyond the date of expiry of five years, unless specifically authorized by the Establishment Division.

(3) Ifa person is on deputation to an autonomous organization/ corporation etc, and has completed the maximum tenure of five years, it will be obligatory for that person to report back to his parent/lending organization on the expiry of that period, irrespective of his being relieved by the borrowing corporation/body etc. Failure to report back, unless specifically authorized otherwise by the Establishment Division, will be construed as 'Misconduct' and make him liable to disciplinary action under the government servants (Efficiency and Discipline) Rules, 1973.

(4) In case a deputationist is proposed to be absorbed permanently in the borrowing office (either a government organization or a corporation etc), such a proposal shall be initiated by the borrowing office at least six months before the expiry of the deputation period of the deputationist concerned. Such a proposal, with the written consent or request of the deputationist, shall be made by the borrowing office to the lending office (or parent office of the deputationist) which shall convey its decision (if necessary, in consultation with the Establishment Division) to the borrowing office as well as the deputationist, by the expiry of the term of his deputation. In the event of non-acceptance of the proposal, the individual shall revert back to his parent office as indicated at (2) and (3) above.

2. Ministries/Divisions are requested to bring these instructions to the notice of the officers/staff of their Secretariat/Attached Departments/Subordinate Offices/Corporations etc.

[Authority.- Estt. Division's O.M. No.1/28/75-D.II(CV), dated 4-11-1980].

(ANNEX)
[Copy of the Establishment Division's O.M.No.1/28/75-D-II (CV) dated 15-10-1979]

In spite of instructions issued on the subject, cases have come to the notice of the Establishment Division where government servants whose services were placed on deputation with other departments/organizations for a specified period have not been returned to the lending departments after the expiry of their tenure of deputation. What happens is that either a deputationist does not want to come back to his parent department or the borrowing department does not allow him to revert to his parent department on expiry of his term of deputation. This practice is against the interest of efficient administration.

2. It has now been decided that in no case a government servant should remain on deputation to another department or autonomous body for more than five years. If a government servant has completed his maximum period of deputation, and the department still feels the need of his services, the borrowing department/organization should write to the lending department to replace him by another government servant of the same grade and qualification, failing which the borrowing organization would make their own arrangements. If a person is not willing to come back to his department on expiry of the period of his deputation and tenders his resignation, that may normally be accepted.

3. All Ministries, Divisions and Departments are requested to review the cases of deputationists and take necessary action in the light of the above instructions.

4. This supersedes all previous instructions on the subject.

8.6 Deputation of Government Servants —
Normal Period of Deputation and
Extension

Reference Establishment Division's OM No. 4/1/84-R-I(A), dated 20-11-1986 addressed to all Federal Secretaries/Provincial Chief Secretaries, wherein the following directive of the Prime Minister was communicated:

(a) In all cases of appointment on contract, re-employment, secondment or deputation the period of appointment should be clearly specified.

(b) On the last date of the specified period the officer should automatically stand relieved of his duties unless the orders of the competent authority have been obtained in advance for extending the period.

2. The Ministries/Divisions were accordingly directed to specify the period of appointment in those cases where it was not specified and to ensure that no officer was appointed on contract, re-employment, secondment or on deputation without specifying the period of appointment. It was also directed that on expiry of the specified period, the officer should be relieved of his assignment forthwith unless the period has already been extended by the competent authority.

3. | The standard terms and conditions of deputation which were drawn in consultation with Finance Division and circulated vide Establishment Division's O.M No. 1/13/87-R.L, dated 03-12-1990, provide that "the normal period of deputation for all

categories of government servants will be three years. This will be extendable maximum by two years with the prior approval of the competent authority" i.e. Establishment Division.

4. The policy guidelines issued with the approval of the "Chief Executive and circulated vide Establishment Division's O.M No.1/28/75-II/R-3/R.I, dated 11-4-2000 also provided that "the normal period of deputation should be three years and no extension beyond three years may be allowed without prior approval of Establishment Division."

5. Despite the above cited instructions, it has been noticed with concern that in some cases neither the period of deputation is specified by the Ministries/Divisions concerned nor the incumbents are relieved of their duties on the expiry of specified period of deputation, and thus they continue to serve in the borrowing department without the prior approval of the competent authority resulting into administrative problems and legal issues due to non-adherence to the instructions of the government.

6. The Ministries/Divisions are once again advised to strictly observe the directions of the Prime Minister as referred to in paras 1 and 2 above and instructions issued by Establishment Division as referred to in paras 3 and 4 above.

7. The above instructions may also be brought to the notice of all corporations and Autonomous/Semi-Autonomous Bodies under the administrative control of Ministries/ Divisions.

[Authority:- Estt. Div.'s O.M. No. 1/28/75/-D.II/R.3/R.I, dated 04-03-2005].

8.7 Terms and Conditions of Deputation of Civil Servants

Reference the instructions contained in Estab. Div's O.M No. 1/28/75/ D.II/R.3/ RI, dated 5.7.1995, on the above subject. The aforesaid instructions have been reviewed and it has been decided with the approval of the Prime Minister that civil servants who are on probation on promotion to a higher post may be allowed to proceed on deputation. However, this concession will not be admissible to those civil servants, who are on probation on initial appointment and have to pass/qualify a prescribed examination, test or course/training for the successful completion of their probation.

2. Ministries/Divisions are to bring above instructions to the notice of Attached Departments/Subordinate Offices under their administrative Control.

[Authority:- Estt. Div.'s OM No. 1/28/75/D.II/R.3/R.1, dated 14.02.2007]

8.8 Deputation Not a Method of Appointment

Reference Establishment Division's O.M.No.1/28/75-D.2/R.3/R.I, dated 1s" February, 1987, wherein the normal period of deputation for all categories of government servants had been fixed as three years, extendable by another two years with the prior approval of the competent authority. Under the said instructions, Secretaries of the Ministries/Divisions concerned were authorized to grant extension in deputation period

"Now Prime Minister.

beyond the initial period of three years in respect of government servants holding posts in BPS-17 to BPS-19.

2. It has been observed, however, that there is a growing tendency to resort to postings through deputationists despite the fact that deputation is not a normal prescribed method of appointment as, under the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, three methods of appointments are required to be made either by promotion or by initial appointment or by transfer. The method of appointment to posts is also prescribed in the recruitment rules. Filling up the posts through deputation, if not provided so in the recruitment rules, leads to following adverse implications:-

(i) | In case of promotion posts, the promotions of departmental personnel are delayed/stopped.

(ii) In case the post is required to be filled through initial appointment, quota of a particular province is affected.

3. In order to bring the deputation policy in conformity with the present policy of postings and transfers circulated vide Establishment Division’s O.M. No.10/10/94-R.2, dated 22"! March, 1994, and also to discourage the increasing tendency of postings through deputation, it has been decided that, in future, the deputation period will be limited to three years only. A maximum two years extension in the deputation period will be considered only in exceptional cases, in the public interest, and with the prior approval of the Establishment Division in all cases of government servants in BPS-17 and above. The extension cases shall be forwarded to the Establishment Division at least six months before the expiry of the three-year deputation period and with proper justification for the proposal. However, no deputation proposals will be entertained which will adversely affect the method of appointment to the post as laid down in the recruitment rules. Accordingly, all such proposals must invariably be accompanied by a formal assurance signed by at least the Joint Secretary (Admn) to that effect.

4. — Ministries/Divisions are requested to also bring these instructions to the notice of their Attached Departments, Subordinate Offices, Corporations, Autonomous Bodies, etc, under their administrative control, for guidance/strict compliance. It may please be noted that arrangements have been made in consultation with the Auditor General’s Office whereby payment of emoluments etc. to those on deputation will be stopped forthwith, immediately following the completion of the three-year deputation period, unless the Establishment Division’s prior approval has been obtained and conveyed to the concerned Audit Circle.

5. The existing instructions on this subject issued vide Establishment Division’s O.M.No. 1/28/75-D.2/R.3/R.1, dated 18th February, 1987 stand modified to the above extent.

[Authority.- Estt. Division’s O.M. No.1/28/75-R.1, dated 14-3-1995].

8.9 Deputation of Government Servants — Procedure for Extension

Reference Establishment Division O.M. No. 1/28/75-D.II/R.3/R.1, dated 6.10.1994 read with OM dated 14.3.1995 on the above subject. According to the standing instructions contained in this Division OM dated 6.10.1994 cases for extension in

deputation period are required to be forwarded to the Establishment Division at least six months before the expiry of initial period of deputation failing which no extension in deputation period would be granted and the officers concerned would be considered repatriated to their parent department/ organization on expiry of initial period of deputation.

2. It has, however, been observed that, at times, the Ministries/Divisions send cases to this Division for extension in deputation period long after the expiry of initial deputation period. This practice is decidedly against policy instructions on the subject and need to be avoided.

3. Ministries/Divisions are, therefore, requested to comply with the standing instructions, referred to above, strictly and to ensure that cases for extension in deputation period are forwarded to Establishment Division six months before the expiry of initial period of deputation with proper justification.

[Authority:- Estab. Div. OM No. 1/28/75-R.I, dated 30" October, 2000]

8.10 Terms and Conditions of Deputation
of Civil Servants *[+**]

The instructions governing the terms and conditions of transfer of civil servants “to foreign service in Pakistan] are contained in FR.114 and various O.Ms. issued by the Finance Division/Establishment Division from time to time. Since these instructions are scattered over a number of O.Ms. enquiries have been received from Ministries/Divisions regarding applicability of these instructions in their correct perspective. Accordingly, standard terms and conditions of deputation of civil servants *[+#+#] have been drawn in consultation with the Finance Division and are given below:—

1. Period of Deputation

The normal period of deputation for all categories of government servants will be three years. This will be extendable maximum by two years with the prior approval of the competent authority.

2. Pay
Pay in BPS as admissible under the government from time to time.
3. Deputation Allowance

Deputation allowance will be admissible at 20% of the basic pay subject to a maximum of Rs. 6000 per month (both for Management Grade and non-Management Grade posts).

4. Travelling Allowance

Travelling allowance will be admissible in accordance with the ordinary TA tules of the government except that where TA rules of the borrowing organization are more favourable the latter will apply.

“The words ‘to foreign service in Pakistan’ deleted vide Estt. Div.’s O.M.No. 1/13/87-R.I, dated 04-04-200
“The words ‘ to foreign service in Pakistan’ substituted with the words ‘on deputation’ vide Estt. Div.’s O.M
No. 1/13/87-R.I, dated 04-04-2007.

5. Conveyance

(i) In case official car has been provided to the deputationist by the borrowing organization, it should be used for official purpose only, except where employees of the borrowing organization in an equivalent rank are entitled to free use of official car for both official and private purpose the same facility would be admissible to the deputationist subject to the prescribed petrol limit.

(ii) If the deputationist is entitled to official car in his capacity as a government servant, excluding the official transport provided on a specific post, he shall continue to enjoy the facility on the same terms.

(iii) If the deputationist is the chief executive of the autonomous/semi autonomous body, he will be permitted free use of official car, for official and private purpose subject to the condition that the total petrol consumption will not exceed 180 liters in a month, in case the deputationist is in *[BPS-20 or] BPS-21 and 240 liters in case he is in BPS-22.

(iv) If official transport is provided both for official and private purpose, the residence-office conveyance allowance shall not be permissible.

(v) In case official transport is not provided, or if provided, is not used for journey between office and residence, residence-office conveyance allowance will be admissible at specified stations, at the rates and on the conditions laid down in para-8 of the Finance Division’s O.M. No. F.1(1) MP.11/77, dated 28.4.1977, as amended from time to time. For occasional travel, the mileage/conveyance rates, admissible in the government will be applicable.

6. Residential Facility

(i) Accommodation may be provided to the deputationist, of a standard not inferior to what is normally admissible to him as a government servant, subject to deduction of 5% of his emoluments. If accommodation is not provided, the deputationist will receive house rent allowance, at a rate fixed by the government from time to time. If the deputationist is the chief executive of the autonomous/semi autonomous body, free unfurnished accommodation may be provided except where an official residence has already been constructed by the autonomous/semi-autonomous body.

(ii) The facility of hiring of a house owned by a civil servant will be admissible to a civil servant appointed on deputation in an autonomous body as provided under rule 22 of Pakistan Allocation Rules, 1971*".

iii) In case accommodation is to be hired for the deputationist, the rental

ceiling laid down by the Works Division in the Pakistan Allocation Rules, 1971**, as amended from time to time, or that applicable to employees of

* Amended vide Estab. Div.'s O.M. No. 1/13/87-R.I, dated 15-12-1991.
Pakistan Allocation Rules, 1971 were repealed by Pakistan Allocation Rules, 1993 vide Works Division's Notification No. SRO 1006(1)/93, dated 20-10-1993 (pages 19-40, Common Services Manual (Vol. II), PPARC, M.S. Wing, Estt. Div. 2003). Pakistan Allocation Rules, 1993 were repealed by the Accommodation Allocation Rules, 2002 vide Works Division's Notification No. SRO 749(1)/2002, dated 30-10-2002 (pages 41-69, of the document ibid).

equivalent rank in the borrowing organization, whichever is beneficial to the deputationist, will be applicable.

7. Medical Facility

Medical facilities may be allowed, in accordance with the relevant rules of the borrowing organization provided that these facilities will not be inferior to those admissible under the government.

8. Pension Contribution

“[When a civil servant is posted on deputation basis to autonomous/ semi-autonomous bodies/corporations efc. pension contribution shall invariably be made by the borrowing organization at the prescribed rate].

9. Leave Salary

No leave salary contribution shall be payable by the borrowing organization, but leave/leave salary shall be sanctioned/paid during the period of deputation, by the borrowing organization. The Federal Government employees sent on deputation who are granted leave and paid leave salary by the borrowing organization shall not count the period spent on deputation for earning leave under the Government of Pakistan on their return. However, the leave earned by a civil servant, but not availed/allowed during the period of his deputation in Pakistan will be credited to his leave account on reversion to government department. For this purpose, the autonomous bodies and corporations will maintain proper leave accounts for the government servant on deputation with them. Encashment of leave will not be admissible in the case of Government servants on deputation on the basis of the Rules/ Regulations of the autonomous bodies/corporations.

10. Disability Leave

The borrowing organization shall also be liable for leave salary, in respect of disability leave granted to the civil servant, on account of disability occurred in and through foreign service”, even though if such disability manifests itself after the termination of foreign service. The leave salary charges, for such leave, shall be recovered by the civil servant direct from the borrowing organization.

11. G.P. Fund etc.

During the period of deputation, the civil servant concerned will continue to subscribe to the G.P. Fund, the remittance of which shall be supported with a G.P. Fund schedule, mentioning therein the G.P. Fund Account Number and the name of the Accounts Officer, maintaining the account. The remittance should be made to the parent office of the government servant concerned. The parent office will send copies of challans and schedules, to the Accounts Officer concemed for necessary action. As regards the Benevolent Fund and Group Insurance premium contribution, this should be remitted directly, by the government servant concerned, through the normal banking channel, to the

* Substituted vide Estt. Div.’s O.M.No. 1/13/87-R.I, dated 04-04-2007.

12.

13.

14.

15.

16.

Board of Trustees, Federal Employees Benevolent and Group Insurance Funds, Islamabad with the prescribed schedule, duly completed.

Change in Terms of Deputation

The civil servant on deputation will continue to be under the rule-making control of the lending government, in matters of pay, leave, pension, G.P. Fund, etc. The lending government accordingly, will have a right to determine, in consultation with the borrowing organization, the terms of his employment under the latter and these terms shall not be varied by the borrowing organization, without consulting the lending government.

Joining Time, Pay and TA

The borrowing organization will pay for the joining time granted on transfer to and reversion from deputation, at the rate prescribed by the Federal Government. It will also pay TA to the deputationist for journeys performed by himself on transfer to and reversion from foreign service.

Encashment of LPR

A civil servant on deputation who is due to retire from government service either on completion of 30 years qualifying service or on attaining the age of superannuation, may draw the encashment of LPR from the borrowing organization, if he continues to work during the whole period of his LPR/last year of his service, without repatriation of his services.

Compensatory Allowance

*[If, by reason of his transfer to foreign service**, the government servant loses any privilege or concession of pecuniary value which he would have enjoyed in government service or is constrained to incur extra expenditure due to the nature of his duties in foreign service or to the circumstances in which those duties are performed, he may be allowed a compensatory allowance or other suitable concession with the prior concurrence of the competent authority. This will include Personal Allowance admissible w.e.f. 1st June, 1994 vide para 5(i) of Finance Division’s O.M.No. F.1(2)-Imp/94(i) dated 15th June, 1994. Such personal allowance in case of BPS-17 to BPS-22 employees shall be reduced equal to annual increments and shall cease as his pay is increased equal to or more than his personal allowance].

Qualification Pay/Allowance

The deputationist would also be entitled to draw qualification pay/allowances which he has been drawing in his parent department. The qualification pay/allowance will not be related to the job but will be personal to the incumbent for possessing certain qualifications or passing an examination.

2. The above instruction shall come into force from the date of issue of this

O.M. and shall replace the existing orders/ instructions on the subject.

[Authority:-Estt. Division's O.M.No.1/13/87-R.1, dated 3-12-1990].

* Substituted vide Establishment Division's O.M. No. 1/13/87-R-I, dated 12-2-1995
** 'deputation'.

8.11 Terms and Conditions of Deputation of Civil Servants to Foreign Service in Pakistan

Reference this Division's Office Memorandum of even number dated 3.12.1990, as amended from time to time Item No. 3 (Deputation Allowance) of the aforesaid O.M be substituted as under "[w.e.f. 1.7.2005]:-

"@ 20% of the basic pay subject to a maximum of Rs. 6000/-- per month (both for Management Grade and non-Management Grade posts)"

2. This issues with the concurrence of Finance Division as contained in their OM No. 3(3)/R.3/2006-360, dated 27.5.2006.

[Authority:- Estab. Div. OM No. F. No. 1/13/87- R.I, dated 12" June, 2006]

8.12 Instructions to Regulate Cases of Transfers/Deputation of Staff from One Office to Another

The following instructions are issued to regulate cases of transfers from one office to another of the ministerial staff employed in the Pakistan Federal Secretariat an its Attached Departments with particular reference to the position of a deputationist in his parent office as well as in the borrowing office.

2. Should temporary transfers to other offices be allowed (i) as a normal course, or (ii) only if considered necessary in the public interest— Transfers should be allowed only in the public interest. The term "public interest" is explained in paragraph 4 below.

3. Should a transfer be allowed (i) normally in the same grade%*, or (ii) only i it involves promotion.— It does not appear necessary to lay down any hard and fast rules in this respect, since as stated in paragraph 2 above, transfers will be allowed only, i necessary, in the public interest, and it would, therefore, be immaterial whether a transfer is in the same grade" or whether it involves promotion.

4. | What should be done to ensure that the claims to promotion of those already employed in the borrowing office have been satisfied.— (a) It has been decided that, in fairness to the persons employed in the office in which a vacancy occurs, a person from another office should be appointed only if no person eligible and suitable for appointment is available in the office concerned. For this purpose, it should be placed on record by the appointing authority, or the Departmental Promotion Committee concerned, as the case may be, that none of the persons eligible concerned, for appointment from

" The words "with immediate effect" substituted with the words/figures "w.e.f. 1.7.2005" vide Estt. Div.'s O.M.No. 1/13/87 dated 09-12-2006.

" BPS/post.

amongst the persons is available in the office. The reasons for declaring the persons employed in the office concerned as unfit for appointment to the post in question should be recorded by the authority concerned. When a person is appointed by transfer in the circumstances stated above, his transfer should be considered to have been made in the public interest. (b) When a transfer becomes necessary in the manner referred to above, it should be arranged between the offices concerned without a reference to any outside authority. It may be pointed out that a transfer should be made only if it is permissible under the relevant rules relating to recruitment to the post or service concerned. In this connection attention is also invited to the Establishment Division Office Memorandum No. 54/2/48-Estt. (ME), dated the 21°‘ November, 1949.

5. The position in his parent office of the person transferred temporarily to another office— When a transfer has been made in the public interest as explained in paragraph 4 above, the interests of the person concerned should be protected in his parent office until he is confirmed in the borrowing office. For this purpose, when a vacancy occurs in a higher grade*in his parent office, the person concerned should be considered therefor, and if he is selected for promotion in accordance with the relevant rules, he should be appointed formally (and not actually) to the post in the higher grade*. Similarly, if he was officiating, at the time of his transfer, in post a higher than the one in which he was employed permanently, he should be considered for confirmation in the higher post when his turn comes. This would enable him to occupy, on reversion to his parent office, the position which he would have occupied had “next rule” should

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Note:

Next Below Rule: In initial substantive appointment of a government servant, his pay is fixed, if he holds a on a permanent post in this manner: if the appointment involves assumption of duties and responsibilities greater importance than those of the permanent post, he will draw as initial pay the stage of time scale ne above substantive pay in respect of the old post. When appointment to the new post does not involve suc assumption, he will draw, as initial pay at the stage of the time scale equal to his substantive pay in respe the old post, or if there is no such stage, the stage next below that pay plus personal pay equal to the diff till he earns an increment in the time scale of the old post or in the time scale of the new post, whichever but if the minimum in the time scale of the new post is higher than his substantive pay, he will draw that minimum as initial pay. The guiding principle for the working of the next below rule, as given in FR 30(10) that an officer outside his regular line should not suffer by forfeiting acting promotion had he remained in regular line. Thus a fortuitous acting promotion of a junior officer to an officer outside the line of promotion does not give rise to claim under the next below rule.

Procedure for regulating pay under the ‘next below rule’: The Governor General has sanctioned the adoption of the following guiding principle in regard to the working in future of the ‘next below’ rule. The intention of the so-called rule was apparently that an officer out of his regular line should not suffer by forfeiting acting promotion which he would otherwise have received had he remained in his regular line. F that it follows that the fortuitous acting promotion of someone junior to an officer who is out of the regular does not, in itself, give rise to a claim under the 'next below' rule. Before such a claim is established it sho necessary that all the officers senior to the officer who is out of the regular line have been given acting promotion, and also the officer next below him, unless in any case the acting promotion is not given beca inefficiency, unsuitability or leave. In the event of one of these three bars being applicable to the officer immediately below the officer outside his regular line, some other officer, even more junior should have received acting promotion and the officers, if any, in between should have been passed over for one of th reasons.

however, be allowed to him in respect of a promotion nor should he be placed in an advantageous position vis-a-vis his colleagues in his parent office, by virtue of his promotion, if any, in the borrowing office. In other words, he should be considered, while on temporary deputation to the other office, as a member of his parent office for the purpose of confirmation, promotion, seniority etc. He should be allowed to revert to his parent office with the agreement of both the lending and the borrowing offices.

6. Seniority on transfer from one office to another.— (i) The instructions in the foregoing paragraphs regulate the position of a deputationist in his parent office. As regards his seniority in the office to which he is transferred, it should be determined in the following manner:-

(a) When it is open to the person concerned to accept or refuse an offer of appointment in another office, he should count his seniority in the new office from the date of his transfer to that office.

(b) When a person is compulsorily transferred to another office as a result of conscription, or alongwith the post and his work, he should be allowed to count his previous continuous service in the grade towards seniority in that grade in the new office.

It may be pointed out that separate seniority lists should be prepared in respect of (i) persons appointed on a permanent or a quasi-permanent basis; and (ii) persons appointed on a purely temporary basis, and the person obtained by transfer from another office should be assigned his appropriate place, in accordance with the above instructions, in the list of the persons to which category he belongs.

(ii) The seniority of a person, who went on deputation from one office to another before 31% March, 1951, should be determined in his new office, in accordance with the following instructions:-

(a) Inorder to get the benefit of continuous service in a “grade, a deputationist be permanent in that *grade in his parent office, and not merely eligible for being made permanent. In case, however, he is subsequently made permanent in a *grade in his parent office from a retrospective date, his

(Late Govt. of India Finance Department Endst. No. F.27(1)-EX-1/36, dated the 20" February, 1936 and Home Department No. F. 52/36, dated the 6" February, 1936).

The Ministry of Finance has had under consideration the question of operation of the 'next below tule’ in the offices of the Government of Pakistan. The "next below rule" was a temporary expedient desig protect government servants from monetary loss and in effect meant the temporary upgrading of posts. It originally intended that the expediency should not last more than six months in individual cases. Whateve have been the held advantage in the past to leave a man undisturbed in the post by him if the exigencies public service required it, the need for such, considerations does not exist at present. It is the considered of this Ministry that the concessions of the 'next below rule' should not be permitted except in very excepti circumstances and that too for very short periods. It has been decided, therefore, that the cases wherein benefit of the ‘next below rule’ has been conceded should be reviewed forthwith. The Ministry of Interior/e should take steps either to obtain the approval of this Ministry for the continuance of that benefit or to revo government servant concerned to his parent office.

(Ministry of Finance O.M. No. 1196-R.E-.G./47, dated the 7" December, 1947)
BPS/post.

seniority should be changeable in the borrowing Ministry/ Department, and he should be considered to be permanent on the date of transfer, and given the benefit of his continuous service in the borrowing Ministry/Department in that *grade;

(b) A deputationist can get the benefit of his continuous service in a *grade in the borrowing Ministry/ Department only if he is appointed in the borrowing Ministry against a regular post in accordance with the roster prescribed in the Establishment Division Office Memorandum No. 54/2/48/Ests. (ME), dated the 21‘ November, 1949. If, however, he is appointed in the borrowing Ministry/Department against a temporary post, he will take seniority with effect from the date he is appointed against a regular post, and all persons in the borrowing Ministry who are permanent in that *grade, or have been appointed according to the prescribed roster on the date of the deputationists temporary appointment, will take seniority over him.

7. Transfers as a result of conscription The interests of the person transferred compulsorily to another office as a result of conscription should be adequately protected in his parent office as stated in paragraph 5 above. In addition, when his turn for promotion to a higher “grade comes in his parent office, he should be appointed to the post actually and be allowed the financial benefit of the “next below rule””””.

8. Transfers alongwith posts. As regards persons who are transferred to another office alongwith their posts, the question of the protection of their interest in their parent office will not arise, since they will be transferred on a permanent basis and will thus sever their connections with the previous office.

9. Protection of interests of temporary persons. The above instructions apply to persons who hold permanent posts in their parent offices. As regards persons employed on a temporary basis, there is no question of the protection of their interests in their previous office, since, on transfer to another office, they will automatically cease to be members of their previous office. If, however, an occasion arises in which a temporary person is compulsorily transferred to another office as a result of conscription, the question regarding the protection of his interests in his original office should be decided in consultation with the Establishment Division.

10. Persons holding excluded posts. Persons employed against “excluded posts” in the Pakistan Federal Secretariat and its Attached Departments are not eligible for appointment to posts in the regular cadre, vide Establishment Division Office Memorandum No. 54/l/48/Est. (ME), dated the 24th August, 1948. If a case arises in which a person holding a permanent appointment in the regular cadre is appointed temporarily to a post in the “excluded cadre”, in view of his special or technical qualifications, his case should be considered as one of transfer to another office, and should be dealt with in the light of the instructions contained in the foregoing paragraphs.

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BPS/post.
“Note w.r.t para 5 SI.No.8.12.

11. These instructions take effect from the date of this Office Memorandum. It is necessary that, before a transfer is made, the position of the person concerned, both in his parent office and the borrowing office, should be specially determined in the light of these instructions and the decision communicated in writing to the person concerned as well as to the office to which he is transferred.

[Authority.- Estt. Division's O.M. No. 6/15/48-ME, dated 31-3-1951 read with O.M. No. 6/39/57-ME, dated 5-2-1958].

9.1 Grant of Deputation Allowance

The term "deputation" has not been defined in the Civil Servants Act, 1973 and the rules made thereunder. However, in its judgement (PLD 1981 SC 531), the Supreme Court of Pakistan has enunciated the following explanation of the term deputation:

"According to the practice in vogue a Government servant begins to be regarded as a 'deputationist' when he is appointed or transferred, through the process of selection to a post in a department or service altogether different from the one to which he permanently belongs. He continues to be placed in this category so long as he holds the new post in an officiating or a temporary capacity but ceases to be regarded as such either on confirmation in the new post or on reversion to his substantive post."

2. On the basis of the above cited explanation, appointment of a civil servant of the Federal Government, other than an officer of the "APUG, to a post in the Provincial Government would fall within the definition of deputation.

3. For the purpose of entitlement of deputation allowance, however, the above cited explanation of the term deputation is not relevant because deputation allowance sanctioned in Establishment Division O.M. No. 1/13/87-R.1, dated 3rd December, 1990 is admissible only on "deputation of civil servants to foreign service in Pakistan". The term "foreign service in Pakistan" has been defined in Rule 9(7) of the Fundamental and Supplementary Rules. According to these rules a government servant is considered to be on deputation to foreign service in Pakistan when he receives his pay from outside the general revenues of the Federation, or a Province or Railways fund. This means that deputation allowance is not admissible if a person is on deputation to a department of Federal or Provincial Government even outside the normal line of his service because he continues to receive his salary during such deputation from the general revenues of the Federation or a Province. Deputation allowance is thus admissible only in cases of 'deputation to foreign service in Pakistan' as defined in FR.9(7) and it is not admissible in cases of deputation to Ministries/ Divisions, Attached Departments or Subordinate Offices of Federal Government or Provincial Government or Railways.

"All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09 1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi issued on the subject from time to time were mutatis mutandis amended.

4. It is requested that the Finance Division may kindly tender their advice on the point raised at para 2 above.

[Authority.- Estt. Division's O.M. No. Dy.875/98-DS(E.1), dated 2-4-1999].

9.2 Clarification About Deputation Allowance

Reference Establishment Division's O.M. No.Dy.875/98-DS(E.D, dated 2.4.1999 on the subject noted above. In accordance with the existing policy instructions issued by the Establishment Division vide O.M. No.1/13/87-R.L, dated 03.12.1990, deputation allowance is strictly allowed to all government servants including Provincial Governments who are deputed under the standard terms of deputation in light of Circular quoted above. It is also confirmed that term "a foreign service in Pakistan", has been covered in rule 9(7) of the Fundamental and Supplementary Rules.

2. It is, therefore, clarified that a government servant is considered to be on deputation to foreign service in Pakistan when he receives his pay from outside the general revenues of the federation or a province or railway funds. Subsequently, deputation allowance would not be admissible to a person on deputation to a department of Federal or Provincial Government even outside the normal line of his service because he continues to receive his salary during such deputation from the general revenue of federation or a province.

[Authority.- Finance Division's O.M. No. F.12(1) R.3/99-386, dated 13-5-1999].

9.3 Bar Against the Use of the Term "Deputation Allowance"

It has been brought to notice that Ministries and Divisions frequently sanction "deputation allowance" for government servants without specifying the reason for the allowance.

2. At the outset, it may be stated that the term "deputation allowance" has not been used in the F.Rs and under those rules special duty or "deputation within Pakistan" is not recognized vide Audit instruction below F.R. 40. Such cases are correctly described as cases of temporary transfer. The use of the term "deputation allowance" to denote an addition to pay or an allowance granted to a government servant on his transfer from one department to another is technically incorrect and not recognized under the FRs. The position under these rules is that:

(1) if on transfer from one department to another a government servant is appointed to a post for which pay and allowances have already been fixed he should, ordinarily, draw the pay and allowances attached to that post;

(2) ifhe is transferred for temporary duty against a temporary post created for him, the pay of the post has to be fixed in accordance with the principles laid down in F.R. 40 and the government orders below that rule;

(3) if it is not considered necessary to fix the pay of the post, the officer who is placed on temporary duty draws his own pay but if the duty involves the consideration mentioned in F.R. 9(25), a suitable special pay is sanctioned to him;

(4) _ if, however, the transfer does not attract the provisions of F.R. 9(25), but the grant of a compensatory allowance is justified e.g., where an officer has to incur extra expenditure due, for instance, to the expensiveness or remoteness of the locality to which he is transferred a suitable compensatory allowance is granted.

The classification of the additional remuneration, in either of the last two cases would depend on the reasons for which it is sanctioned.

3. The position stated above may be kept in view while sanctioning additions to emoluments on transfer of government servants. The terminology used in the sanctions should be strictly in accordance with the terms recognized under the FRs and the reasons for which additions to emoluments are sanctioned should invariably be specified in the sanction letter.

[Authority.- Finance Division's O.M.No.F.3 (31)-R-I(D/58, dated 15-8-1958].

10.1 Right of Reversion to Temporary Government Servants

When the right of reversion is given to a temporary person, his case becomes analogous to that of a regular deputationist to some other office. Para 9 of the Office Memorandum, dated the 31“ March, 1951 states the normal position in respect of temporary staff. If, however, the employing Ministry give the right of reversion to a temporary employee at their discretion, there is nothing wrong in it. The spirit behind the instructions contained in the Office Memorandum, dated the 31st March, 1951 was the protection of interests of deputationists to other offices while they are away.

[Authority.- Estt. Division's U.O. Note No. 6/17/58-ME, dated 4-8-1958].

10.2 Reversion of Probationers Undergoing Training at the Civil Services Academy to Their Former Post

It has been decided that a probationer who holds lien against his former post where he was appointed otherwise than through Competitive Examination held by the Federal Public Service Commission, will be allowed to revert to that former post within 30 days of the commencement of common training programme at the Civil Services Academy. Such a probationer will not be allowed to revert in any case after the expiry of that period.

2. It is requested that the above decision may appropriately be incorporated in the offer of appointment in future.

[Authority.- Estt. Division's O.M. No.1/17/87-T.V. dated 19-2-1987].

10.3 Reversion of Deputationists

Cases have come to the notice of the Establishment Division where officers whose services were obtained on deputation for a specific period were not returned by the borrowing department when the parent department asked for their reversion. Attention in this regard is invited to the Establishment Division's O.M. No. 1(28)/71-D. Il, dated the 28" March, 1972 (Annex I), wherein it was laid down that officers obtained on deputation should be reverted to their parent department on the expiry of the period of deputation.

2. In the interest of efficient administration, it is reiterated that the above mentioned instructions should be followed rigidly and the deputationists reverted to their parent department on the expiry of the period of deputation unless the intention is to permanently absorb the deputationist in the cadre or department where he is serving on deputation and the recruitment rules for the post provide for such a course. In such cases, the consent of the deputationist to the suspension or termination of lien on his permanent post in the parent department, as well as the agreement of the parent department, should be obtained. With the completion of these formalities, the deputationist will be treated as regular member of the establishment of the borrowing department.

3. Where, however, it is not intended to permanently absorb the deputationist in the borrowing department, the deputationist must not be allowed to remain away from his parent cadre for unduly protracted period; he should be reverted to the parent department on expiry of the period of deputation as originally fixed. If the borrowing department needs the services of another officer having the qualifications or experience possessed by the deputationist, a request should be made to the lending department to depute some other officer in his place possessing the same qualifications or experience as far as possible. The borrowing department in no case should insist on retaining a particular individual beyond the original period of deputation.

4. All Ministries, Divisions and Departments are requested to examine the cases of deputationists with them and take necessary action in the light of the above instructions. If relaxation of these orders is required in any individual case, it may be referred to Establishment Division with full justification.

[Authority.- Estt. Division’s O.M. No. 1(28)/75-D.IL, dated 6-3-1975].

(ANNEX 1)
(See SI. No. 10.3)

[Copy of Establishment Division O.M. No. 1(28)/71-D. IL, dated the 28" March, 1972].

The question has been raised whether the instructions issued in the Establishment Division O.M. No.1/23/71-D.II, dated 29th July, 1971 (Annex II) regarding proforma promotion apply also to past cases where proforma promotions had already been made prior to the issue of these instructions. The Ministries and Divisions are advised to review all such cases. If the officer had been allowed to proceed on deputation for a specific period, he should be required to revert to the parent department on expiry of that period. In case no period was specified, the parent department should examine the propriety of recalling the officer to the parent cadre as it is not administratively desirable that officers and staff should remain away from their parent cadre for unduly long period, say, more than 3 years in the case of gazetted officers and 5 years in the case of non-gazetted staff. However, if in the case of a particular department the number involved is large, the recall of the deputationists should be judiciously staggered so that no large scale reversions are caused in the parent office consequent on the recall of the deputationists. Priority in recall should be given to those who have been allowed proforma promotion in the parent cadre. Where, however, the borrowing departments are prepared to confirm such officers and staff on their own establishment (provided this is admissible in accordance with the recruitment rules applicable to the

post) and the officer or staff is also willing to be so absorbed, reversion to parent cadre may not be insisted upon.

(ANNEX ID)
(See SI. No. 10.3)

[Copy of Establishment Division O.M. No. 1/28/71-D.I1, dated the 29" July, 1971].

The Ministries and Divisions, as well as Attached Departments and Subordinate Offices, have, in the past, been ordering proforma promotions (also called promotions in absentia) of persons serving on deputation on foreign service, or in ex-cadre posts, as a matter of course on the sole ground that the deputationists had been approved for promotion by the D.P.C. of the parent department and a person junior to him had been promoted. This has resulted in the deputationists serving away from their parent department or cadre for unduly long periods as such persons not only enjoy better emoluments while on deputation but also feel secure that their interests are being fully protected in their own departments.

2. The intention underlying proforma promotions is to protect the interests of the government servant only in circumstances where the government servant is required to serve away from his parent cadre because of a definite requirement of public interest and not merely to suit his own interests. Normally, therefore, a deputationist, as soon as he becomes due for promotion, should be required to revert to his parent department or cadre so that he is promoted to the next higher post for which he may have been declared fit. In case an offer of promotion is made to him and he declines to revert, he may be allowed to remain in the outside post on the clear understanding that he will not ask for proforma promotion. Only in exceptional cases where the borrowing department or organization expresses its inability to spare the officer, and the head of the parent department records, in writing, why he considers it necessary to keep the government servant on deputation in the ex-cadre appointment, may proforma promotions be made. Even in such cases the period for which the officer is allowed to continue to remain on deputation, with the benefit of proforma promotion, should be judiciously fixed so that the officer reverts to his cadre and is appointed to the post for which he has been approved for promotion, as early as possible. Such period should not normally exceed 6 months. All cases, where proforma promotions are allowed for a period exceeding 6 months, should be reported to the Establishment Division with full justification.

3. | The Ministries/Divisions are also advised that in future whenever they send an officer or member of the staff on deputation to an ex-cadre post, or on foreign service, they should settle in advance the period of deputation with the borrowing office/organization on the expiry of which the government servant should revert to his parent cadre. While selecting persons for deputation, care should also be taken not to depute officers who would soon be coming up for promotion to the next rank in their own cadre and may have to be re-called. In the majority of cases, officers and staff are sent on deputation on their application or request. They should be warned that in case they fall due for promotion, they will have to revert to their parent cadre and they will not be allowed promotions in absentia.

4. The above instructions do not apply to senior appointments in international organizations such as the United Nations, the R.C.D. Secretariat*, etc. to which officers are nominated by government having regard to their qualifications, experience and suitability. In such cases it may be presumed that the services of the officer have been placed on deputation with the foreign organization in the public interest, and proforma promotion, when called for, may be made.

10.4 Lien of Government Servants —
Objective and Administrative
Implications

F.R. 14-A(b) provides that the lien suspended under F.R. 14 (a) (2) cannot be terminated while the government servant remains in government service except on his written request. The effect of this provision is that in a case where a government servant is appointed in a substantive capacity to a permanent post outside the cadre on which he is borne, he can retain his suspended lien in his parent cadre for the entire period of his service under the government, vide Government decision below F.R. 14-A. It is possible that the exercise of this right will result in certain administrative difficulties in some cases.

2. These rules have been framed with a view to safeguarding the legitimate rights of government servants. It is not contemplated that their provisions should be so exploited as to cause administrative inconvenience to government. In a case, therefore, where the competent administrative authority feels that the retention of a suspended lien, on the post by a government servant after his appointment in a substantive capacity to an ex-cadre post for an indefinite period thereafter if the consent required for its termination under F.R. 14-A(b) is not given, is likely to cause administrative inconvenience, it is open to that authority not to allow, as a purely administrative measure, the making of the substantive appointment on the ex-cadre post. This is fully permissible and is not connected with the provisions of these rules. The Ministries and Divisions etc., may kindly note this for guidance and issue suitable instructions to the administrative authorities subordinate to them, emphasizing the necessity of having this point considered before substantive appointments in ex-cadre posts of government servants holding liens or suspended liens in the cadres administered by them are allowed. In this connection attention is invited to the Ministry of Finance endorsement No. 600-RIII/52, dated the 6" March, 1952 according to which borrowing departments etc., are required to consult the lending departments before confirming lent officers in the posts under the former’s control.

[Authority.- Finance Division’s O.M. No. 8/36/59-E. XII, dated 13-3-1961].
10.5 Procedure for Confirmation of Deputationists

Reference.— Ministry of Finance letter No.F.10(23) - EGII/ 48, dated the 10" June, 1949.

2. It has been brought to notice that there have been cases in which permanent officers belonging to a department or government while on deputation to another department or government have been confirmed in the latter without the formal

* ECO/Successor Organization

concurrence of the former which is essential as stipulated in the Ministry of Finance letter No. F. 10 (23)EGII/48, dated the 9"" December, 1948. It is requested that when an officer is confirmed in the borrowing government or department, prior formal concurrence of the lending government or department as well as the consent of the officer concerned should be obtained.

[Authority.- Finance Division's letter No. 600-RIII/S2, dated 6-3-1952].

10.6 Confirmation of Deputationists
by Borrowing Offices

There are a number of government servants who are substantive holders of permanent posts in one office but are on deputation to another. It has been brought to the notice of the Establishment Division that sometimes when such a government servant, during the course of his service in the borrowing office, is confirmed, the parent office is not informed. As this practice causes administrative inconvenience to the parent office, it should be avoided. As laid down in the Ministry of Finance letter No. 600-RIII/52, dated the 6" March, 1952 permanent officers belonging to a government or department, while on deputation to another government or department, should not be confirmed in the latter without the prior formal concurrence of the former and the consent of the officer concerned. Once such confirmation is decided upon, after taking also into consideration the point emphasized in the Establishment Division O.M. No. 8/36/59-E.XII, dated the 13" March, 1961, a copy of the resultant confirmation orders should be endorsed to the lending government or department.

2. Should such a government servant continue to serve the borrowing government or department till the time of his retirement from service, information to the effect that he is being retired should be furnished to the lending government or department, unless the lien of the government servant in his parent cadre had been terminated at the time of his confirmation in the ex-cadre post, as visualized in the Establishment Division Office Memorandum, dated the 13° March, 1961 referred to in the preceding paragraph.

[Authority.- Estt. Division's O.M. No. 8/7/64-F.I, dated 19-10-1964].

10.7. Counting of Period of Formal Promotion
Towards Increment on Reversion to
Parent Office

It has been decided in consultation with the Ministry of Finance, that the persons on deputation to other offices who are appointed formally (and not actually) to officiate in accordance with paragraph 5 of the Office Memorandum, dated the 31 March, 1951, may be allowed to count the period of such officiating service towards increments in those higher posts, on reversion to their parent offices.

[Authority.- Estt. Division's O.M. No. 6/15/48-MEI, dated 30-1-1953].
11.1 Application of Section Officers for Ex-Cadre Posts

Instances have come to the notice of the Establishment Division that Ministries/ Divisions are forwarding applications of their Section Officers for appointment against ex-cadre posts without prior clearance of the Establishment Division, and the matter is

referred to this Division for appointment to such posts on ex-post facto basis. This practice is not in order and violates the instructions contained in this Division Office Memorandum No. 3/7/68-C.III, dated 7-2-1970 and 23-10-1971 Ministries/Divisions are requested kindly to adhere strictly to the instructions under reference.

[Authority.- Estt. Division's O.M. No. 11/11/73-C.II(B), dated 2-4-1973].

11.2 Deputation of Section Officers
Against Other Posts

A reference is invited to the Establishment Division O.M. No. 3/7/68-C.III, dated the 7" February, 1970 (Annex) on the above subject. It is stated that it has been decided that all applications of Section Officers for deputation to ex-cadre posts under the Government or Semi-Government Organizations will be in the first instance, scrutinised and examined by a Committee consisting of the Joint Secretary and Deputy Secretary of the Establishment Division and a representative of, at least Deputy Secretary's level of the Ministry/Division under whose administrative control the ex-cadre posts in question belong.

2. All Ministries/Divisions are accordingly requested to forward all applications received from Section Officers for appointment to any ex-cadre posts to the Establishment Division at least one month before the last date prescribed for the receipt of such applications by the authority concerned. While forwarding any application to the Establishment Division, the Ministry/ Division concerned should certify that the candidate possesses the requisite qualifications and experience prescribed for the post and that they will have no objection to release him if he is selected for the appointment.

3. Incases where the Section Officers are to be considered alongwith officers belonging to other services the recruiting agency should invariably forward a copy of the notification to the Establishment Division for reference.

[Authority.- Estt. Division's O.M. No.3/7/68-C.1II(B), dated 23-10-1971].
(ANNEX)

[Copy of Establishment. Division's O.M. No. 3/7/68-C-III], dated the 7" February, 1970].

It was decided by the government in early 1968, vide point No. 6 in the Establishment Division Office Memorandum No.1/ 11/66-C. III, dated the 14% February, 1968, that deputation of *CSS officers to autonomous bodies, attached/subordinate offices should be encouraged to give them field experience. Pursuant to that decision, Ministries/Divisions have been deputing officers to other organizations but apparently in a haphazard manner. The following guidelines are, therefore, laid down for observance by all concerned:-

(a) While framing recruitment rules for the posts in government and autonomous organizations for which the services of Section Officers can be gainfully utilized, the question of making them eligible for such appointments may be considered by the administrative Ministries/

* Central Secretariat Service (CSS), now Office Management Group (OMG),

Divisions concerned in consultation with the Regulations Wing of the Establishment Division and the “Central Public Service Commission, where necessary.

(b) Where recruitment rules have already been framed, the question of revising them with a view to making a provision as proposed at (a) above, may be considered by the Ministries/Divisions concerned.

(c) Where Section Officers are to be considered alongwith officers belonging to other services, then applications may be invited by the recruiting agency. Such applications from Section Officers will invariably be routed through the Establishment Division vide their O.M. No. 1/8/62-C. III, dated the 14" May, 1966.

(d) For the posts against which only Section Officers are to be considered for appointment, the Ministries/Divisions concerned may place their requirements with the Establishment Division indicating:-

(i) | Educational qualifications and experience prescribed for the post.

(ii) Pay Scale etc. prescribed for it.

(iii) Nature of the duties attached to it.

(iv) Method of selection.

(v) Any other special points required to be kept in view while making selection.

(e) No Section Officer will be allowed to stay away on deputation for more than five years.

11.3 Gazetted and Non-Gazetted Technical Services

A question has been raised whether the instructions contained in the Establishment Division O.M. No. 6/15/48-ME, dated the 30" January, 1953 are applicable to Gazetted and non-Gazetted technical services also. The matter has been considered in the Establishment Division, and it has been decided that there should be no objection to the cases of officials of the gazetted and non-gazetted technical services being decided in accordance with these instructions provided that the procedure laid down in Para 11 of the Establishment Division O.M. No. 6/15/48-ME, dated the 31“ March, 1951 is observed in each case.

2. These instructions will take effect from 1“ January, 1961.
[Authority.- Estt. Division’s O.M. No. 11/6/60-E, XI, dated 18-1-1961].

12.1 Deputationists from Provincial Governments

The question has been raised whether, with the substitution of efficiency honorarium for advance increments, it is still necessary for the Ministries/Divisions to obtain the consent of the lending Provincial Governments before recommending

“Federal.

deputationists for the grant of efficiency honorarium. After a careful consideration of the financial aspect of the matter, it has been decided that it will not be necessary for the Ministries/Divisions to obtain the consent of the lending Provincial Governments before recommending deputationists for the grant of efficiency honorarium provided the recommendations are not based on the recommendees' good performance under the Provincial Governments.

[Authority.- Estt. Division's O.M. No. 5/1/63-CV/LR.IL, dated 13-3-1965].

12.2. Change in Terms and Conditions of Deputationists

A case has recently come to the notice of the Establishment Division in which a BPS 5 employee of a Provincial Government on deputation to the Federal Government was promoted to a BPS-16 post and subsequently to a BPS 17 post while on deputation, without consultation with the Provincial Government concerned. This has created an awkward situation for the Provincial Government in the matter of fixation of pay, grant of pension, etc. to the employee concerned on repatriation from deputation.

2. It may be recalled that a government servant on deputation continues to be under the rule-making control of the lending government and is governed by the rules of the lending government in matters of pay, leave, pension, etc. The lending government accordingly have a right to determine, in consultation with the borrowing government, the terms of his employment under the latter and these terms should not be varied by the borrowing government without consulting the lending government.

3. In view of the position explained above, it is brought to the notice of all the Ministries/Divisions etc. that no increase in pay or improvement in other service prospects should be allowed to any employee on deputation without consulting the lending government or department and without the approval of the Establishment Division.

[Authority.- Estt. Division's O.M.No.1/4/86-R.1. dated 3-4-1986].

12.3. Ruling Regarding Employees from Provinces/ Authority on Deputation to Federation

Under clause (2) of section | of the Civil Servants Act, 1973, that Act applies only to civil servants. Under sub-clause (i) clause (b) of section 2 of that Act persons who are on deputation to the Federation from any Province or other authority have been excluded from the definition of "civil servant". Therefore the Act or the Rules made thereunder are not applicable to such persons. Any rules having the force of law applying to such persons and existing before the coming into force of the permanent Constitution are to be treated as "existing laws', as defined in clause (7) of Article 268 of the Constitution and will continue to be in force by virtue of clause (1) of that Article. Under Article 241 of the Constitution also until the Parliament makes a law under Article 240 of the Constitution governing such persons, all rules and orders in force immediately before the commencing day are to continue in force in so far as they are not inconsistent with the provisions of the Constitution.

[Authority.- Law Division's U.O. Note No. 763/75-Law, dated 13-5-1975].

12.4 Convention Between the Federal Government and the Provincial Governments 'Inter-Se' Regarding Terms and Conditions of Deputationists

As a government servant on deputation retains a lien on the permanent post in his parent office, he is ordinarily governed by the rules of the lending government in matters of pay, leave, pension, etc., and continues to be under the rule-making control of the lending government which has a right to recall him. The lending government accordingly has a right to determine in consultation with the borrowing government, the terms of his employment under the latter, and these terms should not be varied by the borrowing government without consulting the lending government.

2. A convention has been established between the Federal Government and the Provincial Governments on the one hand, and the Provincial Governments inter-se, on the other to the effect that no increase in pay or improvements in other service prospects should be offered to any such officer without consulting the lending government or department.

[Authority.- Ministry of Finance letter No.F.10(23)-E.G.II/48, dated 9-12-1948 and 10-6-1949].

12.5 Appointment of Provincial Government Employees Against BPS 17 and Above Posts Under the Federal Government

A question has arisen whether appointment to posts in BPS 17 and above under the Federal Government by appointment through deputation of officers of Provincial Governments are required to be approved by the competent authority in the Federal Government and if so under which legal-provision.

2. According to section 5 of the Civil Servants Act, 1973 appointment to civil posts in connection with the affairs of the Federation are made by the President or by an officer authorised by him in this behalf. Under Rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 made under the above mentioned Act, 1973 the appointing authority for the posts in BPS 17 and above is the Prime Minister. Therefore, according to section 5 of the Act read with Rule 6, the approval of the Prime Minister is necessary for appointment to posts under the Federal Government, but a doubt has arisen in the case of appointment of officers belonging to Provincial Governments to posts under the Federal Government. The Civil Servants Act, 1973 is applicable to civil servants vide sub-section (2) of Section 1 of the Act. According to definition of "civil servant" given in section 2 of the Act, a person who is on deputation to the Federation from any Province is not a "civil servant". The Civil Servants Act, 1973 does not, therefore, apply to cases of officers of Provincial Governments who are appointed by deputation to posts under the Federal Government. If this view is correct, the next question which arises is whether Article 241 of the Constitution would be attracted in such cases. Our view is that since no act has been made by the Legislature in respect of the officers belonging to Provincial Governments who may be appointed by deputation to posts under the Federal Government, the rules and orders which were enforced immediately before the coming into force of the Constitution, will continue to be applicable to such cases. This will mean that approval of the competent authority as required under the Rules of Business, 1973 which were applicable before coming into force of the Constitution should be obtained in such cases. Under these rules, the

approval of the President was necessary to first appointment to Class I posts under the Federal Government. The President, in the present context means the Prime Minister. The approval of the Prime Minister, or of the persons authorized by him in this behalf, should therefore, be obtained before making appointments of officers of the Provincial Governments to posts connected with the affairs of the Federation. In other words, if the Civil Servants Act, 1973 is not applicable to deputationists from the Provincial Governments, we are not left in void. The law provides for the continuance in force of all previous rules and orders where the Civil Servants Act, 1973 is not applicable.

3. The Law Division is requested for advice on the views of the Establishment Division.

[Authority.- Estt. Division's U.0.Note No.4/1/74-D.IIL, dated 8-5-1975]

12.6 Posting on Deputation

It has been observed by the competent authority that Ministries/ Divisions/ Departments/Organizations usually posts officer of BS-17 to BS-19 from Provincial Government to Federal Government and from Federal Government to Provincial Government on deputation basis under delegation of powers.

2. Keeping in view the competent authority has decided that in future, all the Divisions/Organizations/Departments and the Provincial Governments have to process the cases of the officers from BS-17 & above to be posted on deputation basis from Federal Government to provincial government and from provincial government to Federal Government through Establishment Division.

[Authority.- Estt. Division's O.M No.1/121/2015-E-4, dated 10-08-2015]

12.7 Decision on Leave, or Deputation or for any other Purpose out of Cadre Position

The competent authority i.e. Worthy Secretary Establishment has been pleased to approve that all officers who proceed on leave or deputation or for any other purpose out of cade positions for a year or more, must report to Establishment Division upon return. It must be mentioned in their notifications and applied to all officers in future as well as officers availing such dispensation at the moment.

[Authority:— Establishment Division's U.O Note No. PF. (1061)/E-5(PAS): dated 04-09-2019].

12.8 Deputation of Officers/Staff in *Gilgit Baltistan of the Federation/ Provinces and Vice Versa

Government of Pakistan have decided that the officers/staff employed in the *Gilgit Baltistan should be made interchangeable with comparable categories of officers/staff working in other parts of the country, including the provinces. This decision may kindly be brought to the notice of all concerned for information and necessary action.

[Authority.- Estt. Division's letter No.15/3/73-AV, dated 12-5-1973]

* Previously Northern Areas.

12.9 Bar Against Asking Officers by Name for Posting in Corporations/ Autonomous Bodies

There is a growing number of cases where government servants have approached the various Ministries and Divisions and have managed to obtain offers by name for posting to the Ministry/Division concerned or to a corporation or autonomous body under them. It has also come to notice that the corporations and autonomous bodies negotiate directly with officers serving in other departments and Ministries and ask for their release for posting with them. This procedure is neither regular nor proper. The posts generally carry additional benefits like special pay, deputation allowances etc. It is, therefore, not fair to confine selection to one or two names which a Ministry/Division may specify. Other officers with requisite qualification and experience with equal, if not better, record of service and senior to those asked for are not considered simply because they do not happen to be known to senior officers in the Ministry or Corporation wanting such officers.

2. The Establishment Division will not now entertain requests for particular officers. This Division will be constrained to take disciplinary action against a

government servant, if it is established that he has secured offer through influence or pressure. It is, therefore, requested that all Ministries and Divisions should communicate their requirements to the Establishment Division specifying the qualifications and experience etc. required for the incumbent of a post. The selection of a suitable officer will be made by the Establishment Division from amongst all those government servants who answer the required qualification and experience efc. In making the selection, the Establishment Division will continue to consult the referring Ministry. If there are any

special considerations for which the services of a particular officer are required, such requests should come at the level of Secretary or Additional Secretary Incharge of Division and it should be clearly explained why a particular officer is being asked for.

3. So far as corporations are concerned, the Establishment Division propose to prepare panels of officers of various occupational groups' in different grades" whose services may be lent to the corporations. All future postings to corporations will be made out of these panels. Appointment will be made for a period of at least two years during which the officer will not be eligible for consideration for promotion in his parent department. Officers within the zone of promotion will not, as far as possible, be included in the panels with a view to obviating the possibility of dislocation in the work of the corporation in the event of their recall on promotion by the Ministry concerned.

Estt. Secretary's D.O. letter No.4/1/75-A.R.C., dated 24-6-1975].

[Authority.-
SI.No. 13

Bar Against Allowing Officers to go on Deputation Against Lower Posts

It has come to the notice of the government that some Ministries/Divisions
allowed their officers to go on deputation to foreign service in Pakistan to posts lower in

“ Services to be added.
“ BPS.

emoluments and responsibility than what they had in the government. This resulted in wasteful utilization of government officers, embarrassment to the officers and difficulties in fixing their emoluments.

2. It has, therefore, been decided to request the Ministries/ Divisions that they should not henceforth depute any of their officers to a post which is lower in emoluments and responsibility than the one he is holding in his parent office.

[Authority.-Estt. Division's O.M. No. 3/5/ 68-A.III, dated 19-3-1968].

14.1 Benefit of Promotion in Parent Cadre while in Foreign Service

It appears that the position regarding promotion, in their parent cadres, of government servants transferred to 'foreign service' [as defined in Fundamental Rule 9(7)], and the benefit occurring to them from such promotion is not clear in some quarters.

2. Cases of promotion, in their parent cadres, of government servants who are transferred to foreign service and the emoluments admissible to them are regulated by the provisions of Fundamental Rules 113 and 114 which fall in Chapter XII of Section I of the Fundamental and Supplementary Rules, Vol. I, and not by the proviso to the 'next below rule' i.e., the second proviso below F.R. 30 which falls in Chapter IV of those Rules and applies in cases of government servants serving outside their ordinary line within government service.

3. According to F.R. 113, a government servant transferred to foreign service remains in the cadre in which he was included in a substantive or officiating capacity immediately before his transfer and may be given such substantive or officiating promotion in those cadres as the authority competent to order promotion may decide, keeping in view the considerations mentioned in that rule. According to F. R. 114, read with orders issued thereunder, which have been printed in Appendix No. II to the Fundamental and Supplementary Rules, Vol. Il, a government servant transferred to "foreign service' in Pakistan shall, unless his duties in foreign service involve a decided increase in work or responsibility in comparison with duties of his post in government service, be allowed the same remunerations as he would have received from time to time in government service but for his transfer to foreign service. It follows from these orders that if a government servant who is on deputation to foreign service is promoted in his parent cadre, he should, if he continues to remain in foreign service, be allowed the remuneration which he would have received in the higher post in government service to which he is promoted. The higher remuneration would, of course, be payable by the foreign employer.

[Authority.- Finance Division's O.M. No. F. 6(4)-R2/65, dated 9-2-1966].

14.2. Drawal of Rewards, Remuneration and Other Concessions Not Specifically Sanctioned

Government Order under F.R. 114 and para | of Appendix 11 to Fundamental Rules, and Supplementary Rules, Vol. II provides that no government servant shall be permitted to receive any remuneration or enjoy any concession which is not specifically settled, and that if the sanctioning authority is silent as to any particular benefit it must be assumed that it shall not be enjoyed.

2. Audit Instruction No. 2 below F.R. 114 reads that government servants on foreign service cannot accept any reward or remuneration not covered by the terms of their transfer to foreign service unless it is specially sanctioned subsequently by the authority competent to sanction their transfer to foreign service.

3. It has come to the notice of the government that the above provisions of the rules/instructions have not been followed by some of the autonomous/ semi-autonomous/ statutory bodies. In flagrant violation of rules/instructions, government servants on deputation to autonomous bodies etc. have been allowed the services of “Peons/Orderlies exclusively for residence, Chowkidar and servants at the residence and transport exclusively for the deputationist without the knowledge and sanction of competent authority. Government have taken serious note of such irregularities. With a view to ensuring financial discipline, the Provincial Governments and the autonomous bodies are requested to discontinue, forthwith, such unauthorized concessions being enjoyed by the government servants on deputation.

[Authority.- Finance Division’s O.M. No. 1(32)/ 69-A.III, dated 12-7-1969].

15.1 Recovery of Leave Salary and Pension Contribution in Respect of Federal Government Employees on Deputation to Foreign Service within Pakistan or Abroad

“In accordance with Fundamental Rule 116, the rates of contributions payable on account of pension and leave salary shall be such as the President may by general orders, prescribe. The existing rates are contained in Appendix 11-A, FRs and SRs Vol. II. The question regarding revision of the rates and mode of recovery etc., of leave salary and pension contributions has been engaging the attention of the government for some time past. It has now been decided to prescribe a uniform rate of recovery of pension contributions at 33.33% of the mean of minimum and maximum of the pay scale" of the ***orade held by the government servant concerned at the time of his proceeding on foreign service, plus other emoluments (reckonable for pension) which would have been admissible to him had he not been deputed on foreign service. The above prescribed rate of pension contribution shall apply to all Federal Government employees whether on deputation to foreign service within Pakistan or abroad.

2. In future, the pension contributions in all cases shall be payable by the foreign employers. However, in the case of government servants presently on deputation to foreign service® within Pakistan or abroad, pension contributions shall be paid by the foreign employers or the government servants concerned, as the case may be, according to the agreed terms of deputation.

3. As regards leave salary contributions, it has been decided that no leave salary contributions shall be recovered from foreign employers, but leave/leave salary shall be sanctioned/paid during the period of foreign service by the foreign employers. The Federal Government employees sent on deputation to *foreign service who, under the

“Naib Qasid.
Recovery of Leave Salary and Pension contributions may be made as per revised rates as amended from
aatO time.
BPS.
Deputation

revised procedure, are granted leave and paid leave salary by the foreign employers, shall not count the period spent on foreign service for earning leave under the Government of Pakistan.

4. These orders shall take effect from 01-01-1982. Formal amendments to the relevant rules shall be issued separately.

[Authority.- Finance Division's O.M. No. F. 5(5) Reg.7/79-1407, dated 15-12-1981].

15.2 Procedure for Recovery of Leave
Salary and Pension Contributions

According to the procedure laid down in Part VI of Appendix 3 of FRs and SRs, Vol. II, a copy of the orders sanctioning a government servant's transfer to foreign service should always be communicated to Audit and Accounts Officer concerned. The terms and conditions of foreign service and other detailed particulars regarding pay to be drawn in foreign service are required to be furnished to the Audit and Accounts Officer so that the rates of monthly leave salary" and pension contributions are intimated to foreign employer, the government servant concerned and his department. Any promotion or reversion in the parent department is also to be reported to the Audit and Accounts Officer concerned. The contributions paid into the government account are accounted for by the Audit and Accounts Office and recoveries in individual cases are watched.

2. It has come to the notice of the Finance Division that in several cases the orders of transfer of a government servant on foreign service do not reach the Audit and Accounts Office concerned or, if received, the terms and conditions and other particulars are not given therein. Consequently, the rates of monthly contribution cannot be intimated by the Audit and Accounts Office to the foreign employer and the government servant concerned, with the result that the contributions are not deposited promptly and regularly. There have been many cases in which the government servants completed their tenure of foreign service in Pakistan or abroad and returned to their parent department without depositing the leave salary and pension contributions due to the reason that the Audit and Accounts Office concerned is not informed in time about their transfer on "foreign service. The required particulars are not furnished by the department to the Audit and Accounts Office and consequently the latter are not in a position to intimate the rates of monthly contributions resulting in their non-deposit. In case of deputations abroad, loss of foreign exchange is suffered by government if the pension contribution is payable by the government servant and he returns to Pakistan on completion of his tenure without depositing the contribution for the reason that the amount was not intimated to him in due time.

3. In view of the position stated above, all Ministries/Divisions are requested to ensure that in future all sanctions regarding the deputation on foreign service are invariably addressed to the Accounts Offices concerned. While sanctioning the transfer of a government servant on foreign service, the monthly rates of leave salary and pension contribution should be invariably indicated in the sanction. The rates so indicated by the departments concerned may be provisionally adopted for depositing the contributions promptly and regularly every month till the final rates are intimated by the Audit and

Note.-Under the latest orders no leave-salary contributions are recoverable from the foreign employer/ government servant.
Fe

Deputation.

Accounts Offices on receipt of which the excesses/deficiencies, if any, can be adjusted. The Audit and Accounts Officers will check the accuracy of the rates and watch the recoveries of the contributions and their proper accounting in the government accounts.

[Authority.- Finance Division’s O.M.No.F.5(5) Reg.7/77-1082-(2), dated 28-2-1980].

15.3 Recoveries of Dues from Government Servants in Foreign Exchange

A reference is invited to the Finance Division O.M. No. F. 1(8) EF (B. I1)/76-2720 dated the 14" July, 1976. It is stated that the question of recoveries from government servants due in foreign exchange has been re-examined in consultation with the Ministry of Law. The position is that the government is legally entitled to recover the exact amount in the currency in which the overpayment was made or the dues became recoverable. It has, therefore, been decided that if the overpayment was made or dues became recoverable in a particular currency, the recoveries should be made in that currency or in equivalents of US dollars according to the rate of exchange between that currency and the US dollar on the date of recovery. If, for any reason, such as posting in Pakistan on retirement, etc. recoveries cannot be effected in foreign exchange these can be effected in Pakistani rupees. However, since permission to pay such dues in local currency is in fact permission to purchase foreign exchange for refund to government the rate of exchange applicable in such cases shall be the rate prevailing on the date on which such recoveries are actually effected. Finance Division’s O.M. dated the 14" July, 1976 quoted above may please be deemed to have been modified accordingly with immediate effect.

[Authority.- Finance Division’s O.M.No.F.1(8)EF (B.11)/80-2689, dated 18-12-1980].

VII. (B) TRANSFER TO FOREIGN SERVICE OUT OF PAKISTAN: DEPUTATION

16.1 Receiving or Soliciting Direct Offers of Appointment from Private Firms/Organizations

It has been noticed that some government servants are directly receiving or soliciting offers of appointment from private firms/organisations based in foreign countries and are seeking government clearance for accepting such offers on deputation basis. This practice, which is on the increase, is against Government Servants (Conduct) Rules, 1964. It is obvious that in all cases of this nature, the government servants while still in government service, had established contacts with the private firms/ organisations offering the appointment. This tendency has to be curbed because it is quite possible that the firm/organization, offering the appointment to the government servant concerned, may be doing so in consideration of some favour done to the firm by the government officer concerned. It has, therefore, been decided that any government servant receiving such an offer of employment from a private firm/organisation abroad will not, in future, be allowed to go on deputation. He will have to resign from government service before he is allowed to accept the appointment with a private firm/organisation based in a foreign country.

2. These instructions, however, do not affect the offers of appointments or submission of applications against vacancies announced by foreign governments or international agencies. The existing procedure prescribed in such cases will continue to be observed and the relevant cases should be sent for approval to the Special Selection Board in the prescribed manner.

[Authority.- Estt. Division's O.M. No.1/23/ 66-T.IV, dated 6-10-1977].

16.2 Adequate Circulation of Vacancy Notice — View of Special Selection Board

Extract from the minutes of the meeting of the Special Selection Board is reproduced below:—

"The Special Selection Board was of the view that in cases where nominations against senior posts were called for, the sponsoring Ministries/Divisions should bring the offers to the notice of the concerned Ministries/Divisions at the level of the Secretary/Joint Secretary."

2. It is requested that Ministries/ Divisions concerned may kindly take necessary action in the matter as indicated above as soon as job descriptions are received by them.

[Authority.- Estt. Division's O.M. No. 1/103/71-A.VII, dated 30-10-1971].

16.3 Decisions by Special Selection Board

The following decision of the Special Selection Board taken in its meeting held on 24" July, 1977 is conveyed for necessary compliance:-

“Whenever a Ministry/Division receives a vacancy notice from any international organization, it may be adequately circulated among the concerned agencies and all the applications received be forwarded to the Establishment Division for SSB’s approval with clear recommendations”.

[Authority.- Estt. Division’s O.M.No.1/23/66-A. VII/T.IV, dated 6-8-1977].

16.4 Circulation of Vacancy Notices

Despite the instructions contained in the Establishment Division’s O.M. No. 1/23/66-T.IV, dated the 23rd June, 1977, instances of inadequate circulation of Vacancy Notices received from various international/regional organizations are on the increase. In future all Vacancy Notices may please be circulated to all the Ministries/Divisions concerned and Provincial Governments and copies of all such notices endorsed to the Joint Secretary (Training), Establishment Division, Rawalpindi*.

[Authority.- Estt. Division’s O.M. No. 1/23/ 66-T.IV, dated 16-4-1978].

16.5 Circulation of Job Descriptions

It has been observed that the job descriptions of various posts received from the international organizations are not being circulated properly amongst the Ministries/Divisions concerned and the Provincial Governments. It has also been noted that, in many cases, the nominees are not qualified for the jobs. It has, therefore, been decided that in future the Ministries/Divisions should;

(i) circulate the vacancy announcements amongst the Ministries/ Divisions concerned and Provincial Governments well in time;

(ii) nominate only those officers who are properly qualified for the jobs;

(iii) nominate, at least, three candidates for each job to enable S.S.B. to pick up the best suited candidates; and

(iv) to ensure adequate circulation of job descriptions, the Ministries/ Divisions receiving vacancy announcements direct from international organizations should send the copies of their circulars to Economic Affairs Division and Establishment Division indicating the Ministries/Divisions to whom the particular job is being circulated.

[Authority.- Estt. Division’s O.M. No. 4/3/80-T.IV, dated 18-8-1980].

* Cabinet Block, Islamabad.

17.1

Functions of the Special Selection Board

The following decisions taken in the Special Selection Board's meeting held on 13" October,1977 are conveyed for information and compliance:-

@)

(i)

2.

All cases of postings of non-Foreign Service officers in Pakistan's missions abroad like Commercial Secretaries, Educational Attaches, Labour Attaches*, Information Officers, etc. (excluding Intelligence and Defence personnel) should be referred to the Establishment Division for clearance of Special Selection Board ;

The cases of deputation of government servants to international agencies and foreign governments should, as before, be referred to the Special Selection Board for clearance. However, no such case will be entertained in which the officers have been received by government officers direct. Only such nominations will be entertained as are received by the Ministries/Divisions through proper channel.

It is requested that strict compliance of the foregoing instructions may

please be ensured. Any instructions issued by a Ministry/Division or the Provincial

Governments

which are not in conformity with the above decisions should please be

treated as cancelled. Proposals which do not conform to the revised procedure stated above will be returned to the sponsoring Ministries/Divisions unapproved.

[Authority.- Estt. Division's O.M. No. 1/23/66-T.IV, dated 26-10-1977].

17.2

Procedure for Submission of Cases to S.S.B

It has been noticed that incomplete cases are being forwarded by the Ministries/ Divisions to the Establishment Division viz. Economic Affairs Division which results in

delay.
2.

Ministries/Divisions are requested to send cases complete in all respect to

this Division through Economic Affairs Division with the following documents:-

e))
(2)
(3)

(4)

(5)

Bio-data ..

Job description ..... 6 copies

6 copies

Summary Statement
(Proforma attached-
Annex)..... 6 copies

Sparability certificate
(signed by the Secretary
of Division/Head of
Department.....

C.R. dossier complete with
photograph of the officer
thereon.....

[Authority.- Estt. Division's O.M. No.1/23/80-T.IV,dated 18-7-1981].

* Community Welfare Officers.

(ANNEX)

SUMMARY STATEMENT PROFORMA

Name | Name of Job | Qualification | Name of | Qualifications | Training | Experience | Whether of Inter- | Descrip- | Required by | Officer | of the Officer Attached or not
Post national | tion in the Inter- | Nominated | Nominated Released

Organi- Brief national Certificate
zation Organization
1 2 3 4 5 6 7 8 9

17.3 Sparability Certificate

The following instructions were issued vide Establishment Division's letter No. D.1700/79-T.1V, dated 17" November, 1979 :-

"The Establishment Division controls "Pakistan Administrative Service, Tribal Areas Group, Secretariat Group, Police' and Office Management Group(s) and all service matters of officers of these groups are being dealt with by this Division. It has, therefore, been decided that the Establishment Division will be the final authority to determine the sparability of officers of the above mentioned groups for jobs within or outside Pakistan. The Ministries/Divisions concerned would, of course, be provided a substitute of equal ability".

2. It has been observed that sparability certificates are not issued in accordance with the aforesaid instructions. The Special Selection Board is, therefore, unable to consider such cases with the result that they get delayed and the facilities lapse. To avoid such situations, it is requested that it may please be ensured that the sparability certificates of candidates for deputation to foreign government/international agencies belonging to the above mentioned groups are issued strictly in accordance with the instructions contained in letter No. D.1700/79 T.IV dated the 17 November, 1979.

[Authority.- Estt. Division's O.M. No. D. 1700/79-T.IV, dated 6-10-1981].
17.4 Requirement of Second Approval by S.S.B

The Special Selection Board in its meeting held on 28" July, 1981 decided that the candidates once approved by it for a job in an international organization will require

* Previously "District Management Group".
" Police Service of Pakistan.

fresh approval of the Board if they intended to apply subsequently for a similar job in any international organization.

[Authority.- Estt. Division's O.M. No. 1/221/ 80-T.IV, dated 5-9-1981].

17.5 Clearance for Posting Abroad or on Deputation

The President has been pleased to direct that all government personnel being posted abroad on government appointments or on deputation with other agencies whether they are members of any service group or are professional such as educationists and scientists will have to be cleared by the intelligence agencies before they proceed to take charge of their assignments. The names of such persons will be forwarded to the D.I.B., ten to twelve weeks before they are scheduled to leave. The individuals will be sent abroad only when clearance has been obtained from the Intelligence Bureau.

2. It is requested to ensure that the above instructions are enforced strictly with immediate effect and government servants under administrative control of Ministries proceed abroad only when they have been cleared by the Intelligence Bureau.

[Authority.- Estt. Secretary's D.O. letter No.1/102/83-T-IV, dated 18-7-1983].

18.1 Standard Terms and Conditions of Service for Government Servants Who Proceed for Service Abroad

In supersession of this Division's letter of even number dated the 23rd November, 1970, on the subject noted above, the decision of the President is that the government servants who proceed for service abroad, whether in government or in private sector, will be allowed the following terms and conditions for the period of their deputation:-

(1) The period of deputation will be treated as foreign service and will commence from the date of release from the *Central Divisions/ Provincial Departments and will terminate on the date of resumption of duty under the *Central/ Provincial Government.

(2) During the period of foreign service, the person concerned will be entitled to pay allowances and travelling facilities (including passage for himself and his family to the place of employment under the borrowing government and back on termination of the contract) in accordance with the regulations of or the terms and conditions offered by the borrowing government.

(3) The person concerned shall, during the period of his foreign service, pay to the Government of Pakistan through the Pakistan Mission in the borrowing country, in foreign currency in which he receives his salary from the foreign employers, pension contribution in accordance with the relevant rules of and at the rate prescribed from time to time by Government of Pakistan. On delayed payments of these contributions, interest shall be payable under S.R. 307. Till such time as the rates of pension contribution are ascertained and intimated by the Audit Office concerned the person concerned shall provisionally pay pension

* Federal.

contribution in foreign currency on the basis of the “length of his service at the rate given in “Appendix No.11-A to the F.R. and S.R. Vol.-II.

During the period of foreign service, the person concerned will continue to subscribe to the G.P. Fund or any other Fund of the same nature of the ““Central/Provincial Government according to the rules and orders regulating subscription to that Fund. The amount of subscription is payable in foreign exchange and he shall remit the necessary amount in foreign exchange every month to a scheduled bank in Pakistan which shall pay to the Accounts Officer the rupee equivalent thereof at the official rate of exchange on the basis of his pay which would have been admissible to him in government service, but for his transfer to foreign service.

(4)

(5) The leave terms of the person concerned during the period of his foreign service will be regulated according to the rules of or the terms and conditions offered by the borrowing government. Leave salary due in respect of such leave will be payable by the borrowing government to the person concerned. No part of the leave earned by him during the period of

foreign service will be credited to his leave account with the

*** Central/Provincial
leave salary on acco
*** Central/Provincial

Government, nor will any liability in respect of
unt of such leave devolve on the government. The
Government will not recover any leave salary

contribution from the borrowing government. The person concerned will also not be entitled to receive any leave salary, from the ***Central/Provincial government in respect of disability arising in and through foreign service with the borrowing government.

(6) During the period of foreign service, the person concerned will not be

entitled to receive any leave salary from ***Central/Provincial

Government in respect of disability leave on account of any disability

arising in or through foreign service, even though this disability might

manifest itself even after the termination of foreign service.

(7) During the period of foreign service, the person concerned will not be entitled to any medical facility in respect of himself and family members at the expense of the ***Central/Provincial Government.

(8) The person concerned shall be on deputation with the borrowing government for the period originally agreed upon. Any extension beyond

the original period of deputation shall not be made without the approval of the Government of Pakistan. Any extension without the approval of the Government of Pakistan will be treated as an irregularity on the part of the

person concermed and may call for disciplinary action.

(9)

Further, if the person concerned during the period of his deputation becomes entitled to any additional benefit, or is appointed to any post

* Note.- For latest orders see Finance Div.’s O.M.No.F-5(5)Regs 7/79-1407, dated 15 12-1981.
Note: The rates of pension contributions may be made as per revised rates as amended by Finance Division , from time to time.
Federal.

involving alteration in his emoluments, he will intimate particulars of such appointment to the Government of Pakistan for information. Any modifications of the terms involving additional liabilities on the government will require their prior approval.

(10) The person concerned shall retain his lien if he is holding a permanent post, or if allowed by the Department/Division, as a special case.

2. Inthe case of government servants who are already on deputation abroad, sanctions already issued should be amended particularly in the light of sub-paras (4) and (5) of the preceding para, under intimation to the government servant and the Accounts Officer concerned.

[Authority.- Labour and Local Bodies Division's letter No. 15-1 (18)/70-EI, dated 1-3-1973].

18.2. Maximum Period of Employment Abroad

It has been decided that government servants who have gone abroad on their own and are in employment with private bodies on contract terms may be allowed to remain abroad till termination of their contract period provided that their total period of foreign employment does not exceed 5 years. Such government servants should submit copies of their contract/ documents, duly authenticated, through the Pakistan Missions concerned to their administrative Ministries so that their liens may be maintained and they may now be required to return by the 30th June, 1978.

2. In this connection, attention of all concerned may be invited to Fundamental Rule 18 which lays down that unless the President, in view of the special circumstances of the case, shall otherwise determine, after 5 years continuous absence from duty, elsewhere than on foreign service in Pakistan, whether with or without leave, a government servant ceases to be in government employ. It would therefore be in their own interest if the government servants who are serving abroad on their own with private organizations or on foreign service terms ensure that the period of 5 years continuous absence from duty in Pakistan if not exceeded without proper government sanction.

3. The Ministries and Divisions are requested to review immediately the cases of the government servants under their administrative control who have been continuously absent from their duty owing to their employment with organizations outside Pakistan either on their own or on foreign service terms and take steps to ensure that those who have completed 5 years period return immediately to their duty in Pakistan failing which they shall cease to be in government employ under F.R. 18 except where their absence in excess of 5 years is covered by proper government sanction or where they are bound by some terms of contract which should be produced by them. In the latter cases, the Ministries/ Divisions concerned may take action to obtain government sanction in terms of F.R. 18 to cover the period exceeding 5 years.

[Authority.- Estt. Division's O.M. No. 1/23/ 66-T.IV, dated 24-6-1978].

18.3 Extension in Deputation —
Decision by Special Selection Board

The following decision of the Special Selection Board taken in its meeting held on the 24th July, 1977 is conveyed for necessary compliance:-

(i) XXxx XXXX XXXX

(ii) All the cases of extension be referred to the Establishment Division and where the administrative Ministries think that extension should not be granted, they may make the recommendations but should obtain the approval/decision of the Special Selection Board/ Establishment Division invariably in all cases.

(iii) All extensions upto 5 years may be liberally recommended but beyond 5 years no extensions should be recommended.

[Authority.- Estt. Division’s O.M. No.1/ 23/ 66-A-VII/T.IV, dated 6-8-1977].

18.4 Extension in the Deputation of
Officers Posted in Pakistan
Missions Abroad

Reference Establishment Division O.M. No. 1/23/80-T. IV, dated 234 September, 1980 on the subject. It is stated that the period of deputation of non-diplomatic officers posted in Pakistan Missions abroad should not be more than 3 years.

2. According to the current practice, while deputation of these officers is approved by the Special Selection Board and the Prime Minister, the extensions in their deputation period are being granted by the Ministries/Divisions concerned themselves. It has, however, been noticed that a number of officers have been holding these posts for more than 3 years and requests for extensions beyond their normal tenure are not uncommon. To maintain uniformity in granting extensions to the officers posted against Pakistani posts abroad, it has been decided that extension for a period of one year may continue to be allowed by the Ministries/ Divisions in deserving cases. However, cases involving extension beyond one year should henceforth be put up to the Special Selection Board for decision.

[Authority.- Estt. Division’s O.M. No.1/97/ 83/T.IV, dated 26-3-1986].

18.5 Option of Premature Retirement
by Deputationists Abroad

Reference Establishment Division Office Memorandum No. 1/8/74-AVII/ T.IV, dated the 24"" September, 1974. In modification of the instructions issued in that Office Memorandum, it has been decided that government servants who have completed five years abroad and have not completed 25 years of service should be asked to return to Pakistan. Government servants who have completed 25 years of service qualifying for pension may opt for retirement from service in Pakistan if they wish to continue in international agencies beyond the prescribed tenure of five years.

[Authority.- Estt. Division’s O.M. No.1/8/ 74-A.VII/T.IV, dated 3-12-1974].

18.6 Deputation Against Pakistani Posts Abroad

It has been observed that the officers going on deputation abroad against Pakistani posts stay abroad beyond the tenure fixed for the posts in question. They ask for extension on various grounds and sometimes put pressures for extending their tenure. The government has taken a serious view of the prevailing situation and has decided that the Ministry/Division concerned will, in future, automatically move the case for recall of the officer 6 months before completion of his normal tenure and submit a panel of names for consideration of the Special Selection Board to enable the latter to select a suitable person to succeed the officer already abroad.

[Authority.- Estt. Division's O.M.No.1/23/ 80-T.IV, dated 20-8-1980].

18.7 Deputation Against Pakistani Posts Abroad — Proposal for Replacement

In continuation of the Establishment Division's O.M. No. 1/23/80-T.IV, dated 20" August, 1980, it is reiterated that a proposal for replacement of an officer on deputation should be initiated six months before his tenure is due to expire. In case an officer is promoted during his deputation abroad and has more than six months of his tenure left, he should be given a notice of six months to return and join his new post.

[Authority.- Estt. Division's O.M. No. 1/23/80-T.IV, dated 23-9-1980].
SI.No. 19

SOPs for Recalling of Officers Posted on Deputation against Pakistan's Positions Abroad

As per standing instructions circulated vide Establishment Division's O.M. No.1/23/80-T-IV dated 20-08-1980 and O.M No.1/97/83.T-IV dated 26-03-1986. It is observed that the controlling Ministries/Divisions in disregard to the above instructions do not process cases of recalling of /and or granting extension to officers on deputation to Pakistan's positions abroad well in time resulting in inordinate delays and lapses. Besides, most of the cases of extension beyond one year are referred to the Special Selection Board (SSB) at the eleventh hour by the Ministry/Division concerned and they also fail to select a substitute for the said post within the stipulated time. The Prime Minister has taken a serious view of such delays/negligence and it has therefore been decided to direct the administrative/controlling Ministries/Divisions that the following standard operating procedures with regard to recalling of and or granting extension to officers on deputation to Pakistan's position abroad shall be strictly observed to avoid such failures in future:—

i. The normal tenure of posting in Pakistan Missions abroad deputation against permanent seats of Pakistan in International Organizations shall be three years.

ii. No Ministry should extend the period of deputation invariably all such cases where an extension in deputation is essential or required under any specific circumstances should be referred to SSB at least 08 months before the end of tenure. The SSB shall consider the request on merit and furnish its recommendations for orders of Prime Minister within 30 days. No

extension shall be allowed without Prime Minister's approval irrespective of pay scale of the deputationist.

iii. The parent/administrative/controlling Ministry/Division shall both issue a recall notice at least 06 months prior to the end of tenure and also start the process of selection of replacement. Failure to do either of the two things shall be considered a failure of the Secretary of the Ministry/Division concerned.

iv. Medical reasons/study of children abroad should not be considered a justification for extension.

v. The parent Ministries/Divisions will remain vigilant regarding tenure and recalling of their officers on deputation abroad. In case no reference for extension is received or the request of the controlling Ministry/Division for extension has not been consented, as the case may be, the parent Ministry/Division will issue a recall notice to the officer at least six months before expiry of the normal period of deputation.

vi. Such recall notices in respect of officers belonging to Pakistan Administrative Service (PAS), Police Service of Pakistan (PSP), Secretariat Group and Office Management Group will be issued by the respective wings of the Establishment Division holding administrative control of these service groups/cadres at least six months before expiry of the normal period of deputation.

2. Failure to observe these procedures or non-compliance of the standing instructions on the subject shall render the officers concerned of the Ministries/Divisions/ Departments liable to disciplinary action under the "Government Servants (Efficiency & Discipline) Rules, 1973.

3. Ministries/Divisions Provincial Governments are directed to bring the above instructions to the notice of all concerned for strict compliance.

[Authority:— Establishment Division's O.M. No.1/9/2004-T-IV dated 17-09-2014].

20.1 Deputation of Pakistanis in International Organisations as Short-Term Consultant

Officers of the Government of Pakistan/Provincial Governments are sometimes engaged by international organisations as Consultants and paid consultancy fee plus other benefits. Under SR-12, they are required to deposit 1/3rd of the fee into General Revenues. It has, however, been noticed that these instructions for crediting portion of the fee to government are not being followed by the Ministries/Divisions and Provincial governments in the case of consultancies abroad. The Ministries/ Divisions are requested to apply the provisions of SR-12 strictly when officers go abroad as Consultants.

[Authority—- Estt. Division's O.M. No. 1/27/80-T.IV, dated 13-4-1980].

* Now Civil Servants (Efficiency & Discipline) Rules,2020.

20.2 Consultancy Assignments

Consultancy Assignments. The Special Selection Board has further simplified the procedure for consultancy assignments to the following extent: -

(i) | consultancy may be allowed for a period not exceeding six months during the five years cycle;

(ii) one consultancy should not be for more than 90 days;

(iii) the Establishment Division may consider any relaxation with regard to (i) & (ii) on case to case basis and recommend to the competent authority, if deemed appropriate; and

(iv) all the cases of consultancies relating to officers in BPS 17-22 will be put up to the Prime Minister for approval.

[Authority:— Estab. Div.'s OM No. 1/8/81-T-TV, dated 13" June, 1996].

20.3 Procedure for Deposit of Consultancy Fee

Reference.- Establishment Division's O.M. No. 1/27/80-T. IV, dated 13" April, 1980.

2. It has further been decided by the Special Selection Board that a copy of the letter sanctioning terms and conditions of the officers (including the condition that one third of the fee/ remuneration may be deposited into the General Revenues) may be endorsed, in future, to the AGPR and Accountants General of the Provinces in the case of federal and provincial employees respectively as well as to the Pakistan Embassy in the country where the officer is taking up the consultancy. One copy should also be sent to the Training Wing, Establishment Division.

[Authority.- Estt. Division's O.M. No. 1/27/80-T. IV, dated 22-9-1980].

21.1 Policy Concerning Promotion of Civil Servants on Deputation Abroad

A civil servant, if selected for appointment in any international agency, foreign government or private organization abroad, is permitted to go on deputation for a period of 3 years extendable to 5 years on the request of the deputationist or his employer. After expiry of the approved period of deputation, the deputationist is required to come back and resume duty in the country.

2. | While on deputation abroad, a civil servant was considered for promotion in accordance with his seniority position but actual promotion took place after he resumed duty on return to Pakistan. This enabled such civil servants to regain their seniority 'vis-d-vis' their juniors on actual promotion. Experience has shown that despite promotion, these officers seldom return even on completion of their approved deputation period. By the time they return, many officers have lost their utility and experience relevant to service needs. Promoting such officers immediately on return may not, therefore, be in public interest.

3. It has, therefore, been decided with the approval of the President that:-

(i) | Promotion of a civil servant on deputation to an international agency, foreign government or private organization abroad will only be considered after he resumes duty on return to Pakistan.

(ii) Such officers may be given timely intimation to return so that they can earn at least one “annual confidential report before their cases come up for consideration in accordance with their seniority position.

(iii) If an officer returns, his case will be considered for promotion in the normal course. If he does not return in response to such intimation, his case will be deferred till he returns to Pakistan on completion of 5 years and earns a “confidential report on his work for one full year after resuming duty. If approved for promotion, he will regain his original seniority.

4. Government may allow an officer to continue against his assignment abroad even after the expiry of 5 years on the request of the officer or his employer. However, in all such cases, the officer’s names will be removed from the existing Seniority List and placed on a separate Static list with no claim to promotion or to seniority over any junior who may be promoted during this period. An officer’s name would be brought back on the Seniority List only after he resumes duty on return. In such cases also, the officer must earn a **confidential report for one full year before he is considered for promotion. If approved for promotion he will not regain his seniority. He will be assigned seniority in the higher post only from the date he assumes its charge.

5. All Ministries/Divisions are requested to bring the above instructions to the notice of all civil servants already serving on deputation abroad and those allowed to proceed on deputation in future.

[Authority.- Estt. Division’s O.M.No.10 (3)/ 81-CP.I dated 25-6-1984].

21.2 Policy Governing Civil Servants on Deputation Abroad

The Cabinet in its meeting held on 17.4.1989 took the following decision on the summary submitted by “Manpower and Overseas Pakistanis Division:-

“A maximum of 20% of Government servants in all @grades will be allowed to take up overseas employment. For this purpose the Government servants would be required to leave their jobs and would not be allowed to retain lien on their appointments. This may be considered for appointment on their return, if vacancies in the relevant “grades are available”.

2. The deputation abroad covers the following categories:-

(a) deputation of officers from Government of Pakistan to a foreign government.

* Now Performance Evaluation Report (PER).
* Performance Evaluation Report.
*“" Now Overseas Pakistanis and Human Resource Development Division.
@
BPS.

(b) deputation of officers from Government of Pakistan to international organizations/agencies; and

(c) employment of government servants in private organizations/ agencies at their own.

3. It is informed that officers coming under categories (a) & (b) at para 2 above would continue to be governed by the existing policy on the subject issued vide Establishment Division's O.M. No. 10/3/81.CP.I, dated 25.6.1984. The new policy will only apply to the cases covered by para 2 (c) i.e. government servants who take up overseas employment in private organizations/agencies on their own, would have to leave their jobs without any lien on their appointments in Pakistan.

4. The decision contained in this O.M. will come into force with immediate effect and will not effect the cases decided prior to its date of issue.

5. The above decision of the Cabinet may be widely circulated to all concerned.

[Authority.- Estt. Division's O.M. No.1 (91)/89-T.IV, dated 17-5-1990].

21.3. Size of Family Members of Serving Personnel Selected for Secondment Abroad

Reference Ministry of Defence U.O. No.2/1/D-17/2000/3519/ Secy, dated April 24, 2000 and the meeting of Joint Chief Staff Committee held on January 25, 2000, on the above subject. The competent authority has been pleased to approve the following:-

1. Individuals already selected for secondment abroad on the process of departure and having more than 4 children be given an option to either proceed abroad without family or their names be excluded from secondment (a certificate to be rendered to this effect by the selected individuals).

2. No part families will be permitted for secondment abroad.

3. For uniform government policy on the subject at national level, the decision would be implemented in all government departments.

4. The decision of Joint Chief Staff Committee shall not apply to:-

(a) Offices of Pakistan Foreign Service, who shall be exempted from the above as an exception.

(b) Government servants on deputation/employment abroad with international organizations/foreign governments where no funds of Government Pakistan are involved.

[Authority:- Estt. Div.'s O.M. No.5/1/2000-T.IV, dated 23-8-2000]

21.4 Size of Family Members of Serving Personnel Selected For Secondment Abroad

In continuation of Establishment Division's O.M. of even number dated August 23, 2000 on the above noted subject, it is stated that the competent authority has been pleased to approve the following amendment in the aforementioned O.M.:-

For: No part families will be permitted for secondment abroad.

Read: No part families will be permitted for secondment abroad, except families having non-dependent children i.e. boys enrolled/ serving in the armed forces or pensionable government jobs and girls married and living with their husbands

[Authority:- Estt. Div.'s O.M.No.5/1/2000-T.IV, dated 4-11-2000]

21.5 Size of Family Members for Secondment Abroad

In continuation of this Division's O.M. of even number dated 23-8-2000 and 04-11-2000 on the above subject, it is stated that the competent authority has been pleased to approve the following:—

(a) The family of the official who proceeds abroad single, will be allowed to retain government accommodation in Pakistan during the period of secondment abroad subject to the condition that the official will not have accommodation on government expense at two stations i.e. in Pakistan as well as outside Pakistan; and

(b) There is no objection to the members of the families proceeding abroad at their own expense. However, no part families will be permitted.

2. These instructions may please be circulated for strict compliance.
[Authority:- Estt. Div.'s O.M.No.5/1/2000-T.IV(Z), dated 27-8-2001]

21.6 Deputation Abroad Beyond Five Years and Placement in Static List

Refer to the Establishment Division O.M. No. 10(3)/81 CP.I, dated 25th June, 1984 regarding policy governing civil servants on deputation abroad.

2. Till recently, government servants on deputation to international organizations and foreign governments were required to come back after spending five years of their deputation abroad. This policy has been reviewed and, in accordance with para 4 of the O.M. referred to above, government servants can stay abroad beyond 5 years under certain conditions. The relevant provision of the policy is reproduced below:—

"Government may allow an officer to continue against his assignment abroad even after the expiry of 5 years on the request of the officer or his employer. However, in all such cases, the officer's name will be removed from the existing Seniority List and placed on a separate

Static List with no claim to promotion or to seniority over any junior who may be promoted during this period. An officer's name would be brought back on the Seniority List only after he resumes duty on return. In such cases also, the officer must earn a confidential report for one full year before he is considered for promotion. If approved for promotion, he will not regain his seniority. He will be assigned seniority in the higher post only from the date he assumes its charge".

3. It is, therefore, requested that cases of government servants, who wish to stay abroad beyond five years, may kindly be processed accordingly.

[Authority.- Establishment Secretary's D.O. letter No.1/40/83-T.IV, dated 24-3-1985].

IX. SERVICE IN INTERNATIONAL AGENCIES

22.1 Publicity of Vacancies in International Agencies, Foreign Governments and Private Organizations

With reference to the Establishment Division Office Memorandum of even number dated 25-6-1984, it is stated that some civil servants serving abroad on deputation with various international agencies, foreign governments or private organizations have complained that sufficient publicity has not been given to the policy contained in Establishment Division Office Memorandum under reference.

2. All Ministries/Divisions were requested vide para 5 of the Establishment Division's Office Memorandum dated 25-6-1984 to bring the instructions on the subject to the notice of civil servants already serving on deputation abroad and those allowed to proceed on deputation in future. This may please be ensured.

[Authority.- Est. Division's O.M. No.10(3)/81-CP.I(A). dated 19-5-1985].

22.2 Deputation of Defence Officers in Civil : Requisition by Name

Reference the instructions regarding above subject issued by the Defence Division vide their U.O.No.F.2/84/D-24/88, dated 23.12.2000 and F.2/33/D-24(C-IV)/88, dated 24.10.88. Despite the above instructions there has been an increasing tendency of requisitioning services of officers of the armed forces by name. Ministries/Divisions are, therefore, requested that in future services of armed forces officers in civil departments shall not be requisitioned by name. Further, for processing of cases of such nature in future, the following guidelines shall be observed:-

(i) | When services of personnel of the armed forces are required for posting against any civil post, the proposal to this effect shall be forwarded by the respective Ministry/Division to the Ministry of Defence indicating the post with BPS/pay and allowances job description and the period for which the services are required (copy of the same shall also be forwarded to the COS to the Chief *Executive for information).

(ii) | Defence Division, in consultation, with the concerned Services HQ and with the approval of the COAS shall forward the panel of officers of armed forces to the Ministry/Division concerned who will make selection of the most suitable officers and obtain approval of the competent authority for secondment of the officer with the civil departments.

(iii) On receipt of confirmation/approval from the borrowing Ministry/ Division. Defence Division will convey the same to the Services HQ concerned to allow the officers to join the respective organization.

[Authority:- Estt. Div.'s O.M. No.1/99/2000-CP-6, dated 10-01-2001]

* In the present context, it would imply COS to the President; the Principal Secretary to the Prime Ministe

22.3 Civil Servants (Service in International Organizations) Rules,2016

1. Short title, application and commencement.—(1) These rules may be called the Civil servants (Service in International Organizations) Rules,2016.

(2) They shall apply to the civil servants seeking employment on reserved and specific posts and open posts and deputation in any international organization including an international non-governmental organization, international financial institution and foreign donor agency whether or not on behalf of Pakistan or with prior permission of the Federal Government.

(3) They shall come into force at once.

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

(a) “Act” means the Civil Servants Act,1973 (LXXI of 1973);

(b) “appellate authority” means the authority next above the competent authority;

(c) “appointing authority” means the authority specified in rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules,1973 and other applicable rules under the Act;

(d) “Board” means Special Selection Board constituted under rule 6;

(e) “cadre” means the strength of a Service or Group as part of Service or Group sanctioned as separate unit and includes ex-cadre posts;

(f) “competent authority” means the authority competent to approve deputation under these rules;

(g) “deputation” means assignment of a civil servant to a post with prior approval of the competent authority, in an international organization;

(h) | “Division” shall have the same meaning as assigned to it under the Rules of Business, 1973;

(i) “foreign government” means a Government other than Government of Pakistan;
Gj) “international organization” means an international governmental

organization or organization working in more than one country including United Nations and its specialized agencies, development agencies of other countries, international non-governmental organizations and companies, foreign government organizations hiring functionaries irrespective of their nationality excepting defence, security and intelligence related foreign governmental organization;

(k) “open post” means a post, open to all eligible competing candidates including civil servants not being a post reserved for nomination by the

Federal Government;

() “reserved and specific post” means a post where occupancy is limited to Pakistan’s officials or alternate between Pakistan and other countries on their turn;

(m) “Rules” means rules made under the Act;

(n) “Schedule” means a schedule to these rules;

(o) “Secretary” shall have the same meaning as assigned to it under the Rules of Business, 1973;

(p) “static list” means a list of officers on deputation beyond five years approved under the Rules;

(q) “surety bond” means an undertaking executed by a government servant on the form specified under these rules;

(r) “tenure” means time period specified for deputation including approved extension under these rules; and

(s) “UN specialized agencies” mean the agencies of United Nations Organization (UNO) included in the Schedule.

(2) All other words and expressions used, but not defined herein, shall have

the same meanings as are assigned to them in the Act and the Rules.

3.

Bar to seek employment in international organizations.— A civil

servant shall not approach an international organization for seeking employment therein without approval of the Federal Government or, as the case may be, the competent

authority.
4.

Selection criteria for reserved and specific posts (1) For the purpose of

short listing and selecting civil servants seeking employment on reserved and specific posts, the following procedure shall be adopted, namely:—

(a)

(b)

(c)

(d)

for taking up an assignment in an international organization, a civil servant should have completed five years of service in his cadre.

All Pakistan specific foreign posts that are vacant and available or are likely to become vacant, shall be circulated amongst all eligible officers of the identified services, cadres and occupational groups, clearly specifying eligibility criteria in terms of educational qualifications, experience, age, grade and so forth;

There shall be a precondition of passing a written qualifying test, but the test shall be organized by the concerned Ministry through a well reputed testing agency and institution hired through open competitive process;

The minimum qualifying score in the written test shall be set at sixty percent;

(ce) Eighty percent weightage shall be given to the written test scores and twenty percent weightage to the interview scores; and

(f) No minimum passing marks shall be fixed for the interview and no candidate shall be deemed to have failed in the selection process merely on the basis of his performance in the interview:

Provided that and officer nominated against a post of sensitive or strategic importance as set out in the schedule shall be selected in a transparent manner to be determined by the competent authority.

5. Method of selection on open posts.— (1) Subject to rule3, a civil servant may apply against open post in an international organization.

(2) | Case of a civil servant, who is selected by any international organization pursuant to application under sub-rule (1), shall be placed before the Board for recommendation before sending it to the competent authority. The Board may call the incumbent civil servant for interview or personal appearance.

6. Composition of the Board.— (1) The following shall be members of the Special Selection Board, namely:-

a. Secretary, Cabinet Division Chairman

b. Secretary, Establishment Division Member

c. Secretary, Economic Affairs Division Member

d. Secretary, Foreign Affairs Division Member

e. Joint Secretary (Training), Establishment Division Member-cum-Secretary

(2) Secretary, head of the organization or, as the case may be, representative of concerned department not below BS-21 may be invited as co-opted member of the Board.

(3) The Secretary of the Board shall convene meeting of the Board, with the approval of the Chairman. The Board shall consider the offer of appointment and submit its recommendations to the competent authority.

7. Competent authority.— (1) The person specified in column (3) of the Table below shall be the competent authority to approve the cases of deputation to international organization in respect of civil servants specified in column (2) of the Table, namely:—

S.No.	Civil Servants in	Competent authority
()	(2)	(3)
1	BS-20 and above	Prime Minister
2	BS-17 to 19	Secretary Establishment Division
3	BS-1 to 16	Secretary of the Minister or Division concerned

(2) The competent authority may approve the recommendations with or without stipulations deemed expedient including the period of deputation and where applicable extension thereof.

(3) The competent authority may, for reasons to be recorded, refer back a case or cases for reconsideration by the Board.

(4) | Where a post for which recommendations have been, or being, formulated is abolished or is withdrawn from circulation for any reason or on any ground, the recommendations of the Board shall be deemed to have lapsed.

8. Ineligibility— A civil servant shall not be eligible to apply for permission under these Rules, who —

(a) _ is held guilty of misconduct or inefficiency under the Government Servants (Efficiency and Discipline) Rules, 1973 or convicted of an offense of moral turpitude; and

(b) has not completed three years of service in his cadre after returning from immediately preceding deputation in international organization.

9. Tenure of deputation.— (1) The deputation shall be made initially for a period equal to the approved tenure of appointment offered by the borrowing international organization.

(2) In case where the period of deputation is not specified, the period shall be three years extendable to maximum period of two years with the approval of competent authority.

(3) In case of retention of a civil servant after expiry of maximum period of five years he shall be placed static list.

(4) Surety bond shall be executed by the concerned civil servant, that he shall revert to the parent department on completion of the approved tenure of deputation and in case of default he shall render himself liable to be proceeded against for misconduct under the “Government Servants (Efficiency and Discipline) Rules, 1973.

10. | Repeal.— Any instructions and the policy instructions relating to posting and deputation of a civil servant on foreign assignment are hereby repealed and such repeal shall not in any manner affect operation of orders of posting and deputation of civil servants issued before commencement of these rules.

* Now Civil Servants (Efficiency & Discipline) Rules,2020.

SCHEDULE
[see rules 2 and 4]

“[l.] The International Organizations of sensitive and strategic importance includes World Bank, International Monitory Fund (IMF), Asian Development Bank (ADB), Islamic Development Bank(IDB), Department for International Development (DFID), US-AID, Organization of Islamic Countries (OIC), Economic Cooperation Organization (ECO), International Atomic Energy Agency (IAEA), World Trade Organization (WTO), International Court of Justice (ICJ), SAARC Secretariat, Commonwealth Secretariat, World Health Organization (WHO), International Labour Organization (ILO), Organization of Petroleum Exporting Countries(OPEC) and International Human Rights Commission (IHRC).

*(2. Any post, other than an open post, in an International Organization that has been offered to Pakistan under any bilateral or multilateral arrangement and has been notified by Establishment Division with the approval of the Prime Minister.]

On Stamp Paper of Rs.100/-
Surety Bond
[see rules 2 and 9]
I S/O an
officer of solemnly declare that I have been offered a
position of in the

and I shall revert to my parent government/department on the completion of my approved tenure of deputation/posting. In case of default I shall render myself liable to disciplinary action under the “Government Servants (Efficiency and Discipline) Rules,1973 for misconduct including recovery of any financial liability/recovery thereof.

Name and Designation
CNIC No.

Witness No.(1)
Name
CNIC No.

Witness No.(2)

Name

CNIC No.

* Re-numbered and added vide Establishment Division S.R.O 1198(1)/2020 vide Notification No. F.No. 3/7/2016-R-2 dated 05-11-2020.

“ Now Civil Servants (Efficiency & Discipline) Rules,2020.

22.4 Deployment of Police Personnel in UN Missions

Reference Estab. Div. OM No. 5/2/2001-T-TV, dated 28" January, 2002 on the above subject. Finance Division is of the view that the deployment of police personnel in UN Missions cannot be considered as deputation to foreign service unless they pay these personnel, the salary, allowances and other facilities. Deployment of personnel in UN Missions means that the person will go out of the cadre. The cadre means under FR 9(4) the strength of a service or a part of a service sanctioned as a separate unit. According to FR 9(7), foreign service means the service in which the government servant receives his substantive pay with the sanction of the Government from any source other than the revenue of the Governor General* or of a province etc. “If we consider these police officials on foreign service, they cannot be paid salary and other facilities from the revenues of the Government of Pakistan. Moreover, UN is allowing them subsistence grant. When the subsistence grant is allowed to a government servant by a foreign mission, he cannot be paid the salary from revenues of Government of Pakistan. The provision of FR-9(27) is as under:

“Subsistence grant means a monthly grant made to a Government servant who is not in receipt of pay or leave salary”.

2. In view of this provision in the financial rules, the police officials sent to serve the UN Missions cannot claim or cannot be paid the salary from the revenues of Government of Pakistan, in this case the concerned Police Department. They can claim pay from the Government of Pakistan or Police Department concerned when they serve under the Government of Pakistan. The rule position has been clarified under FR-9(28) as under:

“The substantive pay means the pay other than special pay, personal pay or emoluments classed by pay by the Governor General under rule 9(21) (a) (iii) to which a Government servant is entitled on account of a post to which he has been appointed substantively or by reasons of his substantive position in a cadre”.

When a police personnel is serving in the UN Mission, he is not serving against his substantive post or substantive post or substantive position in a cadre. He cannot be paid pay from the general revenue of Government of Pakistan.

3. From the provisions of above rules, it is clear that police personnel sent to serve the UN Missions cannot claim pay from Government of Pakistan as they did not serve the Government of Pakistan as they did not serve the Government of Pakistan or in their cadre. Moreover, since they will be in receipt of subsistence grant or allowance they cannot be paid salary. Their period of duty in UN Mission will also not be counted for the purpose of pension unless they pay pension contribution. This period will also not count for the maintenance of leave account. They are also required to contribute towards GP Fund etc. However as a special compensation the government may allow the families of such police personnel to retain the government accommodation and medical facilities.

* President; Revenues of Government of Pakistan.

4. In view of above, Establishment Division is requested to reconsider the proposed terms and conditions of police personnel so as to bring these in line with the rules.

5. This issues, with the approval of the competent authority.

[Authority:- Finance Div.’s OM No. F.3(7)-R-10/94, dated 7 March, 2002].

CHAPTER 7

CAREER PLANNING, PROMOTION & TRAINING

(611-612)

CHAPTER 7

CAREER PLANNING, PROMOTION & TRAINING

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CHAPTER 7
CAREER PLANNING, PROMOTION & TRAINING
I. CAREER PLANNING

1.1 Preparation” of Seniority Lists BPS Wise

According to sub-section (1) of section 8 of the Civil Servants Act, 1973, seniority lists of all persons employed under the Federal Government are required to be prepared. After promulgation of the All-Pakistan Services (Change in Nomenclature) Rules, 1973, and the Civil Servants (Change in Nomenclature of Services and Abolition of Classes) Rules, 1973, the former regularly constituted Services ceased to exist. Seniority lists of all officers employed under the Federal Government including officers belonging to the former regularly constituted Services, should, therefore be re-drawn grade-wise. In the case of appointments made by promotion, seniority in a particular grade would be determined according to sub-section (4), of section 8 of the Civil Servants Act, 1973, namely, according to the date of regular appointment to a post in that grade, subject to the proviso that civil servants selected for promotion to a higher grade in one batch shall, on their promotion, retain their inter-se-seniority in the lower grade unless superseded. As for seniority between departmental promotees and direct recruits in grades where posts are filled both by promotion and direct recruitment, the rule already prescribed in the general principles of seniority in Establishment Division O.M. No. 1/16/69-D.II, dated 31° December, 1970 shall continue to be followed. According to these rules officers promoted to a higher grade in a continuous arrangement and as a regular measure in a particular year shall, as a class, be senior to those appointed by direct recruitment in the same year.

2. The Establishment Division have already issued gradation lists in respect of BPS 18 and above of the “All-Pakistan Unified Grades. As for Federal Unified Grades, the Ministries/Divisions are requested to prepare gradation lists for each occupational group under their administrative control. The names of the functional groups and the Ministry/ Division administratively concerned with them are:-—

* Note. The instructions contained in this O.M. should be read alongwith the modified instructions contain
O.M. dated 1-9-1975.

““All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-0
1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi
issued on the subject from time to time were mutatis mutandis amended.

Name of we Occupational	Name of the Former Service	Ministry/Division
roup concerned		
1 Foreign Service of Pakistan	Foreign Affairs Group-Comprises posts under the Ministry of Foreign Affairs.	Ministry of Foreign Affairs
* Pakistan Audit and Accounts Servi ervice	Accounts Group-Comprises the former PAAS/PMAS & PRAS.	Auditor General/ Ministry of Finance.
3, Inland Revenue Service	Income Tax Group	Ministry of Finance
1. Pakistan Customs Service	Pakistan Customs and Excise Service	Ministry of Finance
5. Commerce and Trade Group	Trade Service of Pakistan	Ministry of Commerce
6. Information Group.	Information Service of Pakistan	Ministry of Information and Media Development - Establishment Division
0 7. Secretariat Group ©		
8. Postal Group - Ministry of Communications		
9. Military Lands and Cantonment Group	Pakistan Military Lands and Cantonments Service.	Ministry of Defence
10. Railway (Commercial and Transportation) Group	Pakistan Railway Service	Railways Division
11. Pakistan Administrative Service (PAS)	District Management Group	Establishment Division
1, @@ Police Service of Pakistan	Police Group	Establishment Division
13. Office Management Group (OMG)	Central Secretariat Service	Establishment Division
14. Economists and Planners - Planning & Development Group		Division

A proforma in which the gradation list should be prepared is enclosed (Annex). Names of other occupational groups will be notified later.

3. The first issue of the gradation list should be marked “provisional”. It should be circulated to the officers concerned and objections or representations invited. Mistakes which may be brought to notice may be rectified by the Ministries and Divisions and any general point raised in the representations may be examined and disposed of in consultation with the Establishment Division. Thereafter, the gradation list will be issued as final.

4. A copy of the provisional list may be sent to the Establishment Division also for record. Representations should be disposed of expeditiously and the gradation lists finalised as early as possible.

[Authority:— Estt. Division's O.M.No.1/9/74-ARC,dated 12-9-1974].

. "Foreign Affairs Group" renamed as Foreign Services of Pakistan vide Notification No. SRO 936(1)/83 dated 29.9.1983.

aod
"Accounts Group" renamed as Pakistan Audit & Accounts Service w.e.f. 10" December, 2002 vide Estab. Div. OM No. 1/17/92-CPII.

"Income Tax Group" renamed as Inland Revenue Service vide Estt. Div.'s O.M.6/2/2009-CP-II dated 12-09-2009.

@ Secretariat Group composed of officers of the former CSP, DMG who opted for this Group; officers of OMG on promotion to the posts of Deputy Secretary and officers of other services/ groups who opted for or were _ inducted in Secretariat Group.
@@ Renamed as Police Services of Pakistan vide Estt. Div.'s SRO No. 1033(1)/85, dated 23.10.1985 as amended upto 9.10.1998 vide Estt. Div. Notification No. SRO 1034(1)/98, dated 9.10.1998.

(ANNEX)
GRADATION LIST OF FEDERAL UNIFIED GRADES

Name of the Occupational Group... Grade..

SI.No. | Name and Date of Date of entry | Date of entry Date of regular Remarks
Desig. Birth in Govt. in Grade-17 appointment to
Service present grade.
1 2 3 4 5 6 7

Note. (1) Date of regular appointment to present grade (BPS) should be the date of assumption of actual charge in the Grade after issue of promotion/appointment orders by the competent authority.

(2) In the remarks column entries such as serving on deputation to (specify the organisation) with effect from ------ should be made.

(3) Where seniority has been assigned from a date other than the date of regular appointment, the reason for this may be given in the remarks column.

1.2 Seniority of Officers and
Occupational Groups After
Administrative Reforms

In the Establishment Division Office Memorandum No. 1/9/74-ARC, dated the 12" September, 1974 the Ministries and Divisions were requested to prepare seniority lists grade-wise. It was provided that in the case of appointments made by promotion, seniority in a particular grade should be determined according to sub-section (4) of section 8 of the Civil Servants Act, 1973, namely from the date of regular appointment to a post ina grade.

2. A number of references have been received in the Establishment Division enquiring whether the seniorities in various grades which had already been established according to the previous rules on the subject differently from the principle of date of regular appointment to a grade could not be modified in accordance with the provisions of sub-section (4) of section 8 of the Civil Servants Act, 1973. The matter has been examined in consultation with the Law Division. The position is that consequent upon the Administrative Reforms, certain cadres have been transformed into occupational groups but the composition of the cadres comprising these groups has remained intact. Examples are; the “Income Tax Group, the “Customs and Excise Group, the Military Lands and Cantonments Group etc. However, in the case of certain other groups for example the Accounts Group” and the Secretariat Group - a number of cadres have been

* Now renamed as “Inland Revenue Service” vide Estt. Div.’s O.M.6/2/2009-CP-II dated 12-09-2009.
* Renamed as “Pakistan Customs Service” vide ibid.

oe Renamed as Pakistan Audit & Accounts Service w.e.f. 10" December, 2002 vide Estt. Div.’s OM No.1/17/92-CPII, dated 10"" December, 2002.

amalgamated to form a new group or cadre. In the case of groups where the cadre has not been amalgamated with any other cadre, the seniority in different grades as determined under the previous rules before the promulgation of the Civil Servants Ordinance, 1973 (15-8-1973) shall not be disturbed. However, seniority of persons promoted to higher grades after 15-8-1973 shall be determined strictly in accordance with the provisions of sub-section (4) of section 8 of the Civil Servants Act, 1973.

3. In regard to occupational groups which have been formed by amalgamating more than one cadre, no such protection of seniority is either permissible or practicable. The old cadres having ceased to exist, the seniorities in the newly formed groups have to be determined afresh and shall be fixed in accordance with the date of regular appointment to posts in the respective grades.

4. The instructions issued in the Establishment Division Office Memorandum No. 1/9/74-ARC, dated 12-9-1974 and the relevant provisions regarding seniority contained in the instructions about constitution of various occupational groups may be deemed to have been modified to the above extent.

[Authority:— Estt. Division's O.M.No. 1/36/75-D.II, dated 1-9-1975].

13 Civil Servants (Seniority) Rules, 1993

In exercise of the powers conferred by section 25 of the Civil Servants Act, 1973 (LXXI of 1973), read with section 8 thereof, the President is pleased to make the following rules, namely:—

1. Short title, application and commencement.—_(1) These rules may be called the Civil Servants (Seniority) Rules, 1993.

(2) They shall apply to all civil servants except those governed under:—

(i) the Police Service of Pakistan (Composition, Cadre and Seniority) Rules, 1985;

(ii) the Occupational Groups and Services (Probation, Training and Seniority) Rules, 1990; and

(iii) the Establishment Div.'s O.M. No.1/2/74-ARC, dated 23" January, 1974, amended vide O.M. No.2/1/75-ARC, dated 3" March, 1976, and as amended from time to time.

(3) They shall come into force at once.

2. Seniority on initial appointment.(1) Persons initially appointed on the recommendations of the selection authority through an earlier open advertisement shall rank senior to those appointed through a subsequent open advertisement.

(2) If two or more persons are recommended in open advertisement by the selection authority, their inter-se-seniority shall be determined in order of merit assigned by the selection authority.

(3) If only one candidate is recommended in open advertisement by the

selection authority, he shall count his seniority from:—

(a)

(b)

3.

the date of recommendation by the selection authority, if he was already holding the same post on ad-hoc basis.

the date of his joining the post after being recommended by the selection authority if he was not already holding the same post.

Seniority on promotion.—Seniority in a service, cadre or post to which a

civil servant is promoted shall take effect from the date of regular promotion to that service, cadre or posts:—

Provided that—

(a)

(b)

Civil servants selected for promotion to higher posts on an earlier date shall be senior to those selected for such promotion on a later date;

Civil servants selected for promotion to higher posts in one batch shall on their promotion to the higher post, retain their inter-se-seniority as in the lower post; *[*]

*[(ba) Inter-se-seniority of civil servants belonging to different occupational

(bb)

(c)

4.

groups or services and selected for promotion to a post in a higher pay scale in one occupational group or service shall, on their promotion, be reckoned from the date of their regular appointment to the immediate lower pay scale in their respective occupational group or service, where such date is same, the person older in age shall rank senior:

Civil servants of different occupational groups or services who opt for promotion in other occupational groups or services shall, on their promotion as such in one batch, be placed junior to the civil servants of the occupational group or service so opted; and]

Civil servants eligible for promotion who could not be considered for promotion in the original reference in circumstances beyond their control

or whose case was deferred while their juniors were promoted to the higher post, shall, on promotion, without supersession, take their seniority with the original batch.

Seniority on appointment by transfer.—Seniority in service, cadre or

post to which a civil servant is appointed by transfer shall take effect from the date of regular appointment to the service, cadre or post;

Provided that—

(a)

(b)

persons belonging to the same service, cadre or post selected for appointment by transfer to a service, cadre or post in one batch shall, on their appointment, take inter-se-seniority in the order of their date of regular appointment in their previous service, cadre or post; and

persons belonging to different services, cadre or posts selected for appointment by transfer in one batch shall take their inter-se- seniority in the order of the date of their regular appointment to the post which they

* Omitted & added vide $.R.O No. 1078(1)/2016 dated 22-11-2016.

were holding before such appointment and, where such date is the same, the person older in age shall rank senior.

“[4A. In the event of merger “[or devolution] of Ministries, Divisions, Attached Departments or Sub-ordinate Offices, the inter-se-seniority of civil servants, other than those belonging to regularly constituted Occupational Groups and Services, shall be determined in accordance with the date of regular appointment to a cadre or post].

5. Seniority of officers of the Armed Forces on induction in civil posts.— Officers of the Armed Forces of Pakistan who are inducted in a civil service, cadre or post in accordance with the Government orders and instructions shall take seniority in that service, cadre or post from the date of such induction:

Provided that the officers inducted in one batch shall, on induction, retain their inter se seniority as in the Armed Forces of Pakistan.

6. “"""Inter-se-seniority of civil servants appointed in the same calendar year.—Civil servants appointed by promotion, transfer, or initial appointment to a service, cadre, or post shall take seniority from the date of their regular appointment to that service, cadre or post:

Provided that the provisions of this rule shall not in any manner affect or impair the right of existing incumbents.

7. Repeal and savings.—The General Principles of seniority circulated vide Establishment Division’s O.M.No.1/16/ 69-D.II, dated the 31st December, 1970%, and all other existing rules, orders and instructions relating to seniority except—

(i) the Police Service of Pakistan (Composition, Cadre and Seniority) Rules, 1985;

(ii) _ the Occupational Groups and Services (Probation, Training and Seniority) Rules, 1990; and

(iii) the Establishment Division’s O.M.No.1/2/74-ARC dated 23" January, 1974, amended vide O.M. No. 2/1/75-ARC, dated the 3 March, 1976 and as amended from time to time ;are hereby repealed.

[Authority— Estab. Div.’s S.R.O. 163(1)/93, dated 28-2-1993].

1.4 Permanent Absorption of Civil Servants of the Devolved Ministries/Divisions/ Departments/Organizations

Refer to the points raised by the different Ministries/Divisions/Departments/ Organizations regarding the absorption of the employees of the devolved Ministries/ Divisions/ Departments/Organizations after promulgation of the Ordinance (Ordinance No. V) of 2013 and to clarify as under:—

* Added vide Estt. Div.’s Notification SRO No. 01(1)/2002, dated 1-1-2002.
eualserted vide Estt. Div.’s Notification S.R.O No. 437(1)/2018 dated 11-04-2018.
@ Subs. vide Estt. Div’s SRO No. 572(1)/2009 dated 16-06-2009.

Sl. No. 158, pp 224-229, Estacode, 1989.

@)

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Effective date of absorption:- Effective date of absorption may be the date of issue of order/ notification as the case may be.

Fixation of Seniority:- Rule 3(1) of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973 provides the following three methods of appointment:—

(a) By promotion
(b) By transfer

(c) By initial appointment

Adjustment/absorption of Civil Servants of the devolved Méinistries/ Divisions/Departments/Organizations may be treated as appointment by transfer and their seniority may be determined under rule 4 of Civil Servants (Seniority) Rules, 1993 which reads as under:-

Rule-4 (Seniority on appointment by transfer):- Seniority in service, cadre or post to which a civil servant is appointed by transfer shall take effect from the date of regular appointment to the service, cadre or post;

Provided that—

(a)

(b)

(c)

(iii)

Person belonging to the same service, cadre or post selected for appointment by transfer to a service, cadre or post in one batch shall, on their appointment, take inter-se-seniority in the order of their date of regular appointment in their previous service, cadre or post; and

Persons belonging to different services, cadre or post selected for appointment by transfer in one batch shall take their inter-se-seniority in the order of the date of their regular appointment to the post which they were holding before such appointment and, where such date is the same, the person older in age shall rank senior.

Under rule 4-A of the Civil Servants (Seniority) Rules, 1993 in the event of merger of Ministries, Divisions, attached Departments or Subordinate Offices, the inter-se-seniority of civil servants, other than regularly constituted occupational Groups & Service shall be determined in accordance with the date of regular to a Cadre or a post.

Sanction Strength:- As regards the sanctioned strength, it is clarified that the employees transferred alongwith post and budget may be absorbed against the post transferred at the time of devolution to the Ministries/Divisions/ Departments concerned. However the employees transferred against the vacant posts at the time of devolution shall not add to their sanctioned

strength. The Ministries/Divisions may work out their sanctioned strength after absorption of the employees of the devolved Ministries/ Divisions/ Departments and may submit the case for revision of their sanctioned strength to the Finance Division for concurrence through Management Services Wing of the Establishment Division.

2. The absorption orders may be expedited in line with the orders of placement issued at the time of devolution of Ministries/Divisions/ Departments i.e against the vacant posts/alongwith post & budget as the case may be. However, in case of any further query in the matter, it is requested to consult this Division after issuance of absorption orders.

[Authority Estab. Div. M.S.Wing's OM No.F15(5)2011-MSW-IV dated 17" September, 2013].

15 Quota Consideration Regarding Permanent Absorption of Civil Servants of the Devolved Ministries/Divisions/ Departments/Organizations

Refer to Establishment Division O.M of even numbers dated 3-7-2013 and 17-9-2013 on the above noted subject and to say that as per rules absorption/ appointment by transfer is made against the post reserved for direct recruitment. Thereby it has been decided that no absorption in respect of employees of devolved Ministries/ Divisions be made against the post of the Ministry/Division/Department/ Organization meant for promotion quota. Moreover, cases for absorption of the employees of devolved Ministries/ Divisions may be initiated with prior consultation of Management Service Wing, Establishment Division for revision of Notifications/ Office Orders to the extent of their transfer alongwith post & budget to absorb such employees of the devolved Ministries/Divisions against the transferred post to the concerned Ministry /Division.

[Authority:— Estt. Division M.S. Wing's O.M. No. 15(5)/2011-MSW-IV, dated 21-10-2013].

Clarification Regarding the Posts Transferred to Different Ministries/Divisions/Organizations alongwith the Incumbents and Later on Vacated Before Absorption of the Incumbents

Refer to different queries raised by various Ministries/Divisions on the above noted subject and to say that the posts which were transferred to Ministries/Divisions/ Organizations alongwith the incumbents of the devolved Ministries/Divisions and later on vacated either due to retirement of the incumbents or some other reason, before permanent absorption of the incumbents, may be treated as a part of the general pool. These posts do not add in to the existing sanctioned strength or structure of the Ministries/Divisions/ Organizations. Final fate of such posts shall be decided upon completion of absorption process.

[Authority:- Establishment Div. M.S. Wing's O.M.No.15(5)/2011-MSW-IV dated 17-02-2014.]

1.6 Operational Guidelines for the Administration of Surplus Pool

In a presentation to the “Chief Executive on “Restructuring and Rightsizing of Federal Ministries/Divisions” held on 28.5.2001, it was, inter alia, decided that the officer-staff ratio (excluding drivers, despatch riders etc.) should be 1:3.2 for the year 2001-2002 and 1:2.5 for the year 2002-2003, and thereafter it would be reviewed again.

2. | Each administrative Secretary may be made responsible for ensuring implementation of the above decision by making internal adjustment of staff. If any officer/staff becomes redundant to the requirement of the Ministries/ Divisions/Departments as a result of implementation of the above or any other decision, that may be enlisted with the surplus pool for adjustment elsewhere. As a result of implementation of the above said decisions, the number of surplus civil servants will increase manifold.

3. In terms of Section 11(2) of the Civil Servants Act, 1973, the services of civil servants holding temporary and permanent posts can be terminated on abolition of such posts. However, on human considerations, government decided in 1993 to create a surplus pool under the charge of the Establishment Division. The civil servants declared surplus as a result of abolition of posts are enlisted in the surplus pool for absorption elsewhere.

4. In order to speed-up the pace of absorption of surplus civil servants, following guidelines have been framed with approval of the competent authority, for effective administration of the surplus pool:—

(i) The name of a civil servant, other than ad-hoc employees and persons appointed against leave and deputation vacancies, who may be renderet surplus as a result of reorganization or abolition of a Division/ Department/Organization or reduction in the number of posts shall be place in the surplus pool administered by Establishment Division for a period of two years whereafter his services shall stand terminated. If a civil servant has already completed two years in the surplus pool on the date of issuance o guidelines, he may be allowed to remain enlisted in the pool for a period of another one year whereafter his services shall stand terminated.

(ii) Ifa post occupied by a deputationist or a person posted under Section 10 of Civil Servants Act, 1973 is declared surplus, the holder of the post shal be repatriated to his parent organization.

(iii) During the period of his placement in the Surplus Pool a civil servant shal remain on the pay rolls of his parent department and he shall be entitled to pay and allowances which he would have drawn in the post last held by him on regular basis in his parent organization before his placement in the Pool. His post in his parent department shall be treated as supernumerary post and it shall be abolished after his absorption or the period mentioned in sub-para(i) above, whichever be earlier.

Now Prime Minister.

(iv)

(v)

wi)

(vii)

(viii)

(ix)

5.

During placement in the surplus pool, civil servants may be given the option to avail leave under rule 27 of the Revised Leave Rules 1980.

Civil servants placed in the surplus pool shall be posted for absorption in other Divisions/Departments/Organizations in accordance with rules 3(3) and 3(4) of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and Section 11-A of the Civil Servants Act, 1973.

Surplus employees in BPS | — 5 shall, ordinarily, be posted for absorption at the station of their last posting or place of domicile. Civil servants in BPS 6 and above may be posted at a station other than the station of their last posting or domicile but subject to availability of posts, efforts may be made to arrange their posting nearest to the station of their last posting or their place of domicile.

Failure of a surplus civil servant to join new post within the prescribed time shall render him liable to removal from the list of surplus pool and termination of his services. Where the competent authority is satisfied that failure of surplus civil servant to report for duty at the place of his new posting within the prescribed time was in circumstances beyond his control, it may, for reasons to be recorded in writing, allow him additional time for joining or consider him for alternative posting at a station other than the one to which he was last posted.

If a Division/Department/Organization fails to accept the services of a civil servant transferred from surplus pool, the post shall be deemed to have been abolished.

Legal provision for termination, reversion, E&D proceeding, etc shall be invoked only after the surplus civil servant fails to abide by the government orders within the given time-frame.

As regards employees of the autonomous bodies, they are not civil servants and

are governed by the regulations/instructions operative in each individual organization. Each Ministry/Division should, therefore, lay down a policy in consultation with the Finance Division for disposal of surplus employees of the autonomous bodies under its administrative control.

6.

All Ministries/Divisions are requested to comply with the above

instructions/guidelines strictly.

7.

This supersedes all the instructions issued on the subject from time to time.

[Authority.— Estt. Division's O.M.No.1/4/97-RW.III/CP.9, dated 9-10-2001].

1.7

Modified Guidelines for Disposal of Federal
Government Employees in the Surplus Pool

The Prime Minister has been pleased to direct that all efforts be made to absorb surplus employees in various government departments as early as possible and the services of no surplus employee be terminated. However, those surplus employees who

are willing to proceed on retirement may be allowed all admissible service benefits like leave, pension/gratuity etc under the normal rules.

2. In order to implement the directive of the Prime Minister, all Ministries/Divisions are requested to comply with the following instructions: —

a) The services of surplus civil servants shall not be terminated by the Ministries/Divisions /Departments. They will continue to work in respective departments and get their salaries etc. till absorption elsewhere.

b) Surplus employees, who are willing to proceed on retirement, may be discharged retired (depending on the length of service) and allowed all admissible service benefit like leave, pension/gratuity etc under the normal tules.

c) Ministries/Divisions may immediately report available vacancies for direct recruitment in Ministries/Divisions/ Departments for absorption of surplus employees. They shall continue obtaining clearance from Establishment Division before resorting to direct recruitment.

d) Absorption orders issued by Establishment Division may be implement without delay through consultation between the old and the new departments of the surplus employees. The surplus employees are regular civil servants, appointed through prescribed selection processes like tests/interviews etc, they cannot be put through another selection process by the new departments.

3. The guidelines contained in Management Services Wing, Establishment Division's O.M No. 1/4/97-RW.III/CP.9 dated 09-10-2001 are modified to the above extent.

[Authority M.S Wing, Estt. Division's O.M.No.1/4/97-MSW-III, dated 14-05-2003].

1.8 Merger of the Cadres of Urdu and English Typist/Stenotypist/ "Stenographer for Purposes of Seniority, Promotion etc.

In the past, posts of Urdu Typist, Stenotypist/*Stenographer have been created in various Ministries/Divisions without consulting the Establishment Division and without prescribing any method of recruitment to these posts including avenues of promotion on account of which the incumbents of these posts have faced stagnation. The matter has been considered in consultation with the Finance Division and the following decisions have been taken:—

(i) | The existing posts of Urdu Typist/Urdu Stenotypist and Urdu *Stenographer are merged with the posts of LDC/English Typist (**RNPS 5/BPS 5), English Stenotypist ("RNPS 8/BPS 12) and English *Stenographer (RNPS 11/BPS 5) respectively.

* Now Assistant Private Secretary.
* Revised National Pay Scales (1977).

Gi)

(iii)

(iv)

(v)

(vi)

The existing incumbents of posts of Urdu Typist/ Stenotypist/“Stenographer shall form part of the cadre of their English counterparts.

The Urdu Typists/Stenotypists/*Stenographers who have been allowed pay scales different than those mentioned in (i) above shall also be treated as part of the cadre of their English counterparts. Any such pay scales earlier allowed will be treated as personal to the incumbent of the post concerned.

The conditions/rules prescribed for appointment to the posts of LDC (English Typist) English Stenotypist and English *Stenographer shall henceforth apply to the posts of Urdu Typist/ Urdu Stenotypist and Urdu *Stenographer, respectively. The incumbents of these posts will, in future, be allowed the same pay scales as are applicable to their English counterparts.

The Urdu Typists/Stenotypists/*Stenographers will enjoy seniority, in the combined cadre with their English counterparts from the date of their continuous regular officiation as such.

If promotion of an Urdu Typist/Stenotypist/ *Stenographer poses a placement problem, the post held by him may temporarily be upgraded in accordance with the orders/ instructions on the subject, to allow him the benefit of promotion.

[Authority:— Estt. Div.’s O.M.No.5/1/77-F.II(R.6), dated 26-6-1988].

* . .
Now Assistant Private Secretary.

Il. PROMOTION

2.1. Revision of Nominations for NMC,
NS&WC,SMC and MCMC

Refer to Establishment Division's O.M.No.F.10/1/2012-CP-II dated 30"
December, 2015 regarding withdrawal of exemption from mandatory training courses on the basis of age and to state that the competent authority in Establishment Division has been pleased to decide that the officers who will retire during the currency of training may not be nominated for the course.

[Authority:-Establishment Division's O.M.No.F.2-4-2015-T-I dated 06-01-2016].

2.2 Equivalence of PER Grading in
Defence and Civilian Organizations

According to the latest Promotion Policy, the equivalence of the overall PER grading for civilian officers serving in defence organizations vis-a-vis those in the civil organizations is as under:—

(unfit for promotion)

PER grading in the Army oe Diticy Marks
(a) Outstanding Outstanding 10
(b) | Above Average Very good 8
(c) | High Average Good 7
(d) | Average Average 5
(e) Low Average Below Average 1
(f) Below Average Poor 0

3. The quantification of marks for entries of "Quality and Output of Work" and "Integrity" would be as under:-—

(unfit for promotion)

a, PER grading as in the
PER grading in the Army Prome ties Policy Marks
(a) | Outstanding Outstanding 10
(b) | Above Average Very good 8
(c) | High Average Good 7
(d)__| Average Average 5
(ec) _| Low Average Below Average 1
(f) Below Average Poor 0

[Authority:— Estt. Div.'s UO No. 10(3)B1-CP.I (A-1) dated 30.

0.1986.]

2.3 Civil Servants (Promotion to the Post of Secretary, BS-22 and Equivalent) Rules, 2010

“In exercise of the powers conferred by sub-section (1) of section 25 of the Civil Servants Act, 1973 (LXXI of 1973), read with clause (h) of sub-section (1) of Section 2 read proviso to sub-section (1) of section 9 thereof, and all other powers enabling him in this behalf, the Prime Minister is please to make the following rules, namely:—

1. Short title, application and commencement. — (1) These rules may be called the Civil Servants (Promotion to the post of Secretary, BS-22 and equivalent) Rules, 2010.

i. These rules shall apply to all posts in Basic Scale 22 in the All Pakistan Services or, as the case may be, civil service of the Federation or posts in connection with the affairs of the Federation, including the post in BS-22 as Secretary in the Secretariat Group or equivalent in the regularly constituted Occupational Groups and Services and any such post connected with defence, hereinafter referred to as post of Basic Scale 22 in the Federal Government, but shall not apply to the technical posts specified in clause (c) of paragraph 7 (a) of the Finance Division’s O.M. F.1 (1) Imp./83, dated the 18" August, 1983, read with instructions issued from time to time lastly modified vide Establishment Division’s O.M. No. F.8/3/2006-CP-5 dated 07-05-2009.

ii. They shall come into force with immediate effect.

2. Definitions.— In these rules, unless there is anything repugnant in the subject or context,—

(a) “Appendix” means Appendix to these rules;
(b) “Appointing Authority” means the Prime Minister;

(c) “Board” means the High Powered Selection Board constituted under rule 5;

(d) | “Government” means the Federal Government; and
(e) “Secretary” means the Secretary to the Government of Pakistan.

3. Manner of Promotion.— (1) The posts in BS-22 in the Federal Government shall be filled in by promotion from amongst the officers specified in sub-rule (2) with the approval of the appointing authority on the recommendations of the Board.

(2) | The officers holding post in Basic Scale 21 on regular basis in an All Pakistan Service or, as the case may be, a civil service of the Federation or a post in connection with the affairs of the Federation and possessing the length of service and fulfilling other conditions specified in rule 4, shall be eligible for promotion to a post in Basic Scale 22 in the respective service, group or cadre to which the officer for the time being belongs:

“ The preamble substituted vide Establishment Division’s Notification S.R.O No. (1)/2017 dated 17-07-20

Provided that the post of Secretary in BS-22 in the Secretariat Group may be filled in by promotion in the public interest from amongst officers of regularly constituted Occupational Groups and Services possessing the length of service and fulfilling other conditions specified in rule 4, holding, on regular basis, posts in Basic Scale 21.

(3)

Nothing in this rule shall prevent a post in Basic Scale 22 or equivalent

already reserved for initial appointment in accordance with the method of appointment laid down under sub-rule (2) of rule 3 of Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, in filling such post in accordance with such method.

4.

Length of service and other conditions for promotion. — An officer

shall possess the length of service and fulfill the following conditions for promotion to a post in Basic Scale 22 including the post in BS-22 as Secretary in the Secretariat Group or equivalent in the regularly constituted Occupational Groups and Services in the Federal Government;

(i) | Twenty-five years service in Basic Scale 17 and above, excluding the period of suspension not counted as duty and extraordinary leave, and has completed at least two years in a post in Basic Scale 21.

(ii) At least three “very good” reports during the last six years;

(iii) No penalty under Government Servants (Efficiency and Discipline) Rules 1973 or under the Removal from Service (Special Powers) Ordinance, 2000 (since repealed) has been imposed upon him during his tenure in BS-21; and

(iv) Possesses sufficient variety of experience. Explanation: For the purpose of this rule, experience in the Secretariat or, as the case may be, in any field office shall be an added qualification.

5. Constitution of High Power Selection Board. (1) The Federal

Government shall constitute a High Powered Selection Board comprising the following:-

Prime Minister Chairman

Principal Secretary to Prime Minister Member

Cabinet Secretary Member

Secretary, Establishment Division Member/

Secretary to the Board

Administrative Secretary concerned Co-opted Member

*[Note:- The Chairman may invite Federal Minister(s)/Minister(s) of State/ Advisor(s) to Prime Minister/Special Assistant(s) to the Prime Minister and Officer(s) holding the post in BS-22 for consultation where deemed appropriate.]

* The Note of Rule 5 substituted vide Establishment Div.’s Notification $.R.O No. (1/2017 dated 17-07-2017.

(2) A panel of eligible officers in the order of their seniority shall be submitted to the Board.
(3) The Establishment Division shall perform the functions of Secretariat of

the Board.

6. The existing provisions contained in the Office Memoranda about regularly constituted Occupational Group or Service specified in the Appendix A shall be deemed to have been modified to the above extent.

APPENDIX-A
(See rule 6)

Occupational Groups & Services

Name of the Occupational Group/Service	OM constituting the Group/Service as amended from time to time
10.	
11.	
12.	
13.	
“Pakistan Audit & Accounts Service	
Commerce and Trade Group	
“Customs & Excise Group	
Economists and Planners Group	
“Foreign Service of Pakistan	
@ Income Tax Group	
Information Group	
Military Lands and Cantonment Group	
Police Service of Pakistan	
Postal Group	
Office Management Group	
Secretariat Group	
@@ District Management Group	
OM No.1/2/74-ARC dated 23-01-1974	
OM No.6/2/75-ARC dated 08-05-1975	

OM No.5/2/75-ARC dated 09-05-1975 read
with OM No. 6/2/2009-CP.I

dated 12-09-2009

OM No.10/2/75-ARC dated 25-03-1976

OM No.3/2/74-ARC dated 08-04-1974

OM. No.4/2/75-ARC dated 09-05-1975 read
with OM No. 6/2/2009-CP.II dated 12-09-2009
OM No.2/8/75-ARC dated 17-06-1977

OM No.9/2/75-ARC dated 11-05-1975

SRO. 1033 (1)/85 dated 23-10-1985 as
amended from time to time read with OM No.
3/2/75-ARC dated 31-05-1975

OM No.7/2/75-ARC dated 30-05-1975

OM No.1/2/75-ARC dated 27-01-1975
OM No.2/2/75-ARC dated 12-04-1976
OM No.2/2/74-ARC dated 23-02-1974

as amended vide OM of even
number dated 14-12-1976

[Authority:— Estt. Division's S.R.O. 798 (1/2010, dated 16-8-2010].

"Renamed as " Pakistan Audit & Accounts Service" vide Estt. Div.'s O.M.No.1/17/92-CP-II dated 10-12-2002.

"Renamed as "Pakistan Customs Service" vide Estt. Div.

O.M.No.6/2/2009 CP-II dated 12-09-2009.

"* Renamed as "Foreign Service of Pakistan" vide SRO 936(1)/83 dated 29-09-1983.
© Now Inland Revenue Service vide Estt. Div.'s O.M.No.6/2/2009 CP-II dated 12-09-2009.
@@Renamed as "Pakistan Administrative Service" vide Estt. Div.'s O.M.No.6/3/2012 CP-II dated 21-05-2012.

2.4 Issuance of Revised PER Forms

This Division's OM No. F.1/1/2012-CP-2 dated 12" October, 2012 on the above subject and to invite attention towards para-2 (c) of the OM under reference whereby the decision to revive the relevant boxes in the PER forms, deleted in 2003, was circulated.

2. It has now been decided that the PERs in respect of all officers in BS-17 & 18 as well as in BS-19 & 20 will be written on the revised PER Forms. The Revised Forms will be available on the website of the Establishment Division id est http://www.establishment.gov.pk for convenience of all concerned. The PERs for the calendar year 2013 will be initiated on the Revised Forms. Similarly, in respect of FBR and its lower formations, the PERs for FY 2012-13 shall be initiated on the Revised Forms.

3. | The Ministries/Divisions are requested to bring this decision to the notice of all Attached Departments/Sub-ordinate Offices under their administrative control for compliance.

[Authority:-Estt. Div's OM No. 3/2/2012-CP-II dated 15-08-2013]

2.5 Clarification Regarding Quantification of Part PERs in Case of Incomplete Record

Reference para 3 (Second Step) of the Addendum to Promotion Policy issued vide Establishment Division D.O. No.10(10)/85-CP.I, dated 15-5-1985 amended vide Establishment Division O.M.No.10/1/97-CP.I, dated 12-11-1998 and dated 16-11-1998. It is clarified that where some part PERs due for a calendar year are not available on record (e.g. three part reports were due in a calendar year and only one or two of them are available on record), the denominator I would be calculated taking into account the ratio of the period for which the part PERs were written with the full calendar year as per formula of X/12 where is the number of months for which each part report was written.

> EXAMPLE-1:

A civil servant is being considered for promotion in May, 2002 for a post carrying BPS 18. His record shows the following availability of PERs:

1997 Average (full year)

1998 Good (full year)

1999 Very Good (full year)

2000 Very Good (Jan — Apr)
Good (May — 15 Aug)

Part PER for the remaining period of the Calendar year is due but not available on record.

2001 Good (full year)

His marks for each year will be worked out as follows:—

Year Marks of the reports
(1) 1997 05
(2) 1998 07
(3) 1999 08
(4) 2000 08 x 4 07x3.5
56 12
56.5 4.71
12
5) 2001 07

His total quantification will be worked out as follows:

(8x1) + (7x2) + (5x1) + 4.71

tS as

12
31.71 = 6.86 (Say 6.9)
4.625 --
His overall score will be 69

Quantification of higher posts shall be calculated in the same manner as illustrated in the next example:

> EXAMPLE-2:

A civil servant is being considered for promotion to a post carrying BPS 20. He earned the following grading during his service against posts carrying.

BPS 17 = 4 ‘Good’ and | Average

BPS 18 = 2 ‘Very Good’, 4 ‘Good’, and 1 ‘Average’ which is a part report for 8 months. The remaining part report for 4 months is due but not initiated by the Reporting Officer.

BPS 19 = 2 ‘Outstanding’, 5 ‘Good’, and 2 ‘Average’. A perusal of his

Dossier reveals that in addition to the above cited 9 PERs, the officer also earned three part reports during one calendar year. Of these, only two part reports, one ‘Very Good’ for 4 months, and one ‘Good’ report for 3 months and 15 days for that calendar year is available in the dossier and while the report for the remaining 4 month period is not available on record.

His marks for PERs will be worked out as follows:

Cuapter-7

> First Step

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- Weighted average for | ‘Average’ (part) report earned in BPS 18 in one

calendar year

(5x8)
12

= 40
12
= 3.33

- Weighted average for 1 ‘Very Good’ (4 months part report) and 1 ‘Good’ (3 months 15 days part report) during one calendar year in BPS 19.

> Second Step

= (8x4) + (7x3.5)
12

= 56.5
12
= 4.71

- Average marks for post carrying BPS 17

(7x4) + (5x1
5

= 33
5
= 6.6

- Average marks for post carrying BPS 18

= (8x2) + (7x4) + (3.33)
6 +8
12
= 47.33
6.67
= 7.09
(X/12)

- Average marks for post carrying BPS 19

= (10x2) + (7x5) + (5.2) + (4.71)
9+7.5
12
= 69.71
9.625

= 7.24
(X/12)

> Third Step

BS 17 =2X6.6= 13.2

BS 18 =3X7.09=21.27

BS 19 =5X7.24=36.2
= 70.67 (say 71)

His final score for PERs will be 71.
[Authority:— Estt. Div.'s O.M.No.10(1)/97-CP.I/CP.II, dated 7.5.2002].
SI.No.3
Civil Servants Promotion (BPS-18 to BPS-21) Rules,2019

S.R.O 1493(1)/2019.— In exercise of the powers conferred by sub-section (1) of section 25 of the Civil Servants Act,1973(LXXI of 1973) read with Notification No. S.R.O. 120(1)/98 dated the 27" February,1998, the Prime Minister is pleased to make the following rules, namely:

1. Short title, application and commencement.— (1) These rules shall be called the Civil Servants Promotion (BPS-18 to BPS-21) Rules,2019.

(2) These rules shall apply for promotion of civil servants to all posts in Basic Pay Scales 18 to 21 for the time being reserved for promotion in their respective cadres or services.

(3) These rules shall come into force at once.

2. Definitions.— In these rules, unless there is anything repugnant in the subject or context—

(a) "Act" means the Civil Servants Act,1973 (LXXI of 1973);

(b) "actualization" means assumption of charge of the higher post upon promotion;

(c) "appointing authority" shall have the same meaning as assigned thereto in tule 2 of the Civil Servants (Appointment, Promotion and Transfer) Rules,1973;

(d) "Central Selection Board" or "CSB" means a board constituted under clause (b) of rule 2 of the Civil Servants (Appointment, Promotion and Transfer) Rules,1973 to consider promotion of civil servants to BPS-20/21 and equivalent;

(e) "consideration for promotion" means consideration of a civil servant for promotion by the CSB, respective DSB or DPC irrespective of the recommendations made by such CSB, DSB or DPC resulting in his/her promotion, acting charge appointment, deferment or supersession;

(f) "Departmental Selection Board' or "DSB" means a board constituted under clause (b) of rule 2 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 to consider promotion of civil servants to BPS-

19 and equivalent;

(g) “Departmental Promotion Committee” or “DPC” means a committee constituted under clause (d) of rule 2 of the Civil Servant (Appointment, Promotion and Transfer) Rules,1973 to consider promotion of civil servants to BPS-18 and equivalent;

(h) “deferment” means deferment of a civil servant for promotion approved by the appointing authority on recommendations of the CSB, DSB or DPC, as the case may be, for reasons to be recorded in writing;

(i) “dossier” means the detailed record and information with regard to an officer;
Gj) “field posting” means the posting of officers of Police Service of Pakistan

or any particular occupational group or service against any particular post and in specified departments or organizations as notified by the Establishment Division through policy instructions;

(k) | “Government” means the Federal Government;

() “mandatory training” means the training of an officer required for consideration of his/her promotion to a particular post or basic pay scale as provided in rule 19;

(m) “promotion” means appointment by promotion as provided in the Civil Servants (Appointment, Promotion and Transfer) Rules,1973.

(n) “schedule” means schedule to these rules; and

(0) “supersession” means the decision of the appointing authority on the recommendations of the CSB,DSB or DPC, as the case may be, to supersede an officer for promotion to a higher basic pay scale or post ona particular occasion.

(2) All other words and expressions used but not defined in these rules shall, unless the context otherwise requires, have the same meanings assigned thereto in the Constitution of the Islamic Republic of Pakistan, Civil Servants Act, 1973 (LXXI of 1973) and rules made thereunder.

3. Composition of CSB, DSB and DPC.—(1) | The constitution of CSB and DSB shall be notified by the Establishment Division with the approval of Prime Minister.

(2) The DPC shall be constituted in accordance with rule 4 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

4. Consideration by CSB, DSB and DPC.—(1) The CSB, DSB or DPC, as the case may be, shall consider a civil servant for promotion in order of seniority and in accordance with these rules or the recruitment rules or the criteria specified for promotion to the particular post.

(2) | While making consideration under sub-rule(1), the CSB, DSB or DPC, as the case may be, shall follow the provisions of these rules and guidelines set out in Schedule-I to these rules.

(3) Subject to availability of a post for the time being reserved for promotion, a civil servant shall be considered for promotion and after such consideration, he shall be recommended for—

(a) promotion; or

(b) appointment on acting charge basis; or
(c) deferment; or

(d) supersession

(4) | Subject to rule 8-B of Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, the consideration as well as recommendations of a civil servant for acting charge appointment shall be made in accordance with the manner of consideration of a civil servant for promotion.

5. Approval of recommendations by the appointing authority. — (1) The recommendations made by the CSB, DSB or DPC shall have no effect unless approved by the appointing authority concerned.

(2) Incase a civil servant is recommended for promotion by the CSB, DSB or DPC conditionally and such recommendations have been approved by the appointing authority, the promotion of such a civil servant shall be notified after the required conditions are fulfilled.

(3) | The appointing authority shall have the powers to approve or reject or remand back the recommendations of the CSB, DSB or DPC.

(4) In case of rejection or remand back of any particular recommendations, the appointing authority shall record reasons for doing so.

(5) Recommendations of the CSB, DSB or DPC duly approved by the appointing authority if not actualized shall lapse after one year reckoned from the date of such approval by the appointing authority and such cases shall require re-submission for consideration by the CSB, DSB or DPC concerned, provided that the delay in such actualization is attributable to the officer recommended for promotion.

6. Eligibility criteria for consideration for promotion. — (1) The minimum criteria for consideration of promotion to various posts shall be —

(a) fulfillment of length of service for promotion to any particular post or basic pay scale or grade that has been separately specified;

Provided that the conditions made by the President as reproduced in Schedule-II shall apply while calculating the length of service of the civil servant for his/her promotion;

(b) satisfactory completion of mandatory training;

(c) possession of qualification and experience and other conditions as prescribed in the relevant recruitment rules, if notified separately;

(d) fulfillment of mandatory conditions of the rotation policy so specified for any service, group or cadre;

(ce) fulfillment of policy for field posting, if so specified for any service, group or cadre; and

(f) fulfillment of other terms and conditions for the time being in force.

(2)

The minimum criteria under sub-rule (1) in no way shall vest the right

whatsoever for promotion to a particular post.

7.

Conditions for deferment. — On consideration for promotion in order

of seniority, a civil servant shall be recommended for deferment, if —

(a)
(b)

(c)

(d)

(ec)

(fp)

(g)

(h)

the officer does not meet the eligibility criteria as contained in rule 6;

the officer has not submitted Part-I and Part-II of his/her performance evaluation report (PER) form to his/her reporting officer;

the CSB, DSB or DPC considers that service record of the officer is incomplete in any aspect;

the CSB, DSB or DPC wants to further watch performance of the officer for any reason to be recorded in writing:

Provided that period of performance to be watched under this clause shall not exceed twelve months;

disciplinary or departmental proceedings are pending against the civil servant:

Provided that this clause shall not be applicable in cases, where on the date of consideration of the civil servant for promotion, such proceedings are pending for more than a year and the delay has not been caused by any reason attributable to the officer;

the civil servant is for a period of not less than one year on deputation to a foreign government or international agency irrespective of whether it is

located abroad or within the country’[:

Provided that this clause shall not be applicable to those civil servants who have been appointed or nominated for deputation to international organizations against reserved and specified posts, as defined in the relevant rules and are representing Government of Pakistan therein; and]

the civil servant is availing ex-Pakistan leave including extra ordinary leave or study leave as well as similar leave within Pakistan for a period of not less than one year;

the civil servants who have availed ex-Pakistan leave including extraordinary leave or study leave as well as similar leave within Pakistan for a period of not less than one year and have not earned one full year PER on return from such leave;

an inquiry, investigation, case or a reference is pending against any civil servant in Anti-Corruption Establishment, Federal Investigation Agency, National Accountability Bureau or such other organization by whatever name called for:

Provided that this clause shall not be applicable in such cases, where on the date of consideration of a civil servant for promotion, “[the

“Subs.& inserted vide $.R.O No. 1057(1)/2020 dated 13-10-2020.

total period of pendency comprising inquiry, investigation, case or reference is more than three years] and the delay has not been caused by any reason attributable to the officer;

Gj) the civil servant has not submitted his/her annual declaration of assets forms for the last five years; or

(k) there is any other reason to be recorded in writing by the CSB,DSB or DPC as the case may be.

8. Conditions for supersession.— A civil servant shall be recommended for supersession, if —

(a) he/she does not meet the requisite threshold for promotion to a particular post or grade in any particular service, group or post;

(b) subject to the provisions of rule 22, he/she fails thrice for any reason to attend the mandatory training; or

(c) there is any other reason which shall be recorded in writing by the CSB, DSB or DPC as the case may be.

9. Consideration of promotion in case seniority is sub-judice.— (1) A civil servant whose seniority is sub-judice may be considered for promotion subject to final outcome of the court case.

(2) The promotion if approved under sub-rule (1) shall be considered a temporary promotion and the juniors so promoted on the basis of a sub-judice seniority shall be assigned seniority as per final court orders and in case no vacancy remains available in the cadre, the junior most shall be reverted to lower post or grade, as the case may be.

10. Consideration of promotion of civil servants who were deferred/ superseded.— (1) A civil servant deferred, except under clause (d) of rule 7, shall be considered for promotion again after the reason on the basis of which the deferment took place ceases to exist.

(2) The civil servants falling in the category mentioned in clauses (g) and (h) of rule 7 shall be considered for promotion only on return to a cadre post and earning at least one PER for full year before consideration for promotion.

(3) The one full year PER referred in sub-rule (2) means a report of twelve complete months inclusive of period spend on mandatory training:

Provided that if an officer has not earned PER of complete one year (twelve months) and has earned only part PER in that year for reasons beyond his/her control, then his/her special report, for the period of deficiency, earned subsequently shall be taken into account to complete the twelve months requirement for the purpose.

(4) In case where an officer has returned from deputation abroad or joined duty after availing leave of one year or more but no PER is due in the present grade,

* Substituted vide S.R.O No. 1030(1)/2021 dated 12-08-2021.

his/her overall PER grading for the previous grade shall be counted, for the purpose of quantification in the present grade:

Provided that only such cases shall be covered under this sub-rule wherein an officer after such return from deputation abroad or leave has served within the cadre for a period of one complete year reckoned from the date the officer assumes duty after such return till the date of holding the meeting of the CSB,DSB or DPC, as the case may be.

Provided further that in such cases a satisfactory special report of the officer in present basic pay scale shall invariably be required but the same shall not be quantified under any circumstances.

(5) A civil servant, once superseded for promotion under rule 8 shall be eligible for reconsideration only after he/she earns one more PER of one full year.

11. Consideration for promotion of civil servants who are on deputation abroad.— (1) Promotion of a civil servant on deputation to an international agency or foreign government abroad or within the country for a period not less than one year shall only be considered after the officer resumes duty on his/her cadre post.

(2) Before consideration for promotion a civil servant upon his/her return from deputation shall be required to earn PER for period mentioned in column (3) of the table below in relation to period of deputation as mentioned in column (2) of that Table, namely:—

TABLE
S.No. Period of Deputation Minimum period of PER
d) Q) (3)
1. One year Three complete months
2 Between one to three years | Six complete months
3 Above three years Twelve complete months/ Complete one year

(3) In case the period of deputation is less than one year, the civil servant shall be considered for promotion but the officer shall actualize his/her promotion on return from such a deputation on a cadre post.

“[(4) Civil servants who have been appointed or nominated for deputation to international organizations against reserved and specified posts, as defined in relevant rules, and are representing Government of Pakistan therein shall be considered for promotion subject to fulfillment of eligibility criteria.]

12. Consideration for promotion of civil servants who are on leave.—(1) A civil servant having availed or availing ex-Pakistan leave or leave within Pakistan including extra ordinary leave or study leave shall be considered for promotion by the CSB or concerned DSB or DPC, provided such leave is less than one year. However, on approval of recommendation of promotion by the appointing authority, the promotion shall be actualized on return from leave.

“Added vide S.R.O No. 1057(1)/2020 dated 13-10-2020.

(2) A civil servant having availed or availing ex-Pakistan leave or leave within Pakistan including extra ordinary leave or study leave for a period of not less than one year shall be required to earn a PER for one full year after the officer joins back:

Provided, that the training period and the training evaluation report (TER) shall also be included for the purpose of computation of twelve complete months period and evaluation.

Provided further, that one full year shall start from the date the officer joins back.

Provided further that civil servants availing scholarships after a competitive process and through Technical Assistance Program shall only be required to produce the evidence of successful completion of the course and the provision of sub-rule (2) of rule 12 shall not apply to such cases.

13. Reservation of vacancies.— In case of deferment of seniors, particularly in small cadres, the CSB, DSB or the DPC may, as it may deem fit, recommend to reserve a vacancy or vacancies for future promotions in the cadre for reasons to be recorded in writing.

14. Promotion to various posts.— (1) The posts in BPS-19 to BPS-21 shall be selection posts, while the posts in BPS-18 shall be non-selection posts.

(2) For selection posts, PERs and TERs shall be given due importance as prescribed under these rules. Dossier and collective judgment of the CSB or DSB shall also be taken into account.

(3) Promotion from BPS-17 to BPS-18 posts, shall be on seniority-cum-fitness, based on PERs score, passing of the departmental examination, successful completion of training courses, as the case may be, if so prescribed.

15. Specialist cadres.— (1) The condition of mandatory training as contained in clause (b) of sub rule (1) of rule 6 shall not be strictly applicable to civil servants belonging to specialist cadres such as doctors, engineers, teachers, professors, research scientists and incumbents of purely technical posts, for promotion within their own lines of specialization under their respective service rules.

(2) _ In case of interpretation of this rule and to declare any particular post or cadre as “specialist cadre” for the purposes of exemption of mandatory training, the Establishment Division shall examine such cases and decide the same as deemed appropriate.

16. Efficiency index for promotion, deferment and supersession.— The minimum threshold of marks for promotion to various basic pay scales mentioned in column (2) of the Table below shall be as mentioned in column (3) of that Table, namely:—

TABLE

S.No.	Basic Pay Scale	Aggregate marks of efficiency index
d)	Q)	G)
1.	BS-18	60

2. BS-19 65
3. BS-20 70
4. BS-21 75

17. Panel of officers per vacancy.— (1) A panel consisting of a minimum of two officers per vacancy shall be submitted for consideration of the CSB,DSB or DPC depending on availability of the eligible officers in the cadre.

(2) The panel of officers under sub-rule (1) shall be in addition to cases of officers superseded in previous meetings of the CSB, DSB or DPC.

18. Quantification of PERs, training evaluation reports and CSB, DSB and DPC evaluation.— (1) For the purpose of consideration by the CSB, DSB and DPC, the PERs shall be quantified in accordance with the formula as set out in Schedule III.

(2) For the purposes of promotion to BPS-18, the PERs shall have the weightage of hundred percent.

(3) For the purposes of promotion to the posts in BPS-19 , BPS-20 and BPS-21, the following quantification method shall be followed namely: —

(a) PERs in respect of two preceding BPS or the last fifteen years whichever is more shall be quantified. If the service of an officer in present and previous BPS is less than fifteen years then the deficiency shall be met by taking into account the PERs of next lower BPS, which shall be bracketed with the PERs of preceding BPS. Quantification of PERs relating to present and previous BPS will have a ratio of 60%: 40%.

(b) the marks mentioned in column (3) of the table below shall be allocated for quantification of PERs, training evaluation report and CSB and DSB evaluation as mentioned in column (2) of the Table namely:—

TABLE

S.No. Factor Marks
d) (2) (3)
1. Quantification of PERs 40%
2. Training Evaluation Reports (TERs) 30%
3. Evaluation by CSB and DSB 30%
4. Total 100%

(c) the objective assessment form as set out in Schedule-IV to these rules

shall be placed before the CSB and DSB alongwith panel proforma of every officer for objective evaluation. The CSB and DSB shall assess each officer on the panel on the basis of parameters and attributes as given in the respective objective assessment form for promotion;

(d) the CSB or DSB, as the case may be, shall apply its collective judgment to determine the fitness for promotion to selection posts as per parameters given in the objective assessment form and shall award marks to an officer and place him in category A,B or C in accordance with the classification given in the following Table, namely:—

TABLE
Category Marks
a) (2)

A 21 to 30
B 11 to 20
Cc 01 to 10

(e) in such cases whereby a civil servant “[,belonging to a specialist cadre,] was not required to undergo mandatory training, weightage of PERs shall be 50% and marks out of 50% shall be awarded by the CSB and DSB; and

(f) in case, a civil servant has been appointed in the cadre in the present scale, his/her PERs of the present scale shall be given the total weightage assigned to the PERs in the Table under clause (b).

19. Trainings.— Except civil servants belonging to specialist cadres, every

civil servant shall successfully undergo the mandatory trainings mentioned in column (3) 0 the table below for promotion to next higher BPS as mentioned in that Table namely:—
TABLE
S.No. |For promotion from Name of course
() Q) (3)
1. BPS-18 to BPS-19 Mid-Career Management Course (MCMC)
2. BPS-19 to BPS-20 Senior Management Course (SMC)
3. BPS-20 to BPS-21 National Management Course(NMC)/ National Security and War Course (NSWC) at NDU

20. Training evaluation reports.— A total thirty marks shall be allocated to the last two training evaluation reports (18 marks @ 60% for the training in the present scale and 12 marks @ 40% in the previous scale). In case of promotion to BPS-19, there is only one training, hence calculation shall be made out of 30 marks. Evaluation of reports from the training institutions shall be worked out as set out in Schedule-V.

21. Exemption from mandatory training.— Subject to provisions of clause (b) of rule 8, an officer who is likely to retire within two years from service on attaining the age of superannuation shall be exempted from the mandatory training.

“Inserted vide Establishment Division $.R.O No. 58(1)/2020 dated 25-01-2020.

22. Declining to proceed on mandatory training.— (1) The provincial governments or as the case may be, the ministries, divisions and departments concerned may make a request for deferment from training of a civil servant only once.

(2) Any relaxation of sub-rule (1) shall require specific approval of the Prime Minister.

23. Communication of reasons of deferment and supersession.— The civil servants deferred or superseded shall, immediately after the recommendations of the CSB,DSB and DPC have been approved by the respective appointing authority, invariably be informed about the reasons of their deferments and supersessions.

24. Responsibilities of the Departmental | Representative.—While forwarding proposals for consideration of CSB, DSB and DPC the administrative Ministries, Divisions and Departments shall follow the guidelines set out in Schedule-VI.

25. Repeal.— The policy instructions including promotion policy, issued by the Establishment Division from time to time and all other policy instructions related to promotion of civil servants in BPS-18, BPS-19, BPS-20 and BPS-21, in so far as inconsistent to these rules, are hereby repealed.

[F. No.1/1/2018-CP-II)

DR.ALI RAZA,
Section Officer (CP-II/Policy),
Establishment Division, Islamabad.

SCHEDULE-I
[See rule 4(2)]

Guidelines for CSB/DSB/DPC

While considering cases of officers on the panel, the CSB,DSB and DPC concermed shall adhere to the following guidelines, namely:—

(a)

(b)

(c)

(d)

performance evaluation reports shall be given due importance but shall not be the sole criterion for promotion to selection posts;

a civil servant shall only be promoted within his/her own group, service or cadre, as the case may be, against the vacancies allocated thereof. Those posted out of their group, service or cadre shall be considered for promotion on their turn but if selected, the actual promotion shall take place only when they rejoin their parent group, service or cadre.

a civil servant superseded will not be considered for promotion unless he/she has earned PERs for one full year. The following illustration/ elaboration further clarify the position:

PERs for one full year shall imply, one full year PER(s) earned after consideration/supersession by the Selection Board and will include the PER which was neither due nor placed before the Selection Board even if it relates to the previous year.

Illustration-I

If an officer ‘A’ is considered by the Selection Board in Jan,2019 when his/her PER for 2018 is neither due nor placed before the Selection Board and superseded. He will be considered after earning one full year PERs for 2018.

Illustration-IL

If an officer ‘B’ is considered by the Selection Board in January,2019 when his/her PER for 2018 is not due but placed before the Selection Board and superseded. He/she will be considered after earning one full year PERs for 2019.

Illustration-ILL

If an officer ‘C’ is considered by the Selection Board in May,2019 when

his/her PER for 2018 is due and placed before the Board and superseded. He will be considered after earning the PER of 2019.

Posts carrying basic pay scale 19 are generally supervisory posts. Supervision can be effective only if the supervisor has the relevant experience. These officers are also required to make contribution to policy-making at the lowest rung of the policy-making hierarchy. For promotion to these posts, therefore, a civil servant must fulfill qualifying service, eligibility threshold, qualifications, training, relevance of experience, quality and output of work and integrity.

Posts carrying basic pay scale 20 are middle management posts. Field offices are generally headed by the officers in this scale. It is, therefore, essential that in addition to the relevance of experience these officers must also have a sufficient variety and width of experience so that:

(i) they acquire an overview of the functions performed by these organizations within the broader framework of government's overall objectives/activities to ensure smooth and effective management at the field level; and

(ii) they can lend pragmatism to policy formulation in assignments at the Secretariat. Variety of experience would include experience in the field, corporations, attached departments, different Ministries/ Divisions and in our Missions abroad.

For promotion to middle management posts, a civil servant must fulfill qualifying service, eligibility threshold, qualifications, relevance of experience, quality and output of work and integrity, variety of experience and training.

Selection Board should give due consideration to the nature of duties, duration and location of posts previously held by the officer. Depending on the post to be filled, an officer possessing well rounded experience should normally be preferred particularly if he /she has served with distinction in unattractive areas. While some exposure to a corporation, autonomous body or an ex-cadre assignment may be considered a positive feature, this would not be so where an officer has stayed away from his/her parent cadre for too long.

Posts carrying basic pay scale 21 fall in senior management involving important policy-making or extensive administrative jurisdictions. In addition to the circulation value and variety of experience the incumbents must possess proven analytical competence, breadth of vision, emotional maturity and such other qualities as determine the potential for successfully holding posts in top management. This potential cannot be judged by mathematical formula. The Selection Board will have to apply its collective judgment to determine the same.

For promotion to senior management posts, a civil servant must fulfill qualifying service, eligibility threshold, qualifications, relevance of experience, quality and output of work and integrity, variety of experience, training and Top Management Potential.

Since officers promoted to this level may be called upon to hold independent charge of a Ministry/Division or to head a major corporation, the board should satisfy itself about the officer's maturity, balance and

ability to assume such top management positions even at short notice.

SCHEDULE-II
[See rule 6 (1) (a)]

MINIMUM LENGTH OF SERVICE FOR ELIGIBILITY FOR PROMOTION TO POSTS IN VARIOUS BPS

In pursuance of rule 8-A of the Civil Servants (Appointment, Promotion and Transfer) Rules,1973 and in supersession of the instructions laid down in the Establishment Division's O.M No. 1/9/80 R.II (A), dated the 12" January,1981, the President is pleased to decide that the minimum length of service for promotion to various basic pay scales shall be as follows:—

- For BPS 18 5 years in BS 17

- For BPS 19 12 years in BS 17 and above

- For BPS 20 17 years in BS 17 and above

- For BPS 21 22 years in BS 17 and above

- For BPS 22 25 years in BS 17 & above and 02 years in BS 21

Provided that:—

(i) Where initial appointment of a person not being a person in government

Gi)

(iii)

service, takes place in a post in BPS 18, 19 or 20, the length of service specified in this Office Memorandum shall be reduced by the following periods;

First appointment in Reduced by
BPS-18 5 years
BPS-19 12 years
BPS-20 17 years

Where initial appointment of a person already in government service takes place, on recommendations of the Federal Public Service Commission, in a post in BPS 18,19 or 20, the length of service specified in this Office Memorandum shall be reduced by the periods specified in provision (i);

Where first appointment of a person other than a person covered by proviso (ii) was made to government service in BPS 16 or below, one-half of the service in BPS 16 and one fourth in BPS 15 and below may be counted as service in BPS 17 for computing length of service for the purpose of promotion only.

SCHEDULE-III
(See rule 18 (1)]

QUANTIFYING THE PERFORMANCE EVALUATION REPORTS

1.

In accordance with clause (a) of sub-rule 3 of rule 18 of Civil Servants

Promotion (BPS-18 to BPS-21) Rules, 2019, Performance Evaluation Reports (PERs) of

an officer will
equivalent.

2.

(b)

(c)

(d)

(ec)

(f)

3.
posts carrying
out as follows:

a)

b)

be considered for promotion to posts carrying basic pay scales 18 to 21 or

(a) The overall gradings in the PERs are allocated the following marks:

Overall Grading Marks
(i) Outstanding 10

(ii) Very Good 8

(iii) | Good 7

(iv) Average 5

(v) Below Average 1

If the overall grading in a PER is ambiguous e.g. placed between ‘Good’
and ‘Average’, the PER will be returned to R.O/C.O for clarification.

In case the assessment of the countersigning officer differs from that of the reporting officer in any PER, the quantification will be based on the overall grading recorded by the countersigning officer.

In case where there is a second countersigning officer, the quantification will be based on the overall grading recorded by the second countersigning officer.

Where two or more performance evaluation reports were initiated in a calendar year, the marks for that year shall be quantified as the sum of the weighted averages of these PERs.

Where an officer, appointed to a higher post on acting charge basis, is considered for regular promotion to that post, the PERs earned during his acting charge appointment will be added to the PERs earned in the lower post for calculating average marks.

The marks for PERs shall be computed separately for each grade/level of the same basic pay scale and a weighted aggregate score will be worked

For each calendar year earning 02 or more PERs vide 2 (e), part report in a calendar year will be quantified on the basis of weightage average proportionately, instead of their arithmetic mean / average, to determine the yearly score of PERs.

To calculate the PER scores in a Basic Pay Scale/Grade, the average of all the yearly scores will be taken.

Weightage will be applied to the PER score and training score for computing the aggregate score, as per clauses (a), (b) & (e) of — sub-rule

3 of rule 18 and as per rule 20.

d) The following addition / deductions shall be made in the total marks worked out:

A. — Additions
Officers who serve as members of the faculty in the government training institutions for a minimum of one year in continuity, shall be awarded extra points (maximum upto five points) towards their “blood count” for the purpose of promotion as per the following criteria: —

a) National Management College National Management Wing (NMW) (NMC)	
b) Executive Development Institute	3 Marks (a) to (d)
c) National Institute of Public Policy	
d) National Defence University	
e) National Management College Senior Management Wing (SMW) (SMC)	
f) Or any other place where Senior Management Course is conducted	2 Marks for (e) to (f)
g) NIMs, Civil Service Academy and all other Government Training Institutions including those meant for Specialized training	1 Marks for (g)

i) The officers who had served in a government training institution, including _ those meant for specialized training in any particular cadre for a period of 2 years or more before 02-01-2006, would continue to get 2 additional marks as per policy in force at that time.

ii) | The officers who are posted on or after 02-01-2006 in the institutions, would get additional marks on the completion of one year in terms of modified policy. Similarly, the officers who were serving in training institutions but had not completed 2 years on 02-01-2006 would not get 2 additional marks, but get 3,2 or 1 mark, as the case may be, in accordance with the modified policy.

B. Deductions:

(i) | For each major penalty imposed under the “Govt. Servants (Efficiency and Discipline) Rules,1973	| 5 Marks
(it) For each minor penalty imposed under the *Govt. Servants (Efficiency and Discipline) Rules,1973	| 3 Marks
(iy For adverse remarks deductions be made for such remarks only as were duly conveyed to the officer concerned and were not expunged on his representation, or the officer did not represent	| 1 Mark per PER | containing adverse | remarks

* Now Civil Servants (Efficiency & Discipline) Rules, 2020.

The deduction of marks due to penalty or adverse remarks shall be done only once i.e. when an officer's case comes up for consideration for promotion to the next higher grade. Once the officer has been promoted to the higher grade no deduction shall be made subsequently.

Example No. 1

An officer is being considered for promotion to BPS 19. He was awarded a minor penalty in BPS 18. Deduction of 3 marks shall be made from his total quantification whenever his case comes for promotion to BPS 19. Till such time that he is promoted to the next grade (ic. BPS 19 in this case) his overall quantification shall worked out with deduction of 3 marks.

Example No. 2

The same officer is now being considered for promotion to BPS-20. He was awarded minor penalty in BPS 18 and was subsequently promoted to BPS-19. While calculating his quantification for promotion to BPS-19, deduction of 3 marks was made from his total quantification. However, now that the officer has been promoted to BPS 19 and is being considered for promotion to BPS 20 no deduction shall be made from his total quantification.

*"«iExemption from Training

Subject to clause (e) of sub-rule (3) of rule 18, if an officer is exempted from one or both trainings on the basis of either belonging to a specialist cadre or on attaining a certain age as given in rule 21 of these rules, his training score for the respective training or trainings shall be placed at the disposal of the CSB or the DSB, as the case may be.; and]
- [**]

Endorsement of Quantification Score

To maintaining 100% accuracy in the process of quantification of the PERs, following process shall be adopted:

(a) _ the quantification sheets shall be signed by the official designated to do so, besides its countersignature by a responsible supervising officer; and

(b) that any incorrect quantification identified during the course of inspection or re-verification shall be treated as an act of inefficiency and misconduct punishable under the Efficiency and Discipline Rules, besides liability under the criminal law.

"Substituted vide Establishment Division $.R.O No. 58(1)/2020 dated 25-01-2020.

The heading "Single Training" and the provision thereunder has been omitted vide S.R.O No.58(1)/2020 dated 25-01-2020.

Schedule-IV
[See rule 18(3)(c)]

GOVERNMENT OF PAKISTAN
MINISTRY/DIVISION
OBJECTIVE ASSESSMENT BY CENTRAL/DEPARTMENTAL SELECTION BOARD

Officer's Name: Seniority No.:
Group/Service/Cadre: Present Scale:

Sr. No.	Parameters/Attributes	Total Marks 30	Marks Assigned
1.	Output and quality of work Proficiency/productivity/objectivity/effectiveness and documentary evidence	Dossier	3
2.	Variety and Relevance of Experience Secretariat/Field postings: Federal/ Provincial Government Posting; Leadership/Routine Postings; Deputation/Foreign Postings		3
3.	Professional Expertise Organization/methodical/reliability under pressure / nowledgeable/level headedness. Based on dossier and career profile, TERs		3
4.	Personality Profile (As known to the Board Members primarily on the basis of, dossier/documentary evidence)		3
5.	Conduct, Discipline, Behavior Observation by RO/CO during the last 05 years OR as nown to the Board Members primarily on the basis of dossier/documentary evidence		3
6.	Leadership Functional ability/confidence/decision-making; based on dossier, TERS, PERs		3
7.	Estimated Potential for Middle/Higher Management Based on PERs and TERs; Management Skills, Ability to take decisions, Strategic Thinking, Leadership Qualities, Drive for Results and Accomplishments in BPS-19 and 20 in policy formulation and implementation		3
8.	Integrity/General Reputation/Perception Professional Ethics/Conduct; On the basis of PERs/TERs/Opinion of the Board primarily based on the dossier/documentary evidence		3
9.	Commitment to Public Service; Devotion to duty/drive/motivation based on PERs, Career		3

Profile, Dossier

10. | Teamwork; 3
Communication / motivation / interpersonal relations based on Career profile, PERs, TERs

Total Marks

Overall Category

SCHEDULE-V
[See rule 20]

Evaluation of reports from the training institutions shall be worked out as under:

(a)

it shall be on the basis of grade percentage already awarded by the

National School of Public Policy (National Management College and Senior Management Wing) and its allied training institutions and NS&W Course at NDU as provided in their reports;

(b)

in respect of reports of former Pakistan Administrative Staff College and

former NIPAs where no such percentage has been awarded, points shall be worked out on the basis of weighted average of the percentage range

of grades fo.

TABLE A

lowed by these institutions as reflected in Table A below:

S.No.

Category

Range

Weighted

Average

Points of PASC @ 60%= 18

Points of NIPAs @ 40%=12

Q)

(2)

(3) (4)

(6)

(6)

A Outstanding

91 to 100%

95.50%

17.19

11.46

B Very Good

80 to 90%

85.00%

15.3

10.20

C Good

66 to 79%

72.50%

13.05

8.70

D Average

50 to 65%

57.50%

10.26

6.84

al eel ed do

E Below
Average

35 to 49%

42.00%

7.56

5.04

(c)

grades

from National

Defence

University

shall

be computed

according to the weighted average based on the grading key for

the range provided by the NDU as reflecte

TABLE B

in Table B be

Oow:—

n
Zz
°

Category

Range

Weighed
Average

Points @
60%= 18

I~
w=

(2)

(3)

(4)

(5)

A Outstanding

76-100%

88.00%

15.84

B-Plus Very Good

66-75.99%

71.00%

12.78

B-High Good

61-65.99%

63.50%

11.42

B-Average Average

56-60.99%

58.50%

10.52

B-Low _ Below Average

51-55.99%

53.50%

9.62

B-Minus Below Average

46-50.99%

48.50%

8.72

C_ Below Average

40-45.99%

43.00%

7.74

SIND MBL YSIN i=

F Below Average

35-39.99%

37.50%

6.74

(d)

subsequent to introduction of rationalized grading system by NDU with that of NMC grades with effect from the National Security and War Course (NSWC) 2012-13, the rationalized result (Yoage) awarded by the NDU shall be taken for quantification of the training evaluation reports (TERs) in respect of the officers who undergo NSWC at NDU, provided that the previous system of quantifying the TERs on the basis of weighted average grading as tabulated in clause(c) shall continue in respect of such officers who attend mandatory training at NDU prior to NSWC 2012-13.

SCHEDULE-VI
[See rule 24]

Guidelines for Ministries, Divisions, Departments and Responsibilities of Departmental Representative

(1) The Administrative Ministries, Divisions and Departments shall submit their cases of promotion for placing before CSB, DSB or DPC on following prescribed forms specimen of which are given at annexures:—

(i) Proposal form (CP-I) Annex-I
(ii) Panel form (CP-II) Annex-II
(iti) Synopsis form (CP-III) Annex-III
(iv) Seniority form (CP-IV) Annex-IV
(v) Quantification form (CP-V) Annex-V

(2) The Administrative Ministries, Divisions and Departments shall ensure that documents related to the proposals for promotion are prepared with utmost care so that the information submitted to the CSB, DSB and DPC complete and accurate in all respects and shall also ensure that:

(i) Proposal form is signed by the Secretary/Additional Secretary incharge of the Division.

(ii) | Complete recruitment rules are furnished.

(iii) ICP Charts/PER dossiers are complete. Explanation about the missing reports is available in the dossier and all columns have been accurately filled in the synopsis form.

(iv) Full particulars of officers are furnished in the seniority list which is final after circulation, un-disputed, complete and duly authenticated.

(v) Quantification of PER gradings is correct and quantification form is enclosed in respect of each officer on the panel.

(vi) Number of clear vacancies is indicated.

(vii) Training status of the officers on the panel is indicated and training, reports are enclosed in respect of each officer on the panel.

(3) The departmental representatives who attend the meetings of the CSB, DSB and DPC shall apprise the CSB, DSB and DPC whether or not any departmental proceedings or investigations/trial by NAB, FIA, ACE etc. are pending against the government servants whose cases are being considered by the CSB, DSB and DPC.

(4) Any benefit derived by any person in pursuance of a judgment, conviction or sentence passed under section 31A of the National Accountability Ordinance, 1999 declared by the Supreme Court as void ab-initio, shall not hold the field.

(5)

While forwarding proposals for consideration of CSB, DSB and DPC the administrative Ministries, Divisions and Departments shall provide the following additional details and certificates, namely: —

(a)

(b)

(c)

(d)

details of penalties, if any, awarded to the officers on the panel during the entire career (BPS-17 and above);

details of punishments under any criminal laws including National Accountability Ordinance, 1999, if any, awarded to the officers on the panel during the entire career (BPS-17 and above);

certificate to the effect that none of the officers on the panel derived any benefit in pursuance of National Reconciliation Ordinance, 2007 (NRO) in the entire career (BPS-17 and above) within the meaning of the Supreme Court of Pakistan judgment dated 16-12-2009 on NRO; and

certificate to the effect that no punishment has been awarded to any of the officers on the panel under any criminal law including National Accountability Ordinance, 1999 in the entire career (BPS-17 and above).

Cuapter-7

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PROPOSAL FORM

Annex-I

Ministry/Division/Department

1. Name of the post(s) to be filled in by promotion Basic Pay Scale and the Occupational Group/ Ex-Cadre

2. Total sanctioned strength of the cadre Direct Promotion Transfer

(a) Percentage of share

(b) Number of posts allocated to each category

(c) Present occupancy position list of officers to be attached

(d) Number of vacant post(s) in each category

(e) Whether any roster is being maintained for allocation to each category? If so, copy to be enclosed

(f) How the post(s) under promotion quota fell vacant and since when? In case of more details separate papers be enclosed

(g) Whether to be promoted on regular basis or for a limited period due to deputation/ long leave etc.

3. (a) Recruitment Rules framed or not. If so, copy to be

attached

(b) In the absence of Recruitment Rules whether the method of recruitment got approved by the Establishment Division. If so, copy to be attached

(c) Person(s) eligible for promotion against vacant post(s)

(d) Prescribed length of service / experience for promotion

(e) Prescribed Qualification, if any

(f) Mandatory Training /Course, if any

(g) Minimum required qualification

4. Seniority list(s) duly verified to be attached

5. Panel of eligible officer(s) duly signed by a responsible officer to be prepared on the prescribed form

6. Number of PERs/ICP Charts

7. Certificate that the officers included in the panel are eligible in all respect and possess the required length of service required for promotion

8. Certificate that no disciplinary action under “Govt.

Servants (E&D) Rules 1973, proceeding on criminal charges in the court of law is pending against any officer including in the panel.

* Now Civil Servants (Efficiency & Discipline) Rules,2020.

Annex-II
PANEL PROFORMA FOR CENTRAL SELECTION
BOARD FOR PROMOTION TO BS-21 POSTS
(AS ON ----------)
In respect of Personnel No.
Domicile: Service/Group Sen.No.:
Educational Qualification Date of Birth Date of Superannuation
SERVICE PARTICULARS
Date of joining Date of Promotion in Length of Service Eligibility for
Academy (CSA)/ Present Scale | Lower Ranks Total In Present | consideration
SERVICE BS-20 BS-19 |BS-18 Scale
Important Appointments held in the present Rank/Post:
1. 2.
3. 4.
5.
Penalties/Adverse Remarks in BS-20 (if any)
Training Courses (other than mandatory Training)
Grading of mandatory trainings at NMC:
NIPA:
Number of PERs in BS-19 & BS-20
Basic Out- Very Good |Average |Below Cumulative Adverse
Scale standing Good Average | Period ofPERs | Report/
(in month) Remarks
BS-
18/19
BS-20
Total
Awaited Reports Additional Information (if any)
(PERs)
EFFICIENCY INDEX
Required Score of PERs + Marks awarded by CSB | Total
Threshold Training Reports
75
Recommendation of CSB
Promoted Deferred Superseded
Prepared by: Checked by:

PANEL PROFORMA FOR
CENTRAL SELECTION BOARD
FOR PROMOTION TO BS-20 POSTS
AS ON --)

In respect of Mr. Personnel No.
Domicile: Service/Group Sen.No.
Educational Qualification Date of Birth Date of superannuation

SERVICE PARTICULARS

Date of joining Date of Promotion in Length of Service

Academy Present Lower Ranks Total In Present | Eligibility for

(CSA)/SERVICE Scale Scale consideration
BS-19 BS-18 |BS-17

Important Appointments held in the present Rank/Post:

1. 2.
3. 4.
5. 6.
7. 8.
9 10.

Extra Ordinary Leave (EOL) (if any):
Deputation with International Organizations (if any):
Penalties/Adverse Remarks in BS-19 (If any):

Training Courses (other than mandatory Training):
Grading of mandatory trainings at MCMC:
SMC
Number of PERs in BS-17/18 & BS-19
Basic |Outstanding | Very Good|Good |Average |Below Cumulative | Adverse
Scale Average |Periodof —|Report/Remarks in
PERs (in BS-19
Months)

BS-17
BS-18
BS-19
Total

Awaited PERs Additional Information (if any)

Service in the Province of Balochistan
EFFICIENCY INDEX

Required Score of PERs + Training Marks awarded by Total

Threshold Reports CSB

Recommendations of CSB
Promoted Deferred Superseded
Prepared by: Checked by:

Wing Name
Confidential

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PANEL PROFORMA
FOR PROMOTION TO BS-19
(As on 00-00-00)

SENIORITY NO
NAME CADRE DOMICILE PRESENT DATE OF
SCALE BIRTH
XYZ : - BS-18 -

Educational Qualification:—

DATE OF JOINING SERVICE

LENGTH OF SERVICE IN PRESENT CADRE

i) In other Group/Service/Cadre
li) in present Cadre in BS-17
ili) Date of Promotion in BS-18

In BS-17
In BS-18
Total service

EOL in BS
Net Service

- Years — Months
- Years —Months
- Years- Months

00 Years 00 Months
Years Months

Important Appointments held in the BS-17/18 Rank/Post:

Penalties imposed under E & D rules (if any):

GRADING OF MCMC:—
GRADING/QUANTIFICATION OF PERS IN BS-18.
Basic | Out-standing | Very Good Average Below Average | Adverse
Scale Good Report/
Remarks
BS-
18
Awaited Reports (PERs) Additional Information (if any)
- Fresh
EFFICIENCY INDEX

Required Threshold Score of PERs + Marks awarded by DSB Total

Training Reports
65 PER+ Training =

Recommendations of DSB
romoted Deferred Superseded
Prepared by Checked by

PANEL PROFORMA

CONFIDENTIAL
FOR PROMOTION TO BS-18

SENIORITY NO.

AS ON 00-00-00

NAME SERVICE/GROUP DOMICILE DATE OF JOINING
OF SERVICE
Date of Birth: Date of Superannuation :—

Educational Qualification :—

QUANTIFIED SCORE OF PERS

Prescribed PER Score Adverse Remarks Awaited Reports
Threshold

*60 - - -

Conditions of Eligibility

Length of Service (5 years): Required (5 Years)
Clearance of FPOE: Required to be cleared
Probationary Period: need to be terminated
Minimum Threshold *60 Marks

EOL availed during service:

If on deputation/training abroad, period thereof
Penalties imposed under E&D Rules, if any:

Postings Held:

Note:—

* Substituted vide Establishment Division S.R.O No. 58(1)/2020 dated 25-01-2020.

Annex-III

SYNOPSIS OF PERs

Seniority No.

Name of the Officer
Educational Qualification :

Year |Posting [Overall |Fitness of Pen Picture

Grading |Promotion |Reporting officer Countersigning (with Name and Designation) |Officer (With Name and Designation)

1. 2. 3. 4. 5. 6.
PERFORMANCE
-Sd-
INTEGRITY Counter Signing
Officer

PEN PICTURE

SPECIAL APTITUDE/
AREA OF
PROFESSIONAL
EXPTERTISE

TRAINING AND
DEVELOPMENT NEEDS:

Sd/-
Reporting Officer

Annex-IV
SENIORITY LIST
Sl. | Name |Domicile] Promotee/ | Date of} Date of first Date of Date of | Present
No. of Direct Birth | appointment regular regular posting
Officer in Govt. | appointment | appointment

service in Basic Pay| in present
Scale-17 pay scale

@ | @ (3) (4) (5) (6) () (8) (9)

Signature

Designation

Date

Annex-V
For Promotion to BS-21
PER GRADING & QUANTIFICATION FORM
Name:— MR. (Group/BS-------) Seniority No.
Date of Birth: 00-00-0000
Year | Post held] Min/Div/Deptt | Period of PER PER's Fitness Score
Assessment |for promotion
From To By By
RO | CO
Previous Scale (BS-18)
Aggregate Score =
Previous Scale (BS-19)
Aggregate Score =
Present Scale (BS-20)
Aggregate Score =
CALCULATION OF SCORE
A:PERs Basic Scale Aggregate Weightage | Points
Quantification Score Factor Obtained
Score Present Scale 0.24°
60:40 Previous scale 0.16*
@ 40% Additions (if any)
Deletions (if any)
Total:
B: NMC/NDU 0.18*
Training : SMC 0.12*
@ 30% LHR KAR | IBD | PSH
Total : 70% Total : (A + B)

* Substituted vide Establishment Division $.R.O No. 58(I)/2020 dated 25-01-2020.

For Promotion to BS-20

PER GRADING & QUANTIFICATION FORM

Name:— MR. (Group/BS-------) Seniority No.
Date of Birth: 00-00-0000
Year | Post held | Min/Div/Deptt | Period of PER PER’s Fitness Score
Assessment | for promotion
From To By By
RO co
Previous Scale (BS-17)
Aggregate Score =
Previous Scale (BS-18)
Aggregate Score =
Present Scale (BS-19)
Aggregate Score =
CALCULATION OF SCORE
A:PERs Basic Scale Aggregate Weightage Points
Quantification Score Factor Obtained
Score: Present Scale 0.24*
60:40 Previous scale 0.16*
@ 40% Additions (if any)
Deletions (if any)
Total:
B: Training: SMC 0.18*
@ 30% MCMC 0.12*
LHR | KAR | QTA | PSH
Total : 70% Total : (A + B)

“Substituted vide Establishment Division $.R.O No. 58(1)/2020 dated 25-01-2020.

For Promotion to BS-19
PER GRADING & QUANTIFICATION FORM

Name:— MR. (Group---------; /BS------- ‘) Seniority No.
Date of Birth: 00-00-0000

Year | Post held| Min/Div/Deptt | Period of PER PER’s Fitness Score
Assessment | for promotion

From [To By RO |By CO

Previous Scale (BS-17)

Aggregate Score =

Present Scale (BS-18)

Aggregate Score =

CALCULATION OF SCORE
A:PERs Basic Scale Aggregate Score Weightage |Points
Quantification Factor Obtained
Score Present Scale 0.24"
60:40 Previous scale 0.16*
@40% Additions (if any)
Deletions (if any)
Total:
B: Training:
@ 30% MCMC 0.30*
LHR | KAR | QTA | PSH
Total : 70% Total : (A + B)

* Substituted vide Establishment Division $.R.O No. 58(I)/2020 dated 25-01-2020.

For Promotion to BS-18

PER GRADING & QUANTIFICATION FORM
Name:— MR. (Group---------/ /BS-------) Seniority No.

Date of Birth: 00-00-0000

Year | Post held | Min/Div/Deptt | Period of PER PER’s Fitness Score
Assessment | for promotion
From To |ByRO|ByCO

Present Scale (BS-17)

Aggregate Score =

CALCULATION OF SCORE

PERs Quantified| Basic Scale Aggregate | Weightage Points
Score: Score Factor Obtained
@ 100 % Present Scale 1.00

Additions (if any)

Deletions (if any)

Total:—

Total : 100% Total : (A)

4.1 Other Posts in the Federal Secretariat,
Attached Departments and Subordinate Offices

It has been decided that, with the exception of posts of-
(i) _ Assistant Secretary;

(ii) | Administrative Officer;

(iii) Cashier; and

(iv) Personal Assistants to Ministers and “Stenographers to Secretaries, Joint Secretaries and other officers which carry special pay which should be treated as selection posts, the various posts in the Ministerial Establishment and “Class IV Service in the Pakistan Federal Secretariat (Ministries and Divisions) and its Attached Departments, should be treated as non-selection posts i.e. posts to which promotion should be made according to the principle of “seniority-cum- fitness”. For this purpose, it is essential that the standard of fitness should be a very high one. The decision contained in this Office Memorandum should apply to vacancies which are filled from the date of this Office Memorandum.

3. If there are any posts in the Secretariat and its Attached Departments corresponding to the posts of Assistant Secretaries or Administrative Officers, the question whether they should be treated as selection posts should be decided in consultation with the Establishment Division.

4. It is requested that posts in Subordinate Offices should also be classified as selection and non-selection posts by the Ministries concerned, in the light of the instructions contained in this Office Memorandum since it is necessary that the position in this respect should be placed on definite and regular footing, as early as possible.

[Authority:— Cabinet Secretariat, Estt. Branch O.M.No.54/2/49-Ests.(ME), dated 3-4-1950].
4.2 Appointment of Council Assistant

Reference— Establishment Division Office Memorandum No. 1/29/56-ME, dated the 25" April, 1956.

2. Council Assistant— The majority of the replies received in the Establishment Division agree that:-

(a) Council Assistant should be appointed from among Assistants only, and that,

(b) the appointment of Council Assistants should be made by ‘Selection’.

* Now Assistant Private Secretary.

*™™ Note.- BPS 1 & 2 Appointment of Jamadars attached to Ministers are made by selection from amor
Naib Quasids employed in the Ministry/Division concerned at the discretion of the Minister-in-Charge vide
Establishment Division Office Memorandum No. 54/4/51-ME, dated 2-6-1951.

3. The above views have been accepted by the Establishment Division. If, however, suitable Assistants in a Ministry/Division are not available for employment as Council Assistants, Upper Division Clerks may also be considered for employment as such.

4. Ministries/Divisions are requested to make all further appointments of Council Assistant in the light of the above decision.

[Authority:— Estt. Division's O.M.No. 1/29/56-ME, dated 25-4-1957].

SI.No.5

General Instructions Regarding Promotions

Sequence in departmental promotions and direct recruitment.-

Reference.- Establishment Division's Office Memorandum No. 15/38/52-SEII, dated the 22™4 June, 1953 (Annex).

2. The replies received from the Ministries and Divisions on the suggestions contained in the above Memorandum have been considered and, in order to ensure that candidates rejected by the Federal Public Service Commission in open competition or selection should not be absorbed in vacancies meant for departmental quotas, it has been decided that the following procedure should be adopted in future:-

(i) | where a cadre has definite quotas reserved for departmental promotions and direct recruitment, promotions against the departmental quota should be made first and the posts reserved for direct recruitment filled later. These orders, however, will have no effect on those cadres where recruitment is made solely by direct recruitment or where all appointments are made only by promotion;

(ii) necessary provision regarding the above should be made in all recruitment tules already framed or framed hereafter; an

(iii) in the case of isolated posts, a roster should be maintained in each Ministry and Division to ensure the observance of the prescribed percentage for departmental promotions and direct recruitment.

[Authority:— Estt. Division's O.M.No.15/38/52-SE II, dated 29-1-1954].

(ANNEX)

[Copy of Establishment Division O.M. No. 15/38/52-SE II, dated the 22nd June, 1953]

In the case of services and cadres in which under the prescribed recruitment rules a certain percentage of vacancies is reserved for departmental promotion and the remainder for direct recruitment, no uniform procedure is followed as to the sequence in which these vacancies should be filled, that is, whether promotions should be made first and direct recruitment made later or vice versa. The Establishment Division have been considering the question of laying down a uniform procedure in this matter and have tentatively come to the conclusion that it would be an advantage both from the point of view of the department as well as the candidates if promotions are made first and vacancies reserved for direct recruitment filled later. There are, however, advantages and disadvantages on both sides, and these are discussed below:

(i) | Promotions to departmental quota to be made first and direct recruitment made later:

Under this system the department concerned can straight away promote the suitable departmental candidates and, having done so, intimate the vacancies meant for direct recruitment to the Federal Public Service Commission. If all the vacancies reserved for promotion cannot be filled due to the dearth of suitable departmental candidates the balance can, if necessary, be added to those reserved for direct recruitment. This system assures promotion to the candidates working in the department according to the principle of seniority-cum-fitness without undue delay and they are not left in suspense as to whether or not they should apply to the Commission. If any of the departmental candidates are superseded in departmental promotion, they still have a chance to compete with outside candidates and may, thereby, be selected as being more suitable in comparison with such candidates. This system, therefore, assures promotion to departmental candidates without their having to wait till the vacancies, etc., are advertised by the Commission, while those superseded in departmental promotion can still appear before the Commission.

A further advantage from the point of view of departmental men” is that they will rank senior to outside candidates selected through direct recruitment as their appointments can be finalized earlier than those of the later.

A disadvantage which might result from this system is that it may not always be possible in actual practice to follow it due to the exigencies of service which may, in certain cases, necessitate direct recruitment being made first and appointments by departmental promotion later. Such cases, as far as can be seen, are likely to be rare and on the whole it appears that there are definite advantages in following the system whereby recruitment against the departmental quota should precede that through open selection.

(ii) Recruitment by open selection to be made first and by departmental promotions later:

* employees; candidates.

One of the results of this procedure will be that larger number of open vacancies will go to departmental candidates in as much as they will be able in the first place to compete with outsiders in open selection and be approved by the Commission on the basis of their long experience and knowledge of the department. Those who are not selected in the open selection can again be considered for departmental promotion and receive promotion according to departmental seniority. This system, however, is bound to result in deterioration of efficiency since those who are not considered fit by the Commission can still be appointed to higher posts by departmental promotion and the advantage of having fresh blood in the service which the open selection quota in a service is intended to provide will be seriously jeopardized. Apart from the resultant deterioration, this system has a further grave objection inasmuch as a person rejected by the Commission would still be able to secure a like post through departmental promotion.

2. The Federal Public Service Commission, who raised this matter, have suggested that departments should first promote the deserving individuals against the quota fixed for promotion and then throw open the remaining posts for open competition. In accordance with this procedure, no one who has been rejected by the Commission or has not faced any competition will be promoted. This is evidently sound in principle.

3. Considering all the facts, the Establishment Division are of the view that the alternative at (i) above has definite advantages from the point of view of efficiency in public service and the safeguarding of the legitimate interests of the departmental candidates and they are, therefore, inclined to issue orders for its adoption by all Ministries/ Divisions/Departments. Before, however, a final decision is taken, Ministries and Divisions are requested kindly to favour the Establishment Division with their views in the matter.

6.1 Minimum Length of Service for Eligibility for Promotion to Posts in Various BPS

In pursuance of rule 8-A of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and in supersession of the instructions laid down in the Establishment Division’s O.M.No.1/9/80 R.II(A), dated the 12th January, 1981, (Annex), the President is pleased to decide that the minimum length of service for promotion to various grades shall be as follows:-

- For BS 18 5 years in BS 17

- For BS 19 12 years in BS 17 and above

- For BS 20 17 years in BS 17 and above

- For BS 21 22 years in BS 17 and above

- "For BS 22 25 years in BS 17 & above and 02 years in BS 21

Provided that:-

(i) | Where initial appointment of a person not being a person in government service, takes place in a post in BPS 18, 19 or 20, the length of service

. Amended vide Notification 7/1/2010. CP.6 and S.R.O 798(1)/2010 dated 16-08-2010.

specified in this Office Memorandum shall be reduced by the following

periods;

First appointment in Reduced by
BPS-18 5 years
BPS-19 12 years
BPS-20 17 years

(ii) | Where initial appointment of a person already in government service takes place, on recommendations of the Federal Public Service Commission, in a post in BPS 18, 19 or 20, the length of service specified in this Office Memorandum shall be reduced by the periods specified in proviso (i);

“(iii) Where first appointment of a person other than a person covered by proviso (ii) was made to government service in BPS 16 or below, one-half of the service in BPS 16 and one fourth in BPS 15 and below may be counted as service in BPS 17 for computing length of service for the purpose of promotion only.

[Authority:— Estt. Division’s O.M.No.1/9/80-R.2 dated 2-6-1983].

ANNEX
[Copy of O.M.No.1/9/80-R-II(A),dated 12" January, 1981].

Reference Establishment Division O.M. No. 3/7/74-AR. II, dated 20" May, 1974, 27" August, 1974 and 6" February, 1975, in supersession of the instructions laid down in the aforementioned O.M. the President is pleased to decide that the minimum length of service for promotion to various grades shall be as follows:—

- For BPS 18 5 years in BPS 17.

- For BPS 19 12 years in BPS 17 and above.
- For BPS 20 17 years in BPS 17 and above.
- For BPS 21 22 years in BPS 17 and above.

Provided that where initial appointment takes place in “Grades 18, 19 and 20, the length of service for promotion to higher “Grades shall be as follows, namely:—

- For BPS 19 7 years in BPS 18

- For BPS 20 12 years in BPS 18 and above or
5 years in BPS 19

- For BPS 21 17 years in BPS 18 and above or

5 years in BPS 20.

“The proviso (iii) was substituted vide Estt. Div.’s O.M.No.4/2/2008-CP-69(Pt) dated 18-12-2008, then consequent upon the recommendations of Senate Standing Committee on Cabinet Secretariat (Establish Division), Inter-Provincial Coordination and Special Initiatives, Establishment Division’s above referred O. has been withdrawn vide Estt. Div.’s O.M.No.1/9/80-R-II dated 3"! March,2010. The Status of proviso (iii) above is restored to its previous position as of on 02-06-1983.

BPS.

6.2 Counting of Ad-Hoc Service for
the Purpose of Promotion

Under the existing rules, ad-hoc service does not reckon for the purpose of seniority. A point has since been raised whether ad-hoc service rendered in a post followed by regular appointment to that post may be allowed to be computed towards length of service prescribed for promotion to a higher post. The matter has been considered in the Establishment Division. It has been decided that the service rendered on ad-hoc basis in a post under the Federal Government, followed by regular appointment to a post in the same pay scale shall be counted towards length of service prescribed for promotion to a higher post provided there is no break between ad-hoc and regular appointments to the post concerned.

2. The above decision may be brought to the notice of all departments/ organizations under the administrative control of Ministries/ Divisions.

[Authority:— Estt. Division's O.M.No.10/22/83-R.2, dated 20-3-1988].

6.3 Counting of Service Rendered Against Higher Post
Under Section 10 of the Civil Servants Act, 1973

Section 10 of the Civil Servants Act, 1973 reads as under:—

"10. Posting and transfer:—Every civil servant shall be liable to serve anywhere within or outside Pakistan in any equivalent or higher post under the Federal Government or any Provincial Government or local authority or a corporation or body set up or established by any such Government;

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region.

Provided further that where a civil servant is required to serve in a post outside his service or cadre his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve".

2. A point was raised how the service rendered by a civil servant posted against a higher post under Section 10 of the Civil Servants Act, 1973 would be counted for the purpose of promotion to higher post of the said civil servant.

3. The matter has been given careful consideration in the Establishment Division. It has been observed that according to section 5 of the Civil Servants Act, 1973 all appointments are required to be made in the prescribed manner ie. on the recommendations of appropriate Departmental Promotion / Selection Committee (s) or Board(s), as the case may be, and with the approval of the designated appointing authorities followed by a notification promoting such civil servant to higher BPS.

4. — Section 10 of the Civil Servants Act, 1973 is a liability provision i.e. a civil servant is liable to serve in an equivalent or higher post. Promotion to a higher post and holding temporary charge of a post are two different aspects. Legally, a person is not in a higher grade until his promotion to the higher post is duly notified and charge of the higher post is formally assumed by him.

5. It has, therefore, been decided that the service rendered by a civil servant against higher post under Section 10 of the Civil Servants Act, 1973 cannot be treated at par with the service rendered by regularly promoted officers in the higher scale for the purpose of promotion to the next higher grade.

6. The decision may be brought to the notice of all concerned.
[Authority: Estab. Div.'s OM No. 3/40/2007-R-2, dated 12" Nov., 2007]

6.4 Length of Service for Promotion from BPS-16 to BPS-18 Where There is No Intermediate Post in BPS-17

The minimum length of service for promotion to BPS 18 and above was laid down vide Establishment Division's Office Memorandum No.1/9/80-R.II, dated 12" January, 1981 (SI.No.6.1 Annex). The question as to what should be the length of service for promotion from BPS 16 to BPS 18 where there is no intermediate post in BPS 17 has been considered and it has been decided, with the approval of the President, that in such cases the minimum length of service laid down in the recruitment rules relating to posts in BPS 18 for the purpose of promotion from BPS 16 to BPS 18 should be kept as the basis for such promotions.

2. In case there is no such provision in the recruitment rules, action should be taken by the respective Ministry/Division to include such a provision in the recruitment rules.

[Authority:— Estt. Division's O.M.No.1/9/80-R.2, dated 4-5-1982].

6.5 Possession of Prescribed Minimum Length of Service Does Not Confer a Right to Promotion Over Senior Persons

The prescribed minimum length of service is a condition for eligibility for promotion and does not confer a right to promotion. Where a senior person has not done prescribed service, the junior, as a rule, should not be considered even if he fulfills the prescribed length of service condition.

2. Even for "selection" post, the persons have to be considered in the order of their seniority.

[Authority:— Estt. Division's U.O. No.1/21/75-D.II. dated 9-7-1975].

6.6 Grant of BPS-17 to the Superintendent (BPS-16) in the Federal Government Ministries/Divisions/Attached Departments/Sub-ordinate Offices.

Prime Minister has been pleased to accord approval to the grant of higher time scale to the Superintendents (BPS-16) in the Federal Government Ministries/ Divisions/Attached Departments/Subordinate Offices with immediate effect as under:-—

(a) One time grant of BPS-17 to all Superintendents working in BPS-16 irrespective of their length of service.

(b) In future three(03) years satisfactory service as Superintendent BPS-16 may be prescribed for grant of BPS-17 to them.

2. The grant of higher time scale will be subject to the following terms and conditions:—

(i) | The recruitment rules, nomenclature/tier of the posts and seniority of the Superintendents shall remain intact.

(ii) The grant of higher time scale will be subject to fitness of candidate and recommendations of the relevant DPC.

(iii) On grant of higher time scale pay will be fixed at the next above stage in

BPS-17 and no pre-mature increment is admissible.

(iv) On grant of higher time scale there shall be no change in the entitlement/ admissibility of rental ceiling/House Rent Allowance/ Medical Allowance.

[Authority:— Finance Division (Reg. Wing) O.M. No.1(3) R-1/2010/2014 dated 10-9-2014].

71 Setting-Up of the Departmental Promotion Committees for Promotion to Posts Upto and Including BPS 18

For promotion to BPS upto and including 18 and direct recruitment to posts in grades 1 to 15, the Ministries/Divisions will set up one or more Departmental Selection Committees and Departmental Promotion Committees the composition of which will be determined by the Ministry/Division concerned in consultation with the Establishment Division. Proposals for composition of Departmental Selection and Departmental Promotion Committees in respect of each Ministry/Division and Departments and offices under its administrative control may be forwarded to the Establishment Division. Broadly, the composition of the Committees should be as follows:—

BPS	Composition of the Committee	Remarks
@		
Departmental Promotion Committee for BPS 17 and 18.	Secretary or Additional Secretary, a Joint Secretary and a Senior Deputy Secretary. If the posts are in an Attached Department or a Sub-	

	ordinate Office, the Head of the Attached Department or Head of Office may be appointed as Member in lieu of Joint Secretary/Deputy Secretary.	
	There should preferably be one D.P.C. for posts in BPS 17 and BPS 18 for the Ministry/Division and the Attached Departments and Subordinate Offices under it.	
(ii)	Departmental Selection or Departmental Promotion Committees for BPS 11 to 16.	An officer of BPS 20 and two officers of BPS 19. There may be separate Committees for posts in the Ministry/Division and Attached Departments/ Subordinate Offices under the Ministry/ Division.
(iii)	Departmental Selection or Departmental Promotion Committees for BPS 10 and below.	An officer of BPS 19 and two officers of BPS 18.

[Authority:— Extract from para 6 of Estt. Secretary’s d.o. letter No.1/9/73-F.IV, dated 22-10-1973].

72 Composition of Departmental Promotion/Selection Committees

According to rule-4 (1) of the Civil Servants (Appointment, Promotion and Transfer) Rules 1973, the composition of a Departmental Promotion/Selection Committee is to be determined by the Ministry or Division concerned in consultation with the Establishment Division. However, the level at which the composition is to be approved in the Ministry concerned has not been specified.

2. It has, therefore, been decided that composition of the Departmental Promotion Committee for BPS 11 to 18 may be approved at the level of Secretary of a Ministry/Division and the composition of Departmental Promotion Committees for BPS 10 and below may be approved by the Joint Secretary. Each Secretary may, in his Division, authorize Joint Secretary (Admn) in respect of Departmental Promotion/Selection Committees for BPS 10 and below.

[Authority:— Estt. Division's Letter No. 26/1/80-DV, dated 12-10-1980].

73 Post in BPS 18 Which Carry Special Pay

It is stated that the proviso to rule 7 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 requiring that posts in BPS 18 which carry a special pay would also be referred to the Central Selection Board if proposed to be filled by promotion or transfer has since been deleted vide Establishment Division's Notification No. S.R.O. 46(1)/84, dated 9th February, 1984. It is clarified that all cases in which a post in Basic Pay Scale 18 carrying some special pay is filled by promotion will be placed before the appropriate Departmental Promotion Committee". Where post in Pay Scale 18 carrying a special pay does not fall in the promotion ladder, it would be filled by departmental heads through normal posting and transfer.

[Authority:— Estt. Division's O.M. No. 3/6/84-R. 2 dated. 3-7-1984].

74 DPC Not Competent to Recommend Demotion

It appears from references made recently to the Establishment Division that the scope and functions of Departmental Promotion Committees are not clearly understood. In certain cases Government servants officiating without any condition in higher ®"S have been demoted on the recommendation of Departmental Promotion Committees. It is necessary, therefore, that the position should be clarified.

2. As their name indicates, the function of Departmental Promotion Committees is to make recommendations in respect of promotions and there is nothing in Establishment Division Office Memorandum No. 33/1/47-Ests(SE.ID), dated the 29th January, 1948 which relates to the constitution of these Committees, to suggest that these Committees have been given the power to recommend the demotion of an officiating officer.

"BPS. Promotion is to posts/BPS.

3. | What Departmental Promotion Committees should do is to prepare a list of officers whom they consider fit for promotion. They should revise this list periodically which means that they can either add to, or substract from it. An officer who has been substantively promoted to a higher BPS will not of course figure in this list. Similarly, an officer who has been promoted to officiate in a substantive vacancy for an indefinite period should not appear in the list because he is for all practical purposes to continue in the higher BPS. In other words, the officers whose names will be shown in the list maintained by these Committees will be those who have not been promoted to higher BPS in any capacity or who have officiated off and on or who are officiating against leave vacancies or in temporary posts of short duration and are, therefore, liable to revert in the normal course to the lower BPS.

[Authority:— Estt. Division's O.M. No. F. 33/49-SE, dated 18-6-1949].

715 Names of the Selected Persons to be Arranged in the Order of Seniority

In accordance with the Establishment Division Office Memorandum No. 1/16/69-D.II, dated 31" December, 1970, regarding general principles of seniority, persons approved by the competent authority, on regular basis for promotion to higher posts in the same batch shall retain the same seniority on the higher BPS as they were enjoying in the lower grade.

[Authority:— Para 1 of Estt. Division's O.M.No. 13/1/67-D.IIL, dated 15-7-1972].

7.6 DPC can Interview Candidates

The question of interviewing candidates, by Departmental Promotion Committee, at the time their cases for promotion are being considered, has been examined in this Division, and it has been decided that a DPC can interview the candidates, if it so desires.

[Authority:— Estt. Div.'s O.M.No.13/1/69-D. IIL, dated 25-3-1969].

7.7 Minutes of the DPC

The proceedings of the Departmental Promotion Committees are very often drawn up in a sketchy manner and do not give the essential details.

2. It is necessary that detailed minutes should be drawn up to show why certain persons have been approved and what are the reasons for declaring certain other persons unfit for promotion. In promotion for selection posts, mere average reports should not be considered sufficient and greater emphasis should be placed on merit according to the existing instructions.

[Authority:— Estt. Div.'s O.M.No.13/1/69-D.II, dated 3-11-1970].

7.8 Composition of Departmental Selection Board (DSB) for Promotion of Federal Civil Servants from BS-18 to BS-19

In terms of Section 2(1)(h) of Civil Servants Act,1973 read with Rule-2 (b) of the Civil Servants (Appointment, Promotion and Transfer) Rules,1973, and under Rule 3(1) of Civil Servants Promotion (BS-18 to BS-19) Rules,2019, the Prime Minister has

approved the following composition of Departmental Selection Board (DSB) for promotion of Federal Civil Servants from BS-18 to BS-19 under the Federal Government:—

(1) Secretary of the Administrative Ministry/ Chairman
Division concerned.

(2) A representative of Establishment Division Member
not below BS 21.

(3) Head of the respective Department in case Member
of posts in Attached Departments and
Subordinate Offices.

(4) Chief Secretaries of Provincial Governments Members

for cases of PAS/PSP and Inspector Generals of
Police for cases of PSP officers.

(5) A representative of Law Division not below Member
BPS 21

(6) Additional Secretary or Senior Joint Secretary Member/
or Joint Secretary of the Division concerned, Secretary

with approval of Chairman of the Board.

2. | The quorum of DSB may be considered complete only when at least 75% of members as per proposed composition are in attendance. However, in exceptional circumstances, and only after the prior approval of chairman of DSB, a senior representative of a member may attend on his behalf.

3. | Any DSB proceedings held in absence of representative of Establishment Division will be considered void ab-initio.

[Authority: Estt. Div.'s Notification No. 6/2/2021-CP-III, dated 21“ April, 2021]

7.9 Proposals for Central Selection Board — Prescribed
Forms and Check List (March, 1990)

Deficiencies have been occasionally noticed in the documents sent for submission of promotion proposals to the Central Selection Boards. It will be appreciated that submission of complete and accurate documents (including the correctly calculated quantified scores of PERs) is a pre-requisite for consideration of promotion cases by the Boards.

2. A set of the following prescribed forms is given as specimen, indicating the number of copies required, so that the Ministries/ Divisions/Departments concerned may be able to submit complete proposals for promotion:-

(i) Proposal form (CP-I) One copy.

(ii) Panel form (CP-II) 20 Copies.

(iii) Synopsis form (CP-II) 20 Copies.
(iv) Seniority form (CP-IV) One copy for

each proposal.

(v) Quantification form (CP-V) One copy for
each officer on the panel.
TT]

3. It is requested that the required number of copies of these forms, cyclostyled or photo copied legibly, must be attached to each proposal for promotion.

4. For each vacancy, a panel of at least five eligible officers is required. However, in case of smaller cadres where only a few officers are eligible for promotion, complete list, in order of seniority, of all the eligible officers should be enclosed.

5. A check list _has been drawn up and enclosed for the guidance of the Ministries/Divisions/Departments.

6. Instructions already issued vide Establishment Division’s O.M.No.45/1/88-CP-3(Pt), dated 13" January, 1988 shall be treated to have been amended to the extent mentioned above.

[Authority:— Estt. Division’s O.M.No.45/6/90-CP.3, dated 3-3-1990].

*CP Forms No. vi, vii and vili excluded vide Estt. Div. OM No. 45/1/88-CP.3, dated 10-3-1999.

CHECK LIST OF REQUIREMENTS REGARDING
PROPOSALS FOR PROMOTION OF OFFICERS

To ensure that:-

(a)

(i)

(iii)

(iv)

(v)

i)

the proposal form (CP-I) has been signed by the Secretary/Additional Secretary Incharge of the Division;

for each vacancy a panel of at least five officers has been submitted and all columns have been accurately filled in the form (CP-II);

training status of the officers on the panel has been indicated (CP-II);

ICP Charts/CR dossiers are complete, explanation about the missing reports is available in the dossiers and all columns have been accurately filled in the synopsis form (CP-III);

seniority list is un-disputed, complete and duly authenticated and indicates full particulars of officers (CP-IV);

quantification of PER gradings is correct and quantification form is enclosed in respect of each officer on the panel (CP-V);

(vii) acopy of relevant Recruitment Rules has been furnished; and

(viii) requisite number of copies of each form has been sent with the proposal.

7.10 Proposal for Central Selection Board — Revised Forms (March, 1999)

Reference Establishment Division's O.M. of even number dated 13.1.1988 with which different forms required to accompany the proposals for promotion were circulated. In view of the past experience the Proposal Form (CP-I) and Panel Form (CP-II) have been revised. In the light of the revised Proposal Form (CP-I), the following documents will not be required to be attached separately in future:-

(i) | Vacancies certificate form. (CP-VI)
(ii) Disciplinary/Court case certificate form. (CP-VII)
(iii) Prescribed length of service certificate form (CP-VII)

2. In view of the above, all Ministries/Divisions/ Departments are requested to bring the above position to the notice of all concerned and in future the promotion cases may please be prepared on the revised Proposal Form (CP-I) and Panel Form (CP-II) and sent to the Establishment Division alongwith the following documents for consideration by the CSB concerned:-

(i) — Synopsis Form (CP-III)
(ii) Seniority Form (CP-IV)
(iii) Quantification Form (CP-V)

[Authority:— Estt. Div.'s O.M.No.45/1/88-CP.3, dated 10-3-1999].

CP-I
PROPOSAL FORM

Ministry/Division/Department

1. Name of the post(s) to be filled in by promotion Basic Pay Scale and the Occupational Group/ Ex-cadre.

2. Total sanctioned strength of the cadre.

Direct Promotion Transfer

(a) Percentage of share.

(b) Number of posts allocated to each category.

(c) Present occupancy position. List of officers to be attached.

(d) Number of vacant post(s) in each category.

(e) Whether any roster is being maintained for allocation to each category?

Ifso, copy to be enclosed.

(f) How the post(s) under promotion quota fell

vacant and since when?

In case of more details separate papers be enclosed

(g) Whether to be promoted on regular basis or for a limited period due to deputation/long leave etc.

(a) Recruitment Rules framed or not. If so, copy to be attached.

(b) In the absence of Recruitment Rules whether the method of recruitment got approved by the Establishment Division. If so, copy to be attached.

(c) Person(s) eligible for promotion against vacant post(s).

(d) Prescribed length of service/experience for promotion.

(e) Prescribed Qualification, if any.

(f) Mandatory Training/ Course, if any.

(g) Minimum required qualification.

Seniority list(s) duly verified to be attached.

Panel of eligible officer(s) duly signed by a responsible officer to be prepared on the prescribed form.

Number of PERs/ICP Charts.

7.

Certified that the officers included in the panel are eligible in all respect and possess the requisite length of service required for promotion. If not, please give details, and reasons for submission of the case to CSB.

Also certified that no disciplinary action under Government Servants (E&D) Rules, 1973 or proceedings on criminal charges in the court of law is pending against any officer included in the panel. If otherwise, indicate the names of officers, seniority number on the panel and brief description/nature of the case.

(To be signed by the Secretary/
Additional Secretary Incharge
of the Division)

FOR PROMOTION TO BS-20 POSTS

In respect of Mr. Personnel No.

Domicile: .....++ Service/Group: .....+..se0008
Educational Qualification Date of Birth Date of Superannuation

SERVICE PARTICULARS
Date of joining Date of promotion in Length of Service Eligibility for
Academy Consideration
(CSA)/SERVICE Present Scale Lower Ranks Total In present
BS-19 BS-18 BS- Scale
17

Important Appointments held in the present Rank/Post:

Extra Ordinary Leave (EOL) (if any)

Deputation with International Organizations (if any)
Penalties / Adverse Remarks in BS-19 (if any)
Training Courses (other than mandatory Training)

Gradings of mandatory training at

Number of PERs in preceding Two Scales / 15 years

Basic Outstanding | Very Average Below Cumulative Adverse
Scale Good Average period of PERs Report/
(in Months) Remarks

BS-19
BS-20

Total

Awaited Reports
(PERs) Additional Information (if any)

EFFICIENCY INDEX

Required threshold Score of PERs+ Training Reports Marks awarded
by CSB

Recommendations of CSB

Promoted Deferred Superseded

Prepared by: Checked by:

FOR PROMOTION TO BS-21 POSTS

In respect of Mr. Personnel No.

Domicile: .....06 Service/Group: .....cseeeee
Educational Qualification Date of Birth Date of Superannuation

SERVICE PARTICULARS
Date of joining Date of promotion in Length of Service Eligibility for
Academy Consideration
(CSA)/SERVICE Present Scale Lower Ranks Total In Present
BS-20 BS-19 BS- Scale
18

Important Appointments held in the present Rank/Post:

Extra Ordinary Leave (EOL) (if any)

Deputation with International Organizations (if any)
Penalties / Adverse Remarks in BS-20 (if any)
Training Courses (other than mandatory Training)

Gradings of mandatory training at

Number of PERs in preceding Two Scales / 15 years

Basic Outstanding | Very Average Below Cumulative Adverse
Scale Good Average period of PERs Report/
(in Months) Remarks

BS-19
BS-20
Total

Awaited Reports
(PERs) Additional Information (if any)

EFFICIENCY INDEX

Required threshold Score of PERs+ Training Reports Marks awarded
by CSB

Recommendations of CSB

Promoted Deferred Superseded

Prepared by: Checked by:

SENIORITY FORM
CP-IV
IORITY LIST

Sl. No.	Name of Officer	Domicile } Promotee/ Direct	Date of Birth	Date of first appointment in service	Date of regular appointment in Govt.	Date of regular appoint-ment in Basic Pay Scale-17	Present posting	Present pay scale.
1	2	3	4	5	6	1	8	9

Signature
Designation
Date

SENIORITY NO

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broken periods

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B-419 Sooa age
B-20

INTEGRITY GNTELCECTUAL)

No. of Gradings Mean Score of
Very [GooalAver— broken periods

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from to :
Deguction ror
Penalty/adverse

remarks.

J

Final Score :

To Ge checked and verified by the officer Incharge of the Miniatry/Division.

For guidance please see overieat, Signature

INSTRUCTIONS FOR GUIDANCE

(See CP-V)

While filling in the quantification form overleaf and working out quantification marks the following factors may be kept in view to avoid any error:-

(i) | The annual confidential reports carry marks as under:-

Category of reports	Overall Assessment	Quality and output of work	Integrity
	Moral	Intellectual	
Very good	8	10	10
Good	7	07	07
Average	5	05	05
Below Average	1	ol	ol

“Outstanding Report” was introduced in 1985. So an ‘Outstanding Report’ earned for the calendar year 1985 and that during the subsequent years would carry 10 marks. A ‘Very Good’ report earned during the years proceeding the calendar year 1985 would, however, carry 10 marks provided (i) all except 1-2 entries made in the report are in column A-1 or (ii) the recommendations made in the report are for “accelerated promotion”.

(ii) The equivalence of the ‘Overall, PER gradings for Civilian Officers serving in Defence Organizations vis-d-vis those in the Civil Organizations is as

under:-

	PER gradings in the Defence Organizations	PER gradings in Civil Organizations
(a)	Outstanding	Outstanding
(b)	Above Average	Very Good
(c)	High Average	Good
(d)	Average	Average
(e)_	Low Average	Below Average
(f)	Below Average/Unfit for promotion	Poor

(iii) DEDUCTIONS are to be made from the total of ‘overall marks’ as indicated below:-

(a) One mark for each adverse report;

(b) 3 marks for each minor penalty imposed on a civil servant in a disciplinary case under (Efficiency and Discipline) Rules, 1973;

(c) 5 marks for each major penalty imposed on a civil servant in a disciplinary case under (Efficiency and Discipline) Rules, 1973.

(iv) Addition of 2 marks is to be made for service in a *[specified training] institution for a period of 2 years or more;

(v) If more than one confidential reports have been initiated on an officer during a calendar year, their average marks would be the marks for the whole calendar year;

(vi) Writing of a confidential report covering part periods of two calendar years is not permissible;

(vii) If the period of a report is less than 3 months, it shall be ignored for purposes of quantification;

(viii) Quantification marks should in round figure;

(ix) If the overall grading in a CR is ambiguous e.g. placed between ‘Good’ and ‘Average’ the quantification will be based on the lower rating;

(x) Where only two reports or less are available on an officer against posts in a particular basic pay scale, these CRs will be added to the CRs earned in the lower post for calculating the average marks.

(xi) Where an officer appointed to a higher post on acting charge basis is considered for regular promotion that post, the CR earned during acting charge appointment will be added to CRs earned in the lower post for calculating average marks.

* Subs. vide Estt. Division’s d.o. letter No. 45/1/88-CP-3, dated 18-1-2000.

TAL Guidelines for Submission of Proposals for Consideration of “Central Selection Board (CSB)

Reference Establishment Division’s O.M.No.45/6/90-CP- 3, dated 3.3.1990 wherein guidelines/check-list for submission of proposals for consideration of *CSB were intimated to the Ministries/Divisions. Under the said guidelines, the proposals signed by the Secretary/Additional Secretary Incharge and accompanied by prescribed documents duly authenticated/stamped by responsible officer, are required to be forwarded to the Establishment Division for submission to the *CSB.

2. It has been observed in some cases, however, that the proposals for the Central Selection Boards do not fully conform to the laid down requirements on the subject. In some cases, the proposals are not duly signed by the concerned Secretary/ Additional Secretary Incharge while, in others, the accompanying documents are either unattested and/or carrying incorrect/ incomplete information. All this leads to avoidable delays on account of back references to the concerned Ministries/Divisions.

3. It has also been observed in many cases that the documents are forwarded at the Section Officer’s level and addressed to his counterpart in this Division. Since the Joint Secretary (Admn) of the Ministry/Division concerned is the focal point there, such proposals for *CSB must invariably be forwarded under his covering letter after ensuring that all the requisite documents relevant to this exercise have been prepared and duly signed by the concerned officers. Moreover, with a view to enforcing secrecy as well as prompt attention, all such references should, henceforth, be addressed to the Additional Secretary (CP&R)”™, Establishment Division, and delivered under a sealed cover. Replies to any query on the part of the Establishment Division (which would not be below the level of Deputy Secretary) should also be furnished at least at the same level if not at the level of Joint Secretary (Admn).

4. All Ministries/Divisions are requested to kindly ensure that their promotion proposals for the consideration of *CSB are forwarded in the light of the position/requirements of paras 2 & 3 above.

[Authority:— Estt. Division’s O.M. No.45/6/90-CP-3, dated 3-5-1995].

712 Procedure for Referring Cases to the Selection Board

It has been observed that proposals relating to the Central Selection Board are not being sent alongwith the required number of copies each of the essential documents, like the “proposal proforma” properly filled in, complete C.R. dossiers of the officers, their particulars of service, bio-data, latest seniority lists (arranged according to the new gradation system) etc. Moreover, government servants having (former). East Pakistan domicile and the repatriated PSOWs need to be cleared first by the D.I.B. It is also observed that the particulars of service of the government servants are generally not prepared carefully and the C.R. dossiers are not checked to find out the precise reasons for the missing reports. This has

* Note:-
As CSB-I & CSB-II are no more in practice.

Career Planning & Regulations.

to be ensured in all cases and the latest reports have to be invariably attached to the proposals or the reasons for not attaching such reports have to be clearly indicated.

2. At times, big bundles of C.R. dossiers are sent to the residence of the Secretary, Central Selection Board. This involves great risk (apart from inconvenience) as bulky bundles, of C.R. dossiers have to be carried from residence to the office. Moreover, the CR dossiers received just before the meeting cannot be properly checked. In view of this, it is imperative that the C.R. dossiers should be sent to the Establishment Division well in advance of the date of the meeting of the Central Selection Board after due scrutiny insuring that these are complete in all respects. However, if under extraordinary circumstances the CR dossiers have to be sent just before the meeting, the Ministries/Divisions may kindly arrange to deliver these CR dossiers through special messengers in the office of the Secretary, Central Selection Board before the meeting of the Board in which other items are to be discussed.

3. The above mentioned requirements should be invariably kept in view while sending proposals for the consideration of the Central Selection Board.

[Authority:— Estt. Div.'s D.O. Letter No.25/7/74-AV, dated 3-10-1974].

713 Consideration of Cases by Central Selection Board — Furnishing of Full Particulars of Candidates for Promotion

It has come to the notice of the Central Selection Board that in certain cases a particular candidate or candidates is/are recommended out of the total number of candidates considered by the Ministry/Division, without mentioning the full particulars of all the candidates. The proper procedure in such cases is to place the full particulars of ALL the candidates before the Central Selection Board so that the Board may decide which of the candidates are not suitable for the post in question. It is accordingly requested that the full particulars of ALL the candidates in the field of selection or those who may have been considered by the administrative Ministries/Divisions, should be placed before the Central Selection Board in all such cases.

[Authority:— Estt. Division's O.M. No.24/3/75-AV, dated 12-2-1975].

7.14 Re-appointment to Posts Within the Purview of Selection Board

It has been decided that if the re-appointment of an officer to a post took place after more than one year of the reversion from that post the case should be placed before the Central Selection Board for determining the continued fitness of the officer to hold the post. After approval of the Central Selection Board, it would not be necessary to refer the case to the Prime Minister/President again.

[Authority:— Estt. Division's O.M.No.3/20/70-D.III, dated 16-9-1971].

7.15 Short-Term Appointments and Direct Appointments to Higher Secretariat Posts-under the Present Orders

Short-term appointments and direct appointments to higher Secretariat posts-under the present orders are as under:—

(i) it is not necessary to refer to the Selection Board acting appointments made as a purely temporary arrangement for a period not expected to exceed 4 months; and

(ii) the Board is not concerned with appointments made from sources other than from government service.

2. It has been decided that:-

*(a) the period upto which appointment may be made without consulting the Selection Board should be reduced from 4 months to one month; and

(2) The Selection Board should deal with appointments to higher posts in the Secretariat even in the rare cases when such appointments are made from persons not in Government service, i.e. all appointments which are within the purview of the Selection Board will be made on the recommendations of the Board irrespective of the fact whether or not they are made from among persons already in Government service.

[Authority:— Estt. Division's O.M. No.33/7/49-SEI, dated 13-8-1951].

7.16 Convention Regarding Acceptance of Recommendations of the Selection Board

The Administrative Enquiry Committee reviewed the working of the Selection Board and in their report made the following recommendations:-

(a) _ that both for protection to Ministers and in the interests of efficient working, the rules about the Selection Board be closely adhered to; and

(b) _ that there should be a "convention whereby the advice of the Selection Board should be accepted quickly and automatically except in wholly exceptional cases.

2. Government considered these recommendations and their orders are as follows:—

(a) Accepted.

(b) Government have decided that there should be a convention whereby the advice of the Selection Board should be accepted quickly save in exceptional cases; and that if the Prime Minister or the Minister concerned disagrees with the view of the Selection Board, the case should be returned to the Board for further consideration, and a decision taken by the Prime Minister only after the further views of the Board have been placed before him.

""lThe above instructions are neither a law nor a rule and are subservient in the provisions of the Civil Servants Act, 1973 specially with reference to powers of the "competent authority"

*Note.- See rule 8B(4) of Civil Servants (A,P&T) Rules 1973, in the present context.
The contents of the O.M No. 33/3/54-SEI, dated 22-09-1954 have been upheld by the Lahore High Court Lahore in Writ Petition No. 7735 of 2005 titled Major Fateh Sher Vs Govt. of Pakistan and others (Supren Court: Civil Appeal No. 1017 of 2005). Ref. Estt. Div.'s O.M No. 3/23/2007-R-2, dated 22™ June, 2007.

“‘ Clarification vide OM No. 3/2/2005-CP.6, dated 21-9-2005.

for giving final approval regarding appointment by promotion. These powers are unfettered and the competent authority may accept, reject or refer back the matter to the Central Selection Board for reconsideration. All these options are available to the Competent Authority whose powers are unfettered to choose any one of the options].

3. In dealing with Selection Board cases, these orders of government must be strictly followed.

[Authority:— Estt. Division's O.M.No.33/3/54-SEI, dated 22-9-1954].

TAT Meetings of the Central Selection Board

Reference Cabinet Secretary's d.o. letter No. 25/1/72-AV, dated the 27" November, 1972 in which it was stated that only Secretaries should represent their Ministries/Divisions at the meetings of the Central Selection Board. Ifa Ministry/ Division is not headed by a Secretary or the Secretary is away on foreign tour, then the most senior officer (Additional Secretary/Joint Secretary) in that Ministry/Division could represent the administrative Ministry. The instructions contained in the Cabinet Secretary d.o. letter dated 27-11-1972, were reiterated in d.o. letter No. 25-1/72-AV, dated the 17° January, 1974 and it was further stated that a Secretary/ Additional Secretary was not at all in a position to attend the meeting of the Board, the specific clearance of the Establishment Secretary may please be obtained before deputing some other officer to attend the meeting of the Board. In order to make it convenient for the administrative secretaries to so arrange their engagements as to find time for attending meetings of the Central Selection Board, it was decided to hold meetings of the Board on alternate Thursdays.

2. It has, however, been noticed that even now the Secretaries/ Additional Secretaries Incharge of Ministries/Divisions frequently do not attend the meetings of the Board. In future, if the Secretaries/Additional Secretaries incharge of the Ministries/ Divisions concerned do not attend the meetings of the Board, the proposals would be returned to those Ministries/ Divisions unconsidered.

[Authority:— Addl. Secretary(Estt) d.o. letter No.25/4/76-AV, dated 8-10-1976].

8.1 Promotion/Direct Recruitment Quota

A question has arisen as to how the quota for promotion and direct recruitment if prescribed in the ratio of 50:50 in the recruitment rules is to be maintained when the number of available posts is odd and not equally divisible. The matter has been considered in consultation with the FPSC and it has been decided that in such cases weightage may be given to promotion quota. For example, where an odd number of posts, say 9, are to be filled in the ratio of 50:50, five posts should be earmarked for promotion and four for direct recruitment.

[Authority:— Estt. Division's O.M. No. D. 210/84.R.5, dated 3-6-1986].

8.2 Filling-up of Vacancies — Distribution According to Quota for Promotion, Transfer and Direct Recruitment

A question has arisen as to how the vacancies caused by resignation, transfer, etc. of the persons appointed against the quota of departmental candidates or direct recruits, before confirmation of such persons should be filled. The matter has been considered in consultation with the Federal Public Service Commission and it has been decided that the vacancies in various services/posts caused by any reason, should be filled on the basis of the quotas fixed for promotion, transfer and direct recruitment. For this purpose the total number of posts in a cadre should be distributed in accordance with the fixed quotas and the vacancies in such posts should be filled so as to achieve the overall quotas fixed for departmental candidates and direct recruits ete.

2. Suitable amendments should be made in the recruitment rules where necessary, in consultation with the Establishment Division and the Federal Public Service Commission.

[Authority:— Estt. Division's O.M. No. 5(1)11/67-D.V., dated 21-3-1968].

8.3 Maintenance of Roster for Application of Promotion/Initial Appointment Quota

In continuation of Establishment Division's O.M. of even number dated 30" September,2015 on the subject cited above; in order to avoid diversity in maintaining of roster for a post to be filled through (a) Promotion (b) initial appointment, or / (c) transfer in accordance with the Recruitment Rules; it has been desired that roster should be maintained, under the signature of Joint Secretary (Admn.) or equivalent, in a single way i.e. by sharing/distribution of sanctioned strength of a post, in whole numbers, to promotion quota and transfer quota or/direct appointment quota, according to the following format:-

Roster
As on 00.00.0000(date)
For the post of ---------- BS------ under notified Recruitment Rules vide SRO----------

A. Total Sanction Strength: 00

B. Quota/Share for Promotion: 00%= 00 Posts

Cc. Quota/Share for Transfer: 00%= 00 Posts

Dz. Quota/Share for Direct Appointment 00%= 00 Posts
SLNo. Post allocated Name of | Present status of | Remarks:

. officers the post

(must be equal to (to promotion/transfer/ (filled/vacant) e.g. how the sanctioned strength Direct appointment post become
"A' above) Quota) vacant/filled

Note:— In case of any change in the sanctioned strength of the post/or share in the promotion transfer/direct appointment quota for recruitment in the relevant Recruitment Rules, the above roster will be revised.

2. It is further clarified that a circle of roster may be started/completed by filling the vacancies in the first instance through promotion then by transfer/or direct appointment (as per the requirement of the rules framed for the post), before another circle for promotion(s) be started. Besides, if any violation has been made in maintaining roster it must be rectified in the first instance, accordingly.

[Authority:— Estt. Division's O.M.No.21/1/90-R-5 dated 12-11-2015].

8.4 Eligibility of Superintendent (BS-17) to Participate in Section Officers Promotional Examination

Refer to the subject cited above and to say that a query has received in Establishment Division about eligibility of Superintendent (BS-17) for Section Officers Promotional Examination (SOPE). It is clarified that grant of BS-17 to Superintendent is not a promotion within the meaning of Section-9 of the Civil Servant Act,1973, therefore, for all practical purposes, the Superintendent granted/placed in BS-17 are the substantive holders of the post in BS-16 and are eligible for taking SOPE subject to completion of all other conditions/codal formalities.

[Authority:— Establishment Division's O.M No. 7/5/2014-T-V dated 29-12-2016].

9.1 Proforma Promotions

The Ministries and Divisions as well as Attached Departments and Subordinate Offices, have, in the past, been ordering proforma promotions (also called promotions in absentia) of persons serving on deputation on foreign service, or in ex-cadre posts as a matter of course on the sole ground that the deputationist had been approved for promotions by the D.P.C. of the parent department and a person junior to him had been promoted. This has resulted in the deputationists serving away from their parent department or cadre for unduly long periods as such persons not only enjoy better emoluments while on deputation but also feel secure that their interests are being fully protected in their own department.

2. The intention underlying 'proforma promotions' is to protect the interests of the government servant only in circumstances where the government servant is required to serve away from his parent cadre because of a definite requirement of public interest and not merely to suit his own interest. Normally, therefore, a deputationist, as soon as he becomes due for promotion should be required to revert to his parent department or cadre so that he is promoted to the next higher post for which he may have been declared fit. In case an offer of promotion is made to him and he declines to revert, he may be allowed to remain in the outside post on the clear understanding that he will not ask for 'proforma promotion'. Only in exceptional cases where the borrowing department or organization expresses its inability to spare the officer, and the head of the parent department records in writing why he considers it necessary to keep the government servant on deputation in the ex-cadre appointment, may proforma promotions be made. Even in such cases, the period for which the officer is allowed to continue to remain on deputation, with the benefit of proforma promotion, should be judiciously fixed so that the officer reverts to his cadre and is appointed to the post for which he has been approved for promotion, as early as possible. Such period should not normally exceed 6 months. All cases where 'proforma promotions' are allowed

for a period exceeding 6 months should be reported to the Establishment Division with full justification.

3. The Ministries/Divisions are also advised that in future whenever they send an officer or member of the staff on deputation to an ex-cadre post, or on foreign service, they should settle in advance the period of deputation with the borrowing office/organization on the expiry of which the government servant should revert to his parent cadre. While selecting persons for deputation, care should also be taken not to depute officers who would soon be coming up or promotion to the next rank in their own cadre and may have to be re-called. In the majority of cases, officers and staff are sent on deputation on their application or request. They should be warned that in case they fall due for promotion, they will have to revert to their parent cadre and they will not be allowed promotions in absentia.

4. The above instructions do not apply to senior appointments in international organizations such as the United Nations, the R.C.D. *Sectt., etc. to which officers are nominated by government having regard to their qualifications, experience and suitability. In such cases, it may be presumed that the services of the officer have been placed on deputation with the foreign organization in the public interest, and ‘proforma promotion’ when called for, may be made.

[Authority:— Estt. Div.’s O.M. No. 1/28/71-D.II, dated 29-7-1971].

9.2 Consideration for Promotion of a Person on Transfer to Another Office

A permanent ministerial government servant, who is temporarily transferred from one office to another in the public interest, should be considered for promotion to a higher BPS in his parent office as and when a vacancy occurs in the higher BPS and if he is selected for promotion in accordance with the relevant rules, he should be appointed proforma to the higher BPS so that when he reverts to his parent office he can count, for seniority and increments in the higher BPS, the period for which he remained on deputation. No monetary benefit in respect of his proforma promotion in the parent office shall be allowed to him while he is on deputation. Proforma promotion in such cases should be made with effect from a date determined in accordance with the ‘next below rule and not from any earlier date.

[Authority:— Finance Division’s O.M. No. F.1.(5)-RI-(R.W.P.)/62, dated 21-4-1962].

9.3 Proforma Promotions — Review of Cases

The question has been raised whether the instructions issued in the Establishment Division Office Memorandum No. 1/28/71-D. II, dated 29% July, 1971 regarding proforma promotion apply also to past cases where proforma promotions had already been made prior to the issue of these instructions. The Ministries and Divisions

Or the successor organization i.e. E.C.O.

are advised to review all such cases. If the officer had been allowed to proceed on deputation for a specific period, he should be requested to revert to the parent department on expiry of that period. In case no period was specified, the parent department should examine the propriety of re-calling the officer to the parent cadre as it is not administratively desirable that officers and staff should remain away from their parent cadre for unduly long period, say more than 3 years in the case of gazetted officers and 5 years in the case of non-gazetted staff. However, if in the case of a particular department the number involved is large, the recall of the deputationist should be judiciously staggered so that no large scale reversions are caused in the parent office consequent on the re-call of the deputationists. Priority in re-call should be given to those who have been allowed proforma promotion in the parent cadre. Where, however, the borrowing departments are prepared to confirm such officers and staff on their own establishment (provided this is admissible in accordance with the recruitment rules applicable to the post) and the officer or staff is also willing to be so absorbed, reversion to parent cadre may not be insisted upon.

[Authority:— Estt. Division's O.M.No.1(28)/71-D.II, dated 28-3-1972].

9.4 Reversion of Deputationists to Parent Departments

Cases have come to the notice of the Establishment Division where officers whose services were obtained on deputation for a specific period were not returned by the borrowing department when the parent department asked for their reversion. Attention in this regard is invited to the Establishment Division's O.M.No.1(28)/ 71-D.II, dated the 28" March, 1972, wherein it was laid down that officers obtained on deputation should be reverted to their parent department on the expiry of the period of deputation. It was further laid down therein that the period of deputation should normally be 3 years in the case of officers in BPS 16 and above 5 years in the case of staff in BPS 15 and below.

2. In the interest of efficient administration, it is reiterated that the above mentioned instructions should be followed rigidly and the deputationists reverted to their parent department on the expiry of the period of deputation unless the intention is to permanently absorb the deputationist in the cadre or department where he is serving on deputation and the recruitment rules for the post provide for such a course. In such cases, the consent of the deputationist to the suspension or termination of lien on his permanent post in the parent department, as well as the agreement of the parent department, should be obtained. With the completion of these formalities the deputationist will be treated as regular member of the establishment of the borrowing department.

3. | Where, however, it is not intended to permanently absorb the deputationist in the borrowing department the deputationist must not be allowed to remain away from his parent cadre for unduly protected period; he should be reverted to the parent department on expiry of the period of deputation as originally fixed. If the borrowing department needs the services of another officer having the qualifications or experience possessed by the deputationist, a request should be made to the lending department to depute some other officer in his place possessing the same qualifications or experience as far as possible. The borrowing department in no case should insist on retaining a particular individual beyond the original period of deputation.

4. All Ministries, Divisions and Departments are requested to examine the cases of deputationists with them and take necessary action in the light of the above instructions. If relaxation of these orders is required in any individual case, it may be referred to Establishment Division with full justification.

[Authority:— Estt. Div.'s O.M.No.1(28)/75-D.II, dated 6-3-1975].

9.5 Revised Guidelines for the FR-17(1) Committee/High Level Committee to Consider the Cases of Proforma Promotion on the Basis of Antedated Seniority

Part-I Rule Provisions

The F.R.17(1) reads as under:-

F.R.17(1) subject to any exceptions specifically made in these rules and to the provisions of sub-rule (2), an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties.

[Provided that the appointing authority, may if satisfied that a civil servant who was entitled to be promoted from a particular date was, for no fault of his own, wrongfully prevented from rendering service to the Federation in the higher post, direct that such civil servant shall be paid the arrears of pay and allowances of such higher post through proforma promotion or up-gradation arising from the antedated fixation of his seniority].

Part-II Relevant Committee/TORs

2. A Committee was constituted vide Finance Division's (Regulation Wing) O.M.No.F.3(I)R-2/94 dated 28-05-2001 to examine the claims under proviso to FR-17 and to advise the Appointing Authority (s) in decision making. The revised composition of the Junior Level Committee on FR-17(1) is as follows:—

Joint Secretary (Regs),

Finance Division Chairman
Joint Secretary (Regs),

Establishment Division Member

A BS-20 officer of Law, Justice and Human Rights Division to be nominated by the Law Secretary. Member

Cnapter-7

Joint Secretary of the Ministry/Division
concerned. [also for the organizations

under the administrative control]. Co-opted Member

Deputy Secretary (Regulations)
Finance Division

Secretary

3. A High Level Committee was also constituted vide Finance Division
10-12-2010 to
recommendations for cases in the respect of Civil Servants in BS-20 and above under proviso to FR-17(1). The revised composition of the High Level FR-17(1) Committee is as under:-

(Regulation Wing) O.M. No.3(1)R-2/94-1029-(Pt) dated

Secretary, Finance Division
Secretary, Establishment Division
Secretary, Cabinet Division
Secretary, Law, Justice & Human
Rights Division

Additional Secretary-I,
Establishment Division

Secretary of the Ministry/Division
Concerned.

Additional Secretary (Regulations),
Finance Division

4. The mandate of the Committee is as under:—

Chairman

Menll
Menll

Menll

Menll

ber
ber

ber

ber

Co-opted Member

Menll

ber/Secretary

above

(b) The Junior Level Committee on FR-17(1) headed by Joint Secretary (Regs.) Finance Division shall also make initial scrutiny in cases of

bmit its report to the

above High Level Committee for firming up of its recommendations.

civil employees in BPS-20 and above and sul

(i) The recommendations of High Level Committee shall be submitted to the appointing authority i.e. Prime Minister for

approval.

(ii) The Junior Level Committee on FR-17(1) headed by Joint Secretary (Regs.) Finance Division shall continue to consider/ recommend cases in respect of civil servants in BPS-19 and

below.

Part-III Types of cases not to be considered by the

FR-17(1) committee(s)

5. | The Committee(s) shall refer the following types of cases to the respective DPC/Selection Board for consultation before consideration by the Committee:—

(a) A Civil Servant who has not yet been recommended for promotion to higher post by respective Selection Board/ Committee except the cases of retired civil servants who could not be considered for promotion for no fault of their

(b)

(c)

(d)

(e)

6.

own and retired on attaining the age of superannuation.

A Civil Servant requesting for proforma promotion in Service Cadre to which he/she does not belong.

A Civil Servant who had been superseded on the recommendation of respective DPC/Selection Board and approved by Competent Authority and the said supersession is still intact.

A Civil Servant requesting for proforma promotion on the ex-cadre posts he/she was not nominated for mandatory training but his/her authority was nominated at the relevant point of time and such nominations for training pertains to period beyond one year.

The Civil Servants who were superseded on the recommendations of respective Selection Board/Committee for the recorded reasons having been approved by the Competent Authority.

Part-IV Types of Cases to be Considered by the FR-17(1) Committee(s)

The respective Committee shall consider the cases of Civil Servants for

proforma promotion to the next higher post in their own cadre or service/group who have been granted antedated seniority within the meaning of proviso below FR-17:—

(a)

(a)

(b)

(c)

(d)

A Civil Servant who was deferred for any of the reason indicated in the promotion policy but subsequently it is found that the said reason was wrongfully mention. For instance Mr. ‘A’ was deferred for the reasons that he had not undergone the prescribed training or passed departmental examination. Subsequently it came to notice that he had undergone the

mandatory training or passed the departmental examination but the training evaluation report or result of examination could not be submitted to the respective Selection Board/Committee at the relevant point of time.

(i) Cases of retired civil servants who could not be considered for promotion for no fault of their own and retired on attaining the age of superannuation.

A Civil Servant who was not superseded previously on the recommendations of the respective DPC/Selection Board duly approved by Competent Authority but his/her claim has arisen for any other reason.

A Civil Servant recommended by respective Selection Board/ Committee for supersession and the recommendations were approved by Competent Authority provided that the said supersession has been converted into deferment for reasons, what so ever, either by Count of Law or Competent Authority.

A Civil Servant who was not recommended initially for promotion to higher post by the respective DPC/Selection Board as his/her score was below the minimum threshold for various reasons including.

(i) non-inclusion of additional marks for serving in training institutions.
(ii) non-inclusion of marks for any PER in the PER score.
(iii) non-inclusion of marks of the Selection Board.

(iv) wrong deletion of marks on account of penalty/adverse remarks ete.

(v) any other reason deemed by the Committee to be a reason for wrongful prevention to hold higher post.

(e) The cases at (d) above to be considered if the respective DPC/Selection Board subsequently took note of said omission(s) and had recommended such Civil Servant for promotion to higher post.

(f) The FR-17 Committees shall not consider the cases beyond the scope of FR-17.

[Authority:—Finance Division's O.M.No.4(6)Imp/FR-17/2013-277 dated 18-09-2015].

9.6 Promotion on Temporary/Regular Basis

At times, Establishment Division receives proposals for regularising the promotion of those promoted earlier against deputation, leave, etc. vacancies, on the grounds that regular vacancy has since occurred.

2. The matter has been considered in the Establishment Division in light of the provisions of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, read with the Promotion Policy covering promotion upto BPS 21. It is clarified that an officer recommended for promotion on temporary basis by the Central Selection Board/Departmental Promotion Committee and approved by the competent authority is liable to reversion to lower post in case the higher post is subsequently either abolished or ceases to exist or its original incumbent joins back. However, if a temporarily promoted officer continues working against the higher post without any break and, in the meanwhile, a regular vacancy in the cadre becomes available, no fresh clearance of the Central Selection Board/DPC and approval of the competent authority is required for his promotion to higher post on regular basis. The officer will, therefore, be deemed to have been promoted on regular basis with effect from the date of occurrence of the vacancy on regular basis in the cadre, subject to the following conditions:-

(a) No disciplinary/criminal proceedings have been initiated against him/her during the period from the date of temporary promotion till the occurrence of vacancy on regular basis.

(b) — His/her up-to-date service record would form the basis for assessing fitness for promotion on regular basis i.e. quantified score should not be less than minimum threshold prescribed for the purpose.

[Authority:— Estt. Div.'s O.M.No.30/2/90-CP-3, dated 18-2-1997].

CLARIFICATION

Refer to Establishment Division's O.M. No.30/2/90-CP-3 dated 18-02-1997 which inter alia provided for regularizing the promotion of officers who were earlier promoted against deputation, leave efc vacancies on the ground that regular vacancy has occurred subject to satisfaction of the conditions prescribed under the above referred O.M. A number of references are received in the Establishment Division regarding clarification for

extending the applicability of this O.M. to the cases of initial appointments made against temporary vacancies.

2. | The matter was considered in the Establishment Division and it has been decided to extend the applicability of instructions contained in the above referred O.M. dated 18-02-1997 to cases of initial appointment as well subject to the following conditions:—

(i) | The initial appointment against the temporary vacancy is made in the manner prescribed for appointment against regular vacancy duly observing regional/provincial quota and qualification & experience prescribed in the Recruitment Rules of the post concerned.

(ii) The incumbent has continuously worked on the temporary vacancy during the period from appointment to the occurrence of the regular vacancy.

(iii) No disciplinary/criminal proceedings have been initiated against him/her uring the said period.

(iv) His/her up-to-date service record would form the basis for assessing fitness for the continuation of subject appointment.

[Authority:- Establishment Division's O.M No.30/2/90-CP-3/R-2 dated 14-04-2014].

9.7 Promotion of an Officer/
Official During LPR

A question has arisen whether an officer/official who is on LPR can be considered for promotion against a higher post or otherwise.

2. The matter has been considered and the view held is that LPR is one of the types of leave to which a government servant is entitled. As he continues to be a government servant and can be called even for duty, he can, therefore, be considered for promotion against a higher post during LPR.

3. All Ministries/Divisions are requested to bring these instructions to the notice of all concerned.

[Authority:— Estt. Division's O.M.No.10/62/98-R.2, dated 26-6-1998].

9.8 Bar against Promotion of Ad-Hoc Appointees

The following further instructions are issued for regulating ad-hoc appointments:—

(i) Persons appointed on ad-hoc basis should possess the required qualifications and experience prescribed for posts.

(ii) Persons appointed on an ad-hoc basis should not be promoted to higher posts.

[Authority:— Estt. Division's O.M.No.3/29/70-D.III, dated 7-1-1971].

II. TRAINING

A. National School of Public Policy Rules
SI.No.10
National School of Public Policy Rules,2017

S.R.O. 126(1)/2017.— In exercise of the powers conferred by section 16A of the National School of Public Policy' Ordinance, 2002 (XCIX of 2002), the Federal Government is pleased to make the following rules, namely: —

1. Short title and commencement.—(l) These rules may be called the National School of Public Policy Rules, 2017.

(2) They shall come into force at once.

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

(a) "Chairman" means the Chairman of the Board;

(b) "employee" means a person appointed in the School on regular basis, but does not include the persons posted on deputation or appointed on contract basis or on work charge basis;

(c) "Government" means the Federal Government;

(d) "Ordinance" means the National School of Public Policy Ordinance, 2002 (XCIX of 2002);

(e) "regulations" means the regulations made under the Ordinance; and
(f) "rules" Means the National School of Public Policy Rules, 2017.
(g) "Schedule" means the schedule to these rules.

(2) All other words and expressions used but not defined herein shall have the same meaning as are assigned to them in the Ordinance.

3. Business of the Board.—(1) The Board may meet as and when required but it shall meet at least twice in a year.

(2) Half of the total membership of the Board shall constitute the quorum for a meeting of the Board.

(3) | The decisions of the Board shall be taken by majority of its members present and, in case of a tie, the Chairman shall have a casting vote.

(4) All orders and decisions of the Board shall be reduced in writing.

4. Removal of a member other than an ex-officio member of the Board.—(1) The Prime Minister, either on the basis of his own information or on receiving a complaint, for removal of a member other than an ex-officio member, may direct the matter to be enquired into by any BS-22 officer.

(2) In case of physical or mental disability of a member, other than an ex-officio member, he shall be examined by a medical board constituted by the concerned Division on request of Establishment Division. The medical board shall after examination make recommendations for retention or otherwise of the member.

(3) The Prime Minister may decide, in light of the recommendations of the inquiry held under sub-rule (1) or report of the medical board under sub-rule (2), to remove from office the member.

5. Resignation.— (1) A member other than an ex-officio member or Rector, may resign his office by writing under his hand addressed to the Prime Minister.

(2) The resignation shall not become effective unless it is accepted by the Prime Minister and the member or, as the case may be, the Rector shall not absent himself till acceptance of resignation.

6. Rector.—(1) The Rector of the School shall be appointed on contract basis for a non-extendable term of four years subject to provisions of the Ordinance and terms and conditions and eligibility criteria as laid down in the Schedule.

(2) The Rector shall be the principal academic and administrative officer of the School and shall be responsible for proper implementation of the decisions of the Board and for the execution of the programmes of the School in accordance with the Ordinance and rules and regulations made thereunder.

(3) The Board shall finalize a panel of at least three candidates for appointment as Rector, subject to provisions of the Ordinance and the rules and regulations made thereunder.

(4) At any time when office of the Rector is vacant, or the Rector is unable to perform his functions for one reason or the other, the charge of vacant post shall be -entrusted to any suitable officer with the approval of appointing authority.

(5) Subject to the provisions of the Ordinance and rules and regulations made thereunder, the Rector shall exercise and perform such other powers and functions as may be determined by the Board.

7. Removal of Rector.—(1) The Prime Minister, either on the basis of his own information or on receiving a complaint for removal of the Rector, may desire the matter to be enquired into by any BS-22 officer.

(2) Incase of physical, or mental disability, the Rector shall be examined by a medical board constituted by the concerned Division on the request of Establishment Division. The medical board after due examination shall make appropriate recommenda-tions for retention or otherwise of the Rector.

(3) The Prime Minister may decide, in light of the recommendations of the inquiry held under sub-rule (1) or report of the medical board under sub-rule (2), to remove from office the Rector.

8. Directing staff—(1) The directing staff of the School shall be posted by the competent authority through the selection committee constituted under rule 9, from amongst the regularly appointed officers belonging to the federally constituted occupational groups or services against fifty percent of the posts in management pay scales as specified in the Schedule.

(2) The remaining fifty percent posts shall be filled through initial appointment in management pay scales through the selection committee constituted under tule 9, from amongst the persons from private sector or academia as specified in the Schedule duly observing regional and provincial and other quotas prescribed by the Government.

(3) The Rector shall designate one of the directing staff as the Chief Instructor.

(4) The directing staff shall perform such functions and duties as may be assigned to them by the Chief Instructor.

(5) On coming of these Rules into force, all existing incumbent Directing Staff shall have to go through the selection process under Rule 9, and sshall continue to perform functions under existing terms and conditions till their selection under these rules.

(6) Service as directing staff shall be counted towards regular service to the extent of officers selected from regularly appointed officers belonging to the federally constituted occupational groups or services.

(7) The pension contribution of the officers of federally constituted occupational groups and services posted in the School under sub-rule (1) shall be made by the School.

9. Selection committee—The following shall be selection committee to make recommendations, for appointment or posting of the directing staff, to the Prime Minister through the Establishment Division.—

(a) Secretary, Cabinet Division Chairman
(b) — Secretary, Establishment Division Member
(c) Secretary Finance Member
(d) | Two members of the Board nominated by Member/s

the Prime Minister
(ce) Rector Member/Secretary

10. Repeal—The National School of Public Policy Service Regulations, 2014 are hereby repealed to the extent of these rules but the repeal thereof shall not affect any action or anything done or suffered thereunder.

Schedule

[Rule 8 (1),(9) & 9(2)]

SI.	Name Post	Pay Scale	Qualification & Experience	Method of Appointment	Appointing Authority	Age Limit
(2)	(3)	(4)	(5)	(6)		
2)	WD) 1.	Rector	Rs. one million per month plus a staff car with driver and medical facilities under MP-I scale	(a) The candidate should be a serving or retired civil servant in BS-22 or equivalent.		

			(b) The tenure of the post shall be a non-extendable term of four years or till attaining the age of sixty-five years, whichever is earlier.	
			Initial appoint-ment or the appointment of serving BS-22 officer	
			Prime Minister	
		65		
			Directing Staff for NMC	
			MP-I	
			Initial appointment (a) Ph.D or M. Phil Degree in Public Policy, Economics, Finance, | Managem-ent, Public Administ-ration, HRM _ Law, Strategic and Security Studies, History, Political Science, International Relations or other relevant subjects of Social Sciences from HEC recognized institution. (b) 22 years Research /Training/Teaching experience in recog-nized training/ teaching/research institution For Serving Civil Servants 22 years professional experience in public sector in BS-17 and above or equivalent with NMC or NS& WC qualified,	

50% through
initial appoint-
ment and 50%
by . appointment
of serving civil
servants

Prime
Minister

40-55 years
for initial
appointment
No age limit
for serving
civil
servants
appointed
under Rule

8(1)

Directing
Staff for
SMC

MP-I for the Chief
Instructor and MP-
TI for all others

Initial appointment

(a) M. Phil or Ist Class
Master's Degree in
Public Policy,
Economics, Finance,
Management, 'Public
Administration, HRM,
Law, Strategic and
Security Studies,
History, Political

Science, —_ International

50% through
initial appoint-
ment and 50%
by appointment
of serving civil
servants

Prime
Minister

35-50 years

for initial appointment

No age limit for serving civil servants appointed under Rule 8 (1)

SI. No.	Name Post	Pay Scale	Qualification & Experience	Method of Appointment	Appointing Authority	Age Limit
Q)						
(2)						
(3)						
(4)						
(5)						
(6)						
2)	Relations other relevant Social HEC institution.		or subjects Sciences from recognized			(b) 17 years Research Training / Teaching experience in recogni-zed training / teaching

/ research institution.
For Serving Civil
Servants

17 years professional
experience in public
Sector in BS-17 and
above or equivalent
with SMC qualified.

of|

Directing
Staff for
MCMC

MP-II for Chief
Instructor and MP-
III for all others

Direct Recruitment
(a) 1“ Class Master’s
Degree in Public Racy;
Economics, Finance,
Management, Public
Administration, HRM,
Law, Strategic and Secu-
rity, Studies, History,
Political Science, Inter-
national Relations or
other relevant subjects of
Social Sciences from
HEC recognized
institution.

(b) 12 years Research /
Training/Teaching
experience in recogni-
zed training/ teaching
/research institution.
For Serving Civil
Servants

12. years professional
experience in public
sector in BS-17 and
above or equivalent
with MCMC qualified.

50%
initial
appointment

and 50% by
appointment

of serving
civil servants.

through

Prime
Minister

30-45 years
for initial
appointment
No age limit
for serving
civil serva-
nts appoint-
ted under
Rule 8 (1)

[Authority — Establishment Division's S.R.O No. 126(I)/2017

11.1

Promotion Related Capacity Building of
Civil Servants in BPS 17 to BPS 19 of
Various Occupational Groups/Services

ated 28-02-2017]

In order to ensure an optimum development of human resources available to the government, it is imperative that a continuous process of capacity building is so

engineered that training becomes a regular, mandatory requirement, directly linked to vertical growth of civil servants. In this context, the “Chief Executive of Pakistan was pleased to decide that officers be trained in regular, short courses to equip them with skills and expertise relevant to their job. It has, therefore, been decided by the government that:—

(a) Civil servants prospectively appointed to all Occupational Groups/ Services be required to undergo twelve days of short training course, each year after completing the initial common and specialized training programmes, in a pre-determined progressive mix of skills and concept courses;

(b) Special focus will be given in Public Finance, Budget Preparation, Accounts etc., in addition to the relevant courses of each Occupational Group™”. Sample lists of which are annexed;

(c) Officers presently serving in BPS 17 to BPS 19 be required to undergo twelve days of training, starting year, 2002 [till the year of their consideration for promotion to the next higher °°]; and

(d) Promotion to BPS 18, BPS 19 and BPS 20 be conditional, amongst other criteria, to an assessment of satisfactory participation in these courses.

A sample list of short courses in skills and concepts development identified in consultation with various Ministries/ Divisions/Departments is annexed. All the administrative Ministries/ Divisions/Departments controlling the regularly constituted Occupational Groups, except Ministry of Foreign Affairs (in whose case policy would be announced later) are requested to arrange short training courses for their officers serving in BPS 17 to BPS 19, every year.

[Authority.Establishment Division’s O.M.No.1/6/2002-CP.II, dated 5-4-2002].

Now Prime Minister.

“ Add ‘and service’

(Annex 1)

1. COMMERCE AND TRADE GROUP

SI. No.	Training Course	Duration	Le . Training Institute
1.	a) Basis for International Trade b) International Marketing	One week	ist Foreign Trade Institute of Pakistan (FTIP)
2.	a) Trade Policies b) Trade Strategies	One week	i ppisbieg FTIP) Foreign Trade Institute of
3.	a) National Trade Laws and Institution b) International Trade Laws and Institutions	-do-	-do- -do-
4.	a) Marketing Management b) Marketing Research c) Integration Marketing/Planning Execution	12 days	a log -do-
5.	Products Development	-do-	-do-
6.	a) Promotion of Trade and Investment b) Managing Trade Fairs/Exhibitions abroad for Trade promotion c) Post fairs follow-up & Analysis	12 days	-do-
7.	Organization Role and Functions of WTO™ and its Implications on Pakistan’s Trade and Investment	-do-	FTIP/IBA* *
8.	Any other subject considered relevant by the controlling Division/Agency	Duration not more than 12 days	

2. **CUSTOMS AND EXCISE GROUP

SI. No.	Training Course	Duration	Training Institute
1.	Customs laws and procedures	One week	Directorate of Customs & Excise & Sales Tax Karachi/Lahore/ Islamabad and other training institutes where the facility of training is available.

* World Trade Organization.
** Institute of Business Administration.
“* Now Pakistan Customs Service.

2. Levy and Assessment of duties/taxes, -do-
Exemption, Repayments,
Warehousing, Transit and
Transshipment

3. Import & Export Policies and -do-
Procedures and Concepts related to
International Trade.

4. Sales Tax Laws & procedure -do-
5. Prevention of Smuggling, Search, -do-

Seizure & arrest-Inquiries and
Investigations

6. Central Excise Law and procedure -do-

7. Financial Accounting for Tax -do-
Officers

8. Customs Baggage Rules -do-

9. Basic Investigation Techniques -do-

10. Any other subject considered Duration not
relevant by the controlling more than 12
Division/Agency days

*
3. PAKISTAN ADMINISTRATIVE SERVICE

SI. No. Training Course Duration Training Institute
1. Development Planning/Plan One week Civil Services Academy NIMs, any other
formulation, Planning Machinery Training Institutes where the facility of
in Pakistan Training is available.
2. Feasibility Study, Project -do-

Preparation, Implementation
Monitoring and Evaluation

3. Public Finance & Finance -do-
Management
4. Public Income, its Sources, Effects -do-

of Taxation on Production &
Distribution

5. Public Expenditure, Objects & -do-
Classification, Effects of Public
Expenditure on Production &
Distribution

* District Management Group renamed as “ Pakistan Administrative Service” vide Estt. Div.’s O.M.No.

6/3/2012 CP-II dated 21-05-2012.

SI. No.	Training Course	Duration	Training Institute
6.	Public Debts General Characteristics	-do-	-do-
7.	Principles of Audit & Role of Public Accounts Committee	3 days	
8.	Public Administration, Sector Management and concept of Public Governors	-do-	-do-
9.	Decision Making	-do-	
10.	Devolution Plan	-do-	
ll.	District Tehsil Administration	-do-	
12.	Local Government and Rural Development	-do-	
13.	Role of NGO in Development	-do-	
14.	Any other subject considered relevant by the controlling Division/Agency	Duration not more than 12 days	

4. ECONOMISTS AND PLANNERS GROUP

SI. No.	Training Course	Duration	Training Institute
1.	Course on Macro Economic Planning	12 days	PIDE™
2.	Course on Employment Income and Resource Mobilization	-do-	Pakistan Manpower Institute (PMI)
3.	Course on Human Resource Management	-do-	-do-
4.	General Course on Management	-do-	Pakistan Planning & Management Institute (PPMI)
5.	Course on Balance of Payments	-do-	*PIDE
6.	Course on Debt Management	-do-	*PIDE
7.	Any other subject considered relevant — by the controlling Division/Agency	Duration not more than 12 days	

Pakistan Institute of Development Economics.

5. * INLAND REVENUE SERVICE

Sl. No.	Training Course	Duration	Training Institute
1.	Income Tax Law	One week	Directorate of Training and Research (Income Tax), Lahore
2.	Investigative Techniques and Commercial Practices	-do-	-do-
3.	Accountancy, Book Keeping and Auditing	-do-	-do-
4.	Knowledge of Computers/ Information Technology	-do-	-do-
5.	Advance Management Programme	12 days	Pakistan Institute of Management Karachi/Lahore
6.	Financial Management Course	One week	-do-
7.	Skills in Administrative Matters	One week	Pakistan Institute of Management Karachi/Lahore
8.	Streamlining Administrative Procedure and Paperwork	-do-	-do-
9.	Course in Financial Management for DDOs”™ or Equivalent Rank	-do-	NIM, Karachi
10.	Finance and Accounting for non Financial Executives	-do-	Pakistan Institute of Management, Lahore/Karachi
ll.	Any other subject considered relevant by the controlling Division/Agency	Duration not more than 12 days	

6. INFORMATION GROUP

SI. No.	Training Course	Duration	Training Institute
1.	Duties of Press Officers Abroad	One week	Information Service Academy, PTV Academy or any other Training Institute where the facility of Training is available.
2.	Projecting Kashmir Abroad	One week	
3.	Conflict Resolution	One week	
4.	Mass Communication As Agent of Socio-Cultural Change	3 days	
5.	International Media and Dealing with Foreign Correspondents	3 days	
6.	Publicity, Public Relations and International Relations	One week	

* .
Income Tax Group renamed as Inland Revenue Service.

“ Drawing and Disbursing Officer. See for reference ‘A Hand Book for Drawing & Disbursing Officers’, PPARC, Management Services Wing, Establishment Division.

SI. No. Training Course Duration Training Institute
7. Media Diplomacy and New World One week
Order
8. International News Agencies and One week
their Role in World Politics
9. Any other subject considered Duration not
relevant by the controlling more than 12
Division/Agency days
7. MILITARY LANDS & CANTONMENTS GROUP
SI. No. Training Course Duration _ Training Institute

1. Cantonment Act, 1924 One week NIMs, CSA" or any other training
institute where the facility of training is
available.

2. Cantonment Property Rules -do-

3. Cantonment Servants Rules, 1955 -do-

4, Cantonment Election Petition Rules -do-

1997
5. Administration & Management of -do-
Government Land Inside and Outside
Cantonment
6. Acquisition & Requisitioning of Land -do-
or Property for the purpose of
Federation
7. Resumption, Requisitioning Sale of -do-
Property for Defence Services
8. Any other subject considered relevant Duration
by the controlling Division/Agency not more
than 12
days
8. OFFICE MANAGEMENT GROUP
SI. No. Training Course Duration Training Institute
>» we wee @

1. Financial Management One Week sty. PCB NIM, PIM“ or any
other Training Institute where the
facility is available.

2. Cash Management -do-

3. Office Management -do-

4. Stress Management 3 days

5. Time Management 3 days

6. Budgeting & Financial Control One week

*
Civil Services Academy.

a
Secretariat Training Institute.
week
Pakistan Computer Bureau.

© Pakistan Institute of Management.

7. Communication Skills -do-
Legal drafting -do-
Service Rules 12 days
10. Any other subject considered relevant Duration
by the controlling Division/Agency not more
than 12
days

*
9. PAKISTAN AUDIT & ACCOUNTS SERVICE

SI. No. Training Course Duration Training Institute
IL ACCOUNTING
1. Introduction to Chart of 3 days Audit & Accounts, Training
Classification Institutes, Lahore, Islamabad,

Peshawar, Karachi & Railways
Accounts Academy, Quetta.

2. Compilation of Monthly & Annual -do-
Accounts

3. Reconciliation of Accounts -do-

4. Appropriation and Finance -do-
Accounts

I. AUDIT

1. Value for Money Audit 3 days

2. Issue in Managing Performance 2 days
Audit

3. INTOSAL Auditing Standards -do-

4. Stage of Development of Project -do-

5. Planning for Performance Audit -do-

6. Audit Execution 5 days

7. Financial Analysis 2 days

8. Audit of Programme -do-

9. Certification Audit 6 days

10. Evaluation of Internal Controls -do-

11. Report Writing 2 days

12. Reporting Reviewing Concept & -do-

Practical

13. Audit of Revenue Receipts 3 days

14. Any other subject considered During not
Relevant by the controlling more than 12
Division/Agency days

. Renamed vide Establishment Division OM No. 1/17/92-CP.II, dated 10.12.2002.

10. POLICE SERVICE OF PAKISTAN

SI. No.	Training Course	Duration	Training Institute
lL.	Crisis Management	3 days	National Police Academy, or any other Training Institute where facility of training is available.
2.	Traffic Management & Road Safety	3 days	
3.	Relation with Prosecution & Prison Administration	3 days	
4.	Usage of Information Technology in Policing Welfare	3 days	
5.	Various Systems of Policing	One week	
6.	Policing by Objectives	3 days	
7.	Crime Scene Management/Major Disorder(s)	3 days	
8.	Modern Concepts and Methods of Patrolling	3 days	
9.	Interviewing & Interrogating Skills	3 days	
10.	Preparation & Scrutiny of Challans	3 days	
lL.	Monitoring of Bails, Acquittals and Conviction in Important Cases	One week	
12.	Native & Scope of Criminology, Modern Theories of Crime	One week	
*			
13.	White Collar Crime & Penology		
14,	Any other subject considered relevant by the controlling Ministry/Division/ Agency	Duration not more than 12 days	

11. POSTAL GROUP

SI. No.	Training Course	Duration	Training Institute
1.	Budgeting & Financial Management	One week	Postal Staff College or any other training institute where the training facility is available.
2.	Labour Management Relations	-do-	
3.	Post Office Costing Studies	-do-	
4.	Postal Management	-do-	
5.	Postal Statistics	-do-	
6.	Establishment of Special Services with reference to	-do-	

"The study of punishment in relation to crime; the management of prisons [Chambers 20" Century Dictio

1981].

(a) State of Existing Services

(b) Competition with Courier Services

7. Importance of Post — Socio-Economic -do-
Development
8. Any other subject considered relevant by Duration not
controlling Division/Agency more than 12
days

12. RAILWAYS (COMMERCIAL AND TRANSPORTATION) GROUP

SI. No. Training Course Duration Training Institute

1. Project Management One week piM"/LUMS., or any other

training institute where the training
facility is available.

2. Presentation Skills for Management One week
3. Preparation of Marketing Plan One week
4. Development Marketing Skills One week
5. Management Course for Junior One week
Executives
6. Financial Management for Non- One week
Financial Management
7. Any other subject considered relevant by — Duration not
the controlling Division/Agency more than
12 days
13. SECRETARIAT GROUP
Sl. No. Training Course Duration Training Institute
1. Rules/Laws Applicable to Civil Servants One week Secretariat Training Institute/
(Module-I) NIM/CSA™" or any ___ other
Training Institute where the
facility is available.
2. Rules/Laws Applicable to Civil Servants One week
(Module-II)
3. Economy of Pakistan One week
4. Preparation of Development Schemes One week
5. Project Appraisal, Formulation & One week
Monitoring
6. International Relations One week
7. Human Resource Management One week
8 Management Information System One week
9. Legal Drafting One week
10. Financial Management & Budgeting One week
11. Decision Making One week
12. Any other subject considered relevant by Duration not
the controlling Division/Agency more than 12
days

*
pakistan Institute of Management.

Lahore University of Management Services.
** National Institute of Public Administration; Civil Services Academy.

(ANNEX-2)
SHORT COURSES FOR CONCEPT DEVELOPMENT FOR OFFICERS
IN BPS 18 AND 19 OF ALL GROUPS/SERVICES

Sl. No.	Training Course	Duration	Training Institution
1.	Reconciliation of Accounts	3 days	Audit & Accounts Training Institute, Karachi/ Lahore/Islamabad/Peshawar, Railways Accounts Academy Quetta.
2.	Financial Analysis	2 days	-do-
3.	Planning for Performance Audit	2 days	-do-
4.	Communication Skills	3 days	P.IL.M, NIM
5.	LT & E.Govt.	One week	P.C.B, NIMs, PASC
6.	Human Resource Management	One week	NIM/STI
7.	Introduction of Customs Laws	3 days	Directorate of Customs & Excise & Sales Tax
8.	Sales Tax & Procedure	3 days	-do-
9.	Central Excise Laws	3 days	-do-
10.	Import & Export Policies	3 days	-do-
ll.	Total Quality Management	3 days	CSA/NIMs/PIM
12.	Devolution Plan	3 days	-do-
13.	Local Government & Development	3 days	-do-
14.	Problem Solving & Decision-Making	3 days	CSA/NIMs/PIM
15.	Macro Economic Planning	3 days	PIDE
16.	Basic Income Tax Laws	3 days	Directorate of Training (Income Tax Lahore)
17.	Mass Communication	One week	Information Academy
18.	Media Diplomacy & New World Order	— One week	-do-
19.	Financial Management	One week	NIM, CSA,STI
20.	Office Management	One week	Information Academy.
21.	Legal Drafting	One week	-do-
22.	Preparation of Budget	One week	-do-
23.	Stress Management	One week	NIM/CSA/PIM
24.	Crisis Management	One week	National Police Academy, CSA, NIMs
25.	Labour Management	One week	NILAT Karachi
26.	Marketing Skills	One week	PIM, Karachi/NIM
27.	Civil Servants Act and Rules	(APT) One week	STI/NIMs

Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. Hence APT.

Cuapter-7

Sl. No.
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Sl.
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Training Course

Efficiency & Discipline Rules &
“Removal from Service (Special
Powers) Ordinance 2000

Preparation of Development
Schemes

Project Appraisal, Formulation &
Monitoring

Management Information System
International Relations

Investment Analysis &
Economic Management

Training of Trainers
Environmental Preservation

Role of Women in Rural
Development

Rural Development
Administration

International Economics

Financial Management of
Development Projects

Business Communication
Human Rights

Poverty & Public Policy
Public Relations

Production & Operation
Management

Ethics & Public Policies
Social Welfare Policies

Role of NGOs in Rural
Development

Gender & Governance

Communicating Effectively
through Print Media

Negotiation Skills

Human Resource Planning

Training Need Assessment

ESTACODE (Epition-2021)

Duration

One week

One week

One week

One week

One week

One week

One week
One week

One week

One week

One week

One week

One week
One week
One week
One week

One week

One week
One week

One week

One week

One week

One week

One week

One week

Training Institution

-do-

NIMs/PIDE
NIMs/PIDE

NIM/PASC
CSA/Staff College FSA.
PASC/NIMs/PIDE

PASC/NIMs
NIM/PASC

PARD/NCRD»

PARD/NCRD*

NIMs/PIDE
-do-

PIM/NIMs

NIMs/STI
CSA/NIM/PASC/NCRD*
CSA/NIM/PASC.

-do-

-do-
-do-
PARD/NIM/NCRD**

NIMs/CSA/PASC
Information Academy
NIM/PIM

NIM/PASC
NIM/PASC

* Removal from Service (Special Powers) Ordinance, 2000 has been ceased to exit.

*
National Centre for Rural Development.

SI. No. Training Course Duration Training Institution
53. Internet Training One week PCB/NIM/PASC
54, Effective Record Management One week STI/NIM/PIM
55. Stores/Purchase Procedure One week STI/NIM
56. Time Management One week NIM/CSA/PIM
57. Concept of ISO, 9000 One week PIM
58. Treasury Rules One week STI/NIMs
59. General Financial Rules One week NIM/PIM
60. Principles of Good Management One week —-do-
61. Interpersonal Communication One week -do-
62. Public Relations for Front Line One week — -do-
Officials
63. Management of Public Records One week —-do-
64. Organizational Behaviour One week = -do-
65. General Principles of Modern One week = NIM/CSA/PIM
Government with Special
Reference to Global Capitalism
& Role of World Bank, IMF
Vis-a-Vis, UNO
66. The Genesis and Applications of One week = NIM/CSA/PIM
the Idea of Good Governance
versus Bureaucracy
67. Human Resource Development One week STI, PIM, NIM
68. Information Technology and 12 days PCB/NIM
Office Automation
69. Management Concept and their One week = NIM/PIM
Application in Third World
Countries
70. Concept of Privatisation of Post One week _ Postal Staff College
Merits & De-Merits
71. Computer Literacy/Office-2000 One week PCB/NIM
72. Constitution of Pakistan One week NIM/CSA
73. Microsoft Office One week PCB/NIM
74. Out-look 2 days -do-
75. Web-page Designing 2 days -do-
76. Local Area Network (LAN) 2 days -do-
77. Management Theory & Practice One week NIM/PIM
BB. (a) Financial Management 6 days FTIP/PIM/IBA
(b) Information Technology, &
E-Commerce and MIS 6 days
[Note— The list of above training institutions is tentative. Training may be arranged as per available

training facilities at any training institutions in the relevant field at the nearest station].

11.2

Criteria for Nomination of Officers to National Management College/National Institute of Management (NIMs)

Refer to the subject noted above and to state that the competent authority i.e. Secretary, Establishment Division has been pleased to approve the following criteria/ guidelines for mandatory courses i.e. Mid-Career Management Course (MCMC), Senior Management Course (SMC) and National Management Course (NMC)/National Security and War Course (NS&WC) 2020-21 as under:-—

(i)
Gi)
(iii)

(iv)

(v)

«)
wi)

Officer(s) is/are in BS-18/19/20 or equivalent on regular basis.
The Officer(s) is/are in the promotion zone.

The officers may be considered in order of seniority in their respective cadres and the officers otherwise senior to them should not be ignored.

The officers who are on deputation in international organizations, may not be nominated. Similarly, officer posted in Pakistan’s Missions abroad, except those belonging to Foreign Service of Pakistan, may also not be nominated.

The officers on long leave/EOL and are undergoing disciplinary proceedings may not be nominated. However, those accused officers whose disciplinary proceedings are pending for over one year may also be nominated.

The following documents are also required in respect of each nominee:—

Panel Proforma duly filled in (Annex-I) & (Annex-II).

Detailed bio-data.
Copy of valid seniority list of officer in BS-18/19/20.

Certificate to the effect that no disciplinary proceedings are pending against the nominees. However, those accused officers whose disciplinary proceedings are pending for over one year are exempted.

Latest annual medical examination report in respect of nominees.

Certificate to the effect that no junior officer has been nominated for the course.

[Authority:— Establishment Division’s O.M No. 2/4/2020-T-I (Pt) dated 25-09-2020.]

ANNEX-I
CONFIDENTIAL
As on 2022
NAME SERVICE/GROUP DOMICILE DATE OF JOINING SERVICE
Date of Birth Date of Superannuation
Qualification
Date of Promotion BS-18 BS-19 BS-18
Training Courses Grade Achieved

Penalties if any imposed

Under E&D Rules Removal from Service (Special Power) Ordinance,2000.
Posting held:

BS-17-18

BS-19

BS-20

Postal/Present Address
Mobile/Office Contact No.
Email Address

Signature/Stamp of
Administrative Authority

Cuapter-7 ESTACODE (Epition-2021)
ANNEX-II
1 2 3 4 5 6
No. of No. of No. of No. of No. of Any other

Sanctioned/duty| Officers officers who] sanctioned/duty vacancies in|] relevant
posts in BS-20 | who have | have not | posts in BS-21 the BS-21 information

attended attended |cadre/Group/Service) likely to

presently | NMC/NDU occur in

attending next | year

NMC/NDU

Signature/Stamp of
Administrative Authority

11.3 Nomination of Officers of Autonomous/
Semi-Autonomous Bodies Equivalent to
BS-18, BS-19 & BS-20 for MCMC,SMC & NMC

Refer to above subject and to state that it has been decided that if the Autonomous /Semi-Autonomous Bodies under the administrative control of Federal Government/ Provincial Government/AJ&K Government intend that their officers equivalent to BS-18,BS-19 & BS-20 undergo training courses like MCMC, SMC and NMC at National School of Public Policy alongwith Civil Servants, they shall be allowed, as and when these courses are circulated subject to fulfillment of the prescribed criteria. The nominations of such officers should be forwarded through administrative Ministries/Divisions.

[Authority:- Establishment Division's O.M. No. 8/5/2014-T-VI dated 13-05-2015].

11.4 Annual Medical Examination Reports-
Fitness of a Civil Servant for Posting,
Training and Retention in Service

Refer to the instructions contained at paras 4.14 to 4.26 of the Booklet " A Guide to Performance Evaluation,2004" regarding Annual Medical Examination Reports in respect of the officers in BS-17 & above in the Federal Government. It has been observed that the said instructions are not being complied with, therefore, it becomes difficult to monitor an officer's health for the purpose of posting, training and retention in service. Besides, several cases have been observed where officers nominated for mandatory training fell seriously ill during training and had to be sent back without completing the training.

2. It is, therefore, advised that the instructions referred in pre-para may be complied with and Annual Medical Examination of every officer be ensured. As the Annual Medical Examination Reports are to be placed in the C.R. dossiers, copy of the Reports may be forwarded to the authorities responsible for maintaining C.R. dossiers.

3. Apropos to above, it has been decided that the latest Medical Report shall henceforth be a compulsory requirement at the time of nomination of officers for mandatory training i.e. MCMC,SMC and NMC/NDU. While sending nomination of officers for mandatory training, their latest Annual Medical Examination Report may also be furnished to the Establishment Division. However, the said requirement shall be applicable w.e.f. 1" January,2014.

4. The Ministries/Divisions are requested to bring the aforesaid decision of the Competent Authority to the notice of all concerned including Attached Departments/Sub-ordinate Offices under their administrative control for information and compliance.

[Authority:— Estt. Division's O.M.No.10/1/2012-CP-II dated 17-07-2013]

IV. MISCELLANEOUS INSTRUCTIONS

12.1 Grant of BS-21 and BS-22 to Technical/Professional Officers on Account of Meritorious Services

Following revised criteria as approved by the Prime Minister for grant of BS-21/22 on the basis of meritorious service was circulated vide this Division O.M.No.8/1/2008-CP-V dated 25" November, 2008:—

a. Officers be considered for grant of BS-21 & BS-22 on the basis of meritorious service in order of seniority.

b. PERs should be quantified in present and previous scales as per existing promotion policy and assigned a weightage of 70%.

c. Training from “NIPA, Staff College and National Institute of Management may be given 15% weightage. In case the training information/ requirement is not relevant, overall professional competence be judged and notional marks be assigned on the basis of his previous record.

d. 22 years service in BS-17 and above for grant of BS-22 to technical and professional officers on meritorious service with the addition that the officer concerned should also complete at-least two years service in a post in Basic Scale 21 for the said grant.

e. The Special Selection Committee shall scrutinize Significant Contribution of the Technical and Professional Officers in their relevant fields of specialization, consulting Secretary concerned and head _ of Offices/Organizations about the background, level of competence and general reputation and allocate marks out of 15 to the officers being considered for grant of BS-21 and BS-22 on the basis of meritorious services.

f. Minimum threshold in this way shall be 75% Marks.

2. In order to prepare a Working Paper for Special Selection Committee, all the Ministries/Divisions are requested to forward proposals in respect of their recommendees in eight sets each for consideration for grant of BS-21 and BS-22 to technical and professional officers under their administrative control, to this Division in accordance with the following procedure:-

a. The proposal should be submitted on the following proformae copies enclosed:—

i. Proforma-I duly signed by the Secretary of the administrative Division.

ii. Proforma-II (Panel Proforma) devised with the concurrence of Finance Division.

iii, P.E.R. Grading & Quantification Form.

b. — Proforma-II (Panel Proforma) to be used for grant of BS-21 or BS-22 with

appropriate modifications.

“Now NIM.

c. The proposal should include only the names of eligible officers in line with Finance Division O.M.No.F.2(3)-R.3/86 dated 7” April,1987 and Estt. Division O.M.No.F.8/1/2008-CP-V dated 25" November, 2008.

d. Following information/documents must also be provided:-
(i) | Total number of sanctioned BS-20 technical posts in the Division.
(ii) | The number of pool posts (122 % of the total posts).
(iii) The posts already occupied (officers in position).
(iv) The number of pool posts actually vacant.
(v) Seniority-wise List of officers on the panel.
(vi) Justifications for ignoring senior officers (if applicable).

(vii) The proposed officer fulfills all the conditions enumerated in the annexure to this letter

(viii) A BS-20 officer must sign the documents and furnish a certificate that all the contents are verified and the proposed officers fulfill all the criteria enumerated in the O.M. referred to in para 1 above.

(ix) The category of Technical/Professional Officers as enumerated in Panel Proforma for Special Selection Committee is required to be mentioned for the nominated officer.

(x) The officer holds the technical post in the cadre concerned on regular basis and possesses professional/technical qualification as laid down in the recruitment rules.

e. The proposals for grant of BS-21 & 22 on meritorious basis to the officers belonging to autonomous/semi-autonomous bodies under their control, Ministries/Divisions, be processed in line with Finance Division’s O.M. No.F.2(3)-R.3/86 dated 13" October,1988 also indicating that these bodies have adopted the Basic Pay Schemes including allowances and benefits.

3. The proposals, if any, should reach the Establishment Division within two weeks from the date of issue of this Office Memorandum. Incomplete proposals as well as those received after due date will not be included in the agenda of the meeting.

[Authority:- Establishment Division’s O.M.No.8/2/2011-CP-5 dated 03-10-2012].

12.2 Clarification Regarding Revision of Policy for Grant of BS-21 and BS-22 to Technical and Professional officers on the basis of Meritorious Services

This Division’s O.M of even number dated 25" November, 2008 on the above

subject regarding policy for grant of BS-21 and BS-22 to technical and professional officers on the basis of meritorious services and to say that criteria for grant of BS-21 and BS-22 to technical and professional officers on the basis of meritorious services to the extent of length of service has been modified with the approval of competent authority as under:-—

For BS-22

Twenty two years service in Basic Scale 17 and above excluding the period of suspension not counted as duty and extraordinary leave and has completed at least two years in a post in Basic Scale 21.

For BS-21

Twenty two years service in Basic Scale 17 and above excluding the period of suspension not counted as duty and extraordinary leave and has completed at least two years in a post in Basic Scale 20.

2. | The other terms and conditions for the said grant contained in Finance Division O.M No. F. 2(3)-R 3/86 dated 7” April, 1987 and Establishment Division O.M No. 8/2/97-CP-4 dated 29" December, 2001 read with Establishment Division’s O.M of even number dated 25" November, 2008 shall remain in force as heretofore.

[Authority:— Estt. Division’s O.M. No. F. 8/1/2008/CP-V dated 4-10-2012].

12.3 Grant of BS-21 to Technical and Professional Officers on Account of Meritorious Service

Refer to Finance Division’s O.M.No.F.2(3)R-3/86 dated 07-04-1987 on the above subject and to state that appointment and conditions of service of a person are required to be determined in the case of services of a Province and posts in connection with the affairs of a Province by or under Act of the Provincial Assembly in terms of Article 240(b) and Article 142(c) of the Constitution of Islamic Republic of Pakistan, 1973.

2. In view of the above, the decision to grant a higher grade to an employee of a provincial service on meritorious basis falls within the competence of the concerned Provincial Government and such cases do not require any order from the Federal Government, as already conveyed by Establishment Division vide their letter No.8/2/97-CP-5 dated 16-11-2002 (Annexure).

3. Finance Division’s O.M. under reference containing modalities for grant of BPS-21 & 22 to technical and professional officers of Provincial services may be treated to have been amended to the extent as indicated at para-2 above.

[Authority:- Finance Division’s O.M.No F.3(5) R-4/2009 dated 2™ April,2015].

ANNEXURE

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

kk

No.8/2/97-CP-5 Islamabad, the 16"' November,2002.

From: Mr. Muhammad Wishaq,
Section Officer (CP-5)
Tel: 9202534.

To: The Chief Secretary,
Government of Punjab,
Lahore.

The Chief Secretary,

Government of Sindh,
Karachi.

The Chief Secretary,
Government of “NWFP,
Peshawar.

The Chief Secretary,
Government of Baluchistan,

Quetta.

Subject:- GRANT OF BS-21/22 TO THE TECHNICAL/PROFESSIONAL OFFICERS
IN SPECIALLY MERITORIOUS CASES.

Dear Sir,

I am directed to refer to Finance Division 0.M.No.F.2(3)-R-3/86 dated 7" April,1987 and Establishment Division O.M.No.8/2/97-CP-5 dated 29-12-2001 the subject noted above and to say that appointment and conditions of service of a person are required to be determined in the case of services of a Province and posts in connection with the affairs of a Province by or under Act of the Provincial Assembly in terms of Article 240(b) and Article 142(c) of the Constitution of Islamic Republic of Pakistan, 1973.

2. In view of above, the decision to grant of higher grade to an employee of a provincial service on meritorious basis falls within the competence of the concerned Provincial Government and

case does not require any order from the Federal Government.

3. This issues with the approval of the competent authority.

Yours faithfully,

(MUHAMMAD WISHAQ)
SECTION OFFICER

* Now K.P.K.

ANNEXURE-I

Ref. SI.No.12.3

PROFORMA-I

GOVERNMENT OF PAKISTAN

MINISTRY OF

PROFORMA FOR SUBMISSION OF PROPOSALS FOR GRANT OF BS-21 OR 22 TO TECHNICAL AND PROFESSIONAL OFFICERS

Ss. No.	Particulars of Posts/officers	Main Ministry/ Department	Attached Subordinate Division Offices	Federal	Total
1	2	3	4	5	6
i.	Total number of technical/ professional posts sanctioned in BS-21.				
ii.	Total number of technical/ professional posts sanctioned in BS-20.				
iii.	Total number of officers holding technical/ professional posts in BS-21 on regular basis.				
iv.	Total number of officers holding technical/ professional posts in BS-20 on regular basis.				
v.	Pool posts @ 12.5% of the total number of posts in BS-20 (i.e. of (ii) above).				

To be signed by.

(Head of the Ministry/Division/
Department or an officer of the status
of a Joint Secretary BS-20

Cnapter-7

MINISTRY OF

PANEL PROFORMA FOR
SPECIAL SELECTION COMMITTEE
FOR GRANT OF BS-21/22 TO BS-20/21 TECHNICAL
AND PROFESSIONAL OFFICERS
ON ACCOUNT OF MERITORIOUS SERVICES

ANNEXURE-II
Ref. SI.No.12.

1
PROFORMA-II

Photo

AS ON

Name of the officer Date of Birth
Domicile Seniority No.
Service/Cadre to which he Nomenclature & BS of the post held
belongs
Technical Qualification & Technical Qualification & Add as Annex-II
Experience Prescribed in the Experience possessed by the officer. |if required.
Recruitment Rules for the
post.
Job description of the post Performance indicators prescribed for |Add as Annex-II
held by the officer the post. if required.
The achievements of the|Add as Particulars of publications. Details)Add as Annex-IV
officer in specific measurable] Annex-III |research papers/books authored by|if required.
terms during last 03 years, if required. | the officer with the names of journals

in which research papers were

published.
Reasons for which the officer| Add as Details of significant contribution
is to be considered as specially | Annex-V ifjmade by the officer in his field of
meritorious. required. | specialization.

SERVICE PARTICULARS

Date of Joining Date of Promotion in Length of Service Eligibility for
Government | Present Lower Ranks consideration
Service Scale BS-19 |BS-18 | BS-17 Service [In Present Total
BS-20 In the Scale
Cadre
Y|M{Y{M/|Y |M
IMPORTANT APPOINTMENTS HELD IN THE PRESENT RANK
S.No. Post Held S.No. Post Held

1. 2.
Penalties (if any)
Training Courses (other than
Mandatory Training, if any)
Grading of Mandatory Training at
*NIPA/SMC, if done
NUMBER OF PERS

“Now NIM.

Basic Scale Outstanding Very Good Average Below Adverse Report/
Good Reports Average Remarks in BS-19
BS-19
BS-20
Awaited Additional Information
Reports (PERs)
EFFICIENCY INDEX
Required Score of PERs & Marks awarded by Total
Threshold Training Reports SSC
Recommendations of Special Selection Committee
Promoted Deferred Superseded
Prepared by

(Section Officer or Equivalent

Checked by

(Deputy Secretary or Equivalent)

ANNEXURE-IIT
Ref. SL.No.12.1

PER GRADING & QUANTIFICATION FORM

Name:

Year Post held Min/Div/ Period of PER'S Fitness for | Score
Deptt. PER Assessment Promotion
From To By RO | By CO

Previous Scale (BS-19/20)

Aggregate Score=

Present Scale (BS-20/21)

CALCULATION OF SCORE

A. PERs Quantified Basic Scale Aggregate Weightage Points
Score 60:40 Score Factor Obtained
@10% Present Scale
Previous Scale
i. Additions
ii. Deletions
Total (A):-
B. Training: *"NIPA/NMC
@15% LHR [KAR [QTA | PSH
C. Grand Total (A+B)
Prepared by Checked by
(Superintendent or Equivalent) (Section Officer or Equivalent)

Countersigned by
(Deputy Secretary or Equivalent)

SI.No. 13
Knowledge of Islamic/Pakistan Studies

The President was pleased to direct vide CMLA Secretariat's directive No. 270 of 1981 that:—

"Various systems and methods of selection are in vogue for inducting individuals in the government at different levels. At the higher level, selection is made by the Public Service Commissions. Separate criteria are prescribed for induction at each level. In all these systems and procedures, one thing must be common, that is, assessment of the candidate's knowledge of Islamic and Pakistan Studies. Persons without adequate knowledge of these subjects will not be considered fit for appointment to government jobs, irrespective of their proficiency in other fields. Necessary instructions will be issued; as executive orders, immediately, and implementation by all concerned ensured. If an Ordinance is considered to be

* Now NIM.

necessary to give effect to this directive or would help to make its implementation more effective, it may be prepared and submitted to me".

2. The matter has been examined in the Establishment Division and it has been decided that the existing rules give the Chairman, FPSC and the Departmental Selection Committees adequate powers to prescribe the qualifications for inducting individuals in government departments. There is, therefore, no need for any change in the rules.

3. All selection authorities, however, will ensure that a certain percentage of the marks in any interview/examination carried out for induction of individuals into the government service will be reserved for Islamic and Pakistan Studies. Persons scoring less than pass marks in these subjects will not be considered fit for appointment to government jobs, irrespective of their proficiency in other fields.

[Authority:— Estt. Secretary's D.O. No.4/14/81-TI, dated 24-6-1981].

SI.No. 14

Declining Promotion to Evade Transfer to an Unattractive Station

A decision was circulated vide Establishment Division O.M. No. 1/21/76-D. I, dated the 18" September, 1976 (Annex) that if a senior person declines promotion to suit his convenience, he should lose in seniority to the next junior person who is promoted in the relevant vacancy, and that he should not be considered for promotion till after his case for promotion has been considered again by the Selection Board in a subsequent meeting. The competent authority may also consider the grounds on which promotion has been declined and, in suitable cases, may take disciplinary action (on grounds of misconduct, that is, refusal to obey orders to proceed on transfer to another station) where it is clear that the promotion has been declined to evade transfer to an unattractive station, and may impose the penalty of withholding of promotion for a specified period.

2. It has now been considered that the aforesaid decision is inconsistent with the broad provisions of the Civil Servants Act, 1973. The Establishment Division O.M. No. 1/21/76-D.II, dated 18" September, 1976 is, therefore, withdrawn with immediate effect. All such cases where senior persons decline promotion to suit their convenience shall be decided in future on merits of each case in consultation with Establishment Division.

[Authority:— Estt. Division O.M.No.1/21/76-D.II(R-4), dated 9-5-1982].

(ANNEX)

[Copy of Establishment Div.'s O.M. No. 1/21/76-D.I1, dated the 18th September, 1976].

The question as to how the seniority of a person who is cleared for promotion but who declines promotion should be determined when he is subsequently promoted has been considered. It has been decided that if a senior person declines promotion to suit his convenience, he should lose in seniority to the next junior person who is promoted in the relevant vacancy, and that he should not be considered for promotion till after his case for promotion has been considered again by the Selection Board in a subsequent meeting. The competent authority may also consider the grounds on which promotion has been declined and, in suitable cases, may take disciplinary action (on grounds of misconduct that is, refusal to obey orders to proceed on transfer to another station) where it is clear that the promotion has been declined to evade transfer to an unattractive station, and may impose the penalty of withholding of promotion for a specified period.

SI.No.15
Discontinuation of use of the Term “Competent Authority”

The Prime Minister has directed that the words “competent authority” frequently used in official notifications and correspondence should be discontinued with immediate effect. Use of the term “competent authority” creates ambiguity and uncertainty. The authority passing the order should be clearly specified in notification/orders/correspondence wherever such a reference is required.

[Authority:— Cabinet Division’s Circular No. 36/Cab/2002 dated 26-11-2002]

CHAPTER 8

CONDUCT, EFFICIENCY AND DISCIPLINE

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Chapter 8

Conduct, Efficiency & Discipline

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Declaration of Assets Held and Acquired by Government
Servants for the year ending 30" June, 20_.

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CHAPTER 8
CONDUCT, EFFICIENCY AND DISCIPLINE
I. CONDUCT
1.1. Government Servants (Conduct) Rules, 1964

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

THE GOVERNMENT SERVANTS (CONDUCT) RULES, 1964

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

(2) They shall come into force at once.

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

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

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

(a) “Government” means the **Central Government and in respect of officers of an All-Pakistan Service serving in a Province, the Provincial Government;

(b) “Government servant” means a person to whom these rules apply; and

(c) “member of a Government servant’s family” includes-

(i) his wife, child or step-child, whether residing with the Government servant or not; and

* Constitution, 1962. Ref. Chapter, 1, Vol. I, Article 241 of the Constitution, 1973 provides that all rules an orders in force before the commencing day shall, so far as consistent with the provisions of the constitutio continue in force and may be amended from time to time by the Federal Government. Hence section 25 (Civil Servants Act, 1973.

** Federal

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

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

4. Repeal of previous Conduct Rules.—The Government Servants Conduct Rules made under section 96-B of the Government of India Act, 1919, and the Secretary of State's Services (Conduct) Rules, 1942, made under sections 247(1),.250 and 269 of the Government of India Act, 1935, in so far as they applied to the persons to whom these rules apply, are hereby repealed, but such repeal shall not affect anything duly done or suffered under those rules.

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

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

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

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

(5) Government servants, except those belonging to BPS | to 4, are prohibited from accepting cash awards offered by the visiting foreign dignitaries. In case, however, it becomes impossible to refuse without causing offence to the visiting dignitary, the amount may be accepted and immediately deposited in the Treasury under the proper head of account.

(6) The responsibility for reporting the receipt of a gift shall devolve on the individual recipient. All gifts received by a Government servant, irrespective of their prices,

* Subs vide Estt. Div.'s Notification No.807(1)/79, dated 12-9-1979.
Note.- Rule 5 may be read in conjunctions with the instructions contained in the Cabinet Division O.M. No 8/5/2017-TK, dated 18-12-2018 at SI.No. 1.5.

must be reported to the ‘Toshakhana’ in the Cabinet Division. However, the responsibility for reporting to the Cabinet Division receipt of gifts, including the names of recipients, from foreign dignitaries or delegations who come to Pakistan or when Pakistani dignitaries or delegations go abroad, shall lie with the Chief of protocol or his representative in the former case, and with the Ambassador concerned in the latter case. In the case of foreign delegations or visiting dignitaries with whom the Chief of Protocol is not associated, the Ministry sponsoring the visit shall be responsible to supply the details of gifts, if received, and the list of recipients to the Cabinet Division and the Ministry of Foreign Affairs.

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

(a) gifts valued upto Rs. 1,000 may be allowed to be retained by the recipient;

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

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

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

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

7. Public demonstrations in honour of Government Servants.— (1) No Government servant shall encourage meetings to be held in his honour or presentation of address of which the main purpose is to praise him.

(2) Notwithstanding anything contained in sub-rule(1)}—

(a) _a Government servant may, with the previous permission of his next higher officer, take part in the raising of funds to be expended for any public or charitable purpose;

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

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

“Values given in Rule 5(7) may be read in conjunctions with the Cabinet Division’s O.M No. 8/5/2017-TK dated 18-12-2018 at SI.No. 1.5.

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

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

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

9. Subscriptions.— Subject to rule 7, no Government servant shall, except with the previous sanction of the Government, ask for or accept or in any way participate in the raising of any subscription or other pecuniary assistance in pursuance of any object whatsoever.

10. Lending and Borrowing.— (1) No Government servant shall lend money to, or borrow money from, or place himself under any pecuniary obligation to, any person within the local limits of his authority or any person with whom he has any official dealings:

Provided that the above rule shall not apply to dealings in the ordinary course of business with a joint stock company, bank or a firm of standing.

(2) When a government servant is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has other wise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess immovable property, or carry on business within the local limits of such authority, he shall forthwith declare the circumstances to the Government through the usual channel.

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

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

*[11. Omitted
*11-A Omitted]

12. Declaration of property.— (1) Every Government servant shall, at the time of entering Government service, make a declaration to the Government, through the usual channel, of all immovable and movable properties including shares, certificates, securities, insurance policies and jewellery having a total value of **[Rs.50,000 (fifty

* Omitted vide Estt. Div.'s Notification SRO 984(1/2004, dated 15" December, 2004.
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Subs.vide Estt.Div.'s SRO No. 846(1)/85, dated 5.9.1985 for the words Rs. 10,000/- (Ten thousand).

thousand rupees)] or more belonging to or held by him or a member of his family and such declaration shall,—

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

(b) show separately individual items of jewellery exceeding “[Rs. 50,000 (fifty thousand rupees)] in value, and

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

*(2) Every Government Servant shall submit to the Government, through the usual channel an annual declaration of income, assets and expenses for the financial year, ending on 30" June, showing any increase or decrease of property as shown in the declaration under sub-rule(1) or the last annual return, as the case may be.

“(3) Declaration of Assets Proforma shall be opened in the concerned section each year and entered into the relevant database in the month of December showing any increase or decrease of property as shown in the declaration under sub-rule or, as the case may be, the last annual return.

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

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13-A. Assets to be made public.—The assets of all those who are paid from the government exchequer shall be made public.

14. Speculation and investment— (1) No Government servant shall speculate in investments. For the purpose of this sub-rule, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.

(2) No Government servant shall make, or permit any member of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties.

(3) No Government servant shall make any investment the value of which is likely to be affected by some event of which information is available to him as a Government servant and is not equally available to the general public.

(4) If any question arises whether a security or an investment is of the nature referred to in any of the foregoing sub-rules, the decision of the Government thereon shall be final.

“Subs. vide Estt. Div.’s SRO No. 846 (1)/85, dated 5.9.1985 for the words Rs. 10,000/- (Ten thousand).
* \dded vide Estt. Division’s Notification No. SRO.225(1)/92, dated 31-03-1992.
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Inserted vide Estt. Div.’s Notification No. S.R.O 771(1)/2012 dated 04-06-2012.

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

Provided that a Government servant may, subject to the provisions of any general or special order of the Government, take part in the promotion, registration or management of a Co-operative Society registered under the Cooperative Societies Act, 1912 (II of 1912), or under any similar law.

16. Private trade, employment or work.— (1) No Government servant shall, except with the previous sanction of the Government, engage in any trade or undertake any employment or work, other than his official duties:

Provided that he may, without such sanction, undertake honorary work of a religious, social or charitable nature or occasional work of a literary artistic-character, subject to the conditions that his official duties do not thereby suffer and that the occupation or undertaking does not conflict or is not inconsistent with his position or obligations as a Government servant but he shall not undertake or shall discontinue such work if so directed by the Government. A Government servant who has any doubt about the propriety of undertaking any particular work should refer the matter for the orders of the Government:

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

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

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

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

6-B. Government Servant not to live beyond his means, etc.— No government servant shall live beyond his means or indulge in ostentation on occasions of marriage or other ceremonies.

7. Insolvency and habitual indebtedness—— A Government servant shall avoid habitual indebtedness. If a government servant is adjudged or declared insolvent or if the whole of that portion of his salary which is liable to attachment is frequently attached for debt, has been continuously so attached for a period of two years, or is attached for a sum which, in ordinary circumstances, he cannot repay within a period of two years, he shall be presumed to have contravened this rule unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not

have foreseen or over which he had no control and has not proceeded from extravagant or dissipated habits. A government servant who applies to be or is adjudged or declared insolvent shall forthwith report his insolvency to the Head of the Office or Department or to the Secretary of the Ministry, as the case may be, in which he is employed.

“17-A. Intimation of involvement and conviction in a criminal case— If a Government servant is involved as an accused in a criminal case, he shall bring the fact of such involvement or conviction, as the case may be, to the notice of the head of the Office or Department immediately or, ifhe is arrested and released on bail, soon after such release.

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

19. Approach to members of the Assemblies, ete— No Government servant shall, directly or indirectly, approach any Member of the National Assembly or a Provincial Assembly or any other non-official person to intervene on his behalf in any matter.

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

21. Radio broadcasts or television programmes and communications to the press.— No Government servant shall, except with the previous sanction of the Government or any other authority empowered by it in this behalf, or in the bonafide discharge of his duties, participate in a radio broadcast or television programme or contribute any article or write any letter, either anonymously or in his own name or in the name of any other person to any newspaper or periodical:

Provided that such sanction shall generally be granted if such broadcast or television programme or such contribution or letter is not, or may not be considered likely to jeopardize the integrity of the Government servant, the security of Pakistan or friendly relations with foreign States, or to offend public order, decency or morality, or to amount to contempt of court, defamation or incitement to an offence:

Provided further that no such sanction shall be required if such broadcast or television programme or such contribution or letter is of a purely literary, artistic or scientific character.

22. Publication of information and public speeches capable of embarrassing the government.— No Government servant shall, in any document

* Added vide Est. Div.’s Notification No. S.R.0.757(D/78, dated 14-6-1978.

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

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

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

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

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

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

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

(2) No Government servant shall permit any person dependent on him for maintenance or under his care or control to take part in or in any way assist, any movement or activity which is, or tends directly or indirectly to be, subversive of Government as by law established in Pakistan.

(3) No Government servant shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body, whether in Pakistan or elsewhere:

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

“(4) No Government servant shall allow any member of his family dependent on him to indulge in any political activity, including forming a political association and being its member, or to act in a manner in which he himself is not permitted by sub-rule (3) to act.

* added vide Est. Div.’s Notification No.7/2/79-D IV, dated 10-7-1980.
** Federal.
“ Subs. vide Estt. Div.’s Notification No. $.R.0.993(1/76, dated 30-9-1976.

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

(6) The provisions of sub-rules (3) and (5) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of Government servants required or permitted by or under any law, or order of the Government, for the time being in force, to be candidates at such elections.

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

25. Propagation of sectarian creeds ete— No Government servant shall propagate such sectarian creeds or take part in such sectarian controversies or indulge in such sectarian partiality and favouritism as are likely to affect his integrity in the discharge of his duties or to embarrass the administration or create feelings of discontent or displeasure amongst the Government servants in particular and amongst the people in general.

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

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

26. Nepotism, favouritism and victimization, ete— No Government servant shall indulge in provincialism, parochialism, favouritism, victimization and willful abuse of office.

27. Vindication by Government servants of their public acts or character.— A Government servant may not, without the previous sanction of the Government, have recourse to any court or to the press for the vindication of his public acts or character from defamatory attacks. In granting sanction, the Government will ordinarily bear the cost of the proceedings and in other cases leave the Government servant to institute them at his own expense. In the latter case, if he obtains a decision in his favour, the Government may reimburse him to the extent of the whole or any part of the cost.

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

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

* Added vide Estt. Div

** Added vide Estt. Div.

s Notification No. S.R.O. 432(1)/80, dated 27-4-1980.
s Notification No. S.R.O. 837(1)/83 dated 22-8-1983.

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

(a)

(b)

(c)

(d)

(ec)

cc)

Membership of the association and its office bearers shall be confined to a distinct class of Government servants and shall be open to all Government servants of that class.

The association shall not be in any way connected with, or affiliated to any association which does not, or any federation of associations which do not satisfy condition (a).

The association shall not be in any way connected with any political party or organization, or engage in any political activity.

The association shall not —

(i) issue or maintain any periodical publication except in accordance with any general or special order of the Government;

(ii) except with the previous sanction of the Government, published any representation on behalf of its members, whether in the press or otherwise.

The association shall not, in respect of any election to.a legislative body, or to a local authority or body, whether in Pakistan or elsewhere—

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

(ii) by any means support the candidature of any person for such election; or

(iii) undertake or assist in the registration of electors, or the selection of a candidate for such election.

The association shall not—

(i) maintain, or contribute towards the maintenance of, any member of a legislative body, or of any member of local authority or body,

whether in Pakistan or elsewhere;

(ii) pay, or contribute towards, the expenses of any trade union which has constituted a fund under section 16 of the Trade Union Act, 1926 (XVI of 1926).

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

29.

Use of political or other influence.— No Government servant shall bring

or attempt to bring political or other outside influence, directly or indirectly, to bear on the Government or any Government servant in support of any claim arising in connection with his

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

employment as such.

30. Approaching foreign Missions and aid-giving agencies. —No Government servant shall approach, directly or indirectly a foreign mission in Pakistan or any foreign aid-giving agency to secure for himself invitations to visit a foreign country or to elicit offers of training facilities abroad.

31. Delegation of power.— The Government may, by general or special order, delegate to any officer or authority subordinate to it all or any of its powers under these rules and may, by such order, prescribe the channel through which reports shall be made to the Government and the officers receipt by whom of such reports shall be regarded as receipt of the reports by the Government within the meaning of these rules.

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

[Authority.- Estt. Div.'s Notification No. S.R.0.405(K)/64, dated 1-5-1964].

1.2. Delegation of Powers to Secretaries to Government under the Government Servants (Conduct) Rules, 1964

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

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

1.3. Delegation of Powers to Secretaries to Government of Pakistan — Heads of Departments

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

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

1.4 Interpretation of the term "Government" as Defined in the Government Servants (Conduct) Rules, 1964

The term "Government" has been defined in rule 3 (a) of the Government Servants (Conduct) Rules, 1964 as the "*Central Government" and in respect of officers

"Federal.

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

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

3. Ministries/Divisions are therefore advised:-

(a) to dispose of individual cases under the Government Servants\ (Conduct) Rules, 1964 in the light of the above interpretation instead of referring such cases to the Estt. Division.

(b) to consider internal delegation of powers below the rank of Secretaries/ Acting Secretaries so that cases may be decided at appropriate level and all cases are not referred to the Secretary of a Ministry/ Division.

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

5. Cases of officers belonging to an All-Pakistan Service who are serving, for the time being, in a province, should be decided by the Chief Secretary of the Province concerned. Provincial Governments may also like to consider further delegation of powers so that cases can be decided at appropriate level and every case is not referred to the Chief Secretary.

6. This supersedes all previous orders on the subject.

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

1.5 Procedure for the Acceptance and Disposal of Gifts

In supersession of Cabinet Division’s O.M No. 9/8/2004-TK, dated 13” October,2017 and all other instructions issued on the subject from time to time and to state that the Government of Pakistan has made the following procedure for acceptance and disposal of gifts received by Government/Public functionaries.

(1) _ The responsibility rest with the individual recipient to report receipt of the gift(s) to Cabinet Division. All gifts received by the Government/Public functionaries irrespective of their prices, must be reported and deposited

“Federal.

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(5)

immediately in Toshakhana of the Cabinet Division, Government of Pakistan. If it is found, on checking, that an individual has not reported the receipt of a gift, appropriate action will be taken against him under the relevant rules.

If the Chief of Protocol, Ministry of Foreign Affairs, or his representative has been attached to a visiting dignitary or a foreign delegation, it shall be his responsibility to supply the list of the gifts received, together with the names of the recipients, to the Cabinet Division. In the case of other delegations or visiting dignitaries with whom the Chief of Protocol or his representative is not associated, the Ministry sponsoring the visit shall be responsible to supply the details of gifts received and the list of recipients to the Cabinet Division. In the case of outgoing delegations or visits abroad of our dignitaries, it shall be the responsibility of the Ambassador of Pakistan and/or Head of the Pakistan mission in the country concerned to report the receipt of the gifts, together / with the name of the recipients, to the Cabinet Division through the Ministry of Foreign Affairs.

Government/Public functionaries, except those in BPS 1 to BPS 4 are prohibited from receiving cash awards offered by the visiting foreign dignitaries. Such gifts may be politely refused. In case, however it becomes impossible to refuse without causing offence to the visiting dignitary, the amount shall be immediately deposited in the Government treasury and copy of Treasury Challan shall be provided to the Toshakhana Incharge, Cabinet Division.

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

(i) Cabinet Division will get the value of the gifts assessed from Government Sector experts in FBR. Cabinet Division will also get the value of gifts assessed by the private appraisers borne on its approved panel.

(ii) If the difference in value of gifts assessed by two categories of appraisers is less than 25% the high value will be accepted. However, if the difference in value is 25% or more, a Committee to

be constituted by the Cabinet Secretary shall decide the final value.

(6)

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(iii) Private Appraisers borne on the approved panel of the Cabinet Division will be paid 2% of the evaluation cost of each gift or Rs.2000/-, whichever is less.

The monetary limits upto which the gifts can be retained by the recipients are as follows:—

(i) Gifts upto a value of Rs. 30,000/-(Rupees thirty thousand only) may be retained free of cost by the recipient.

(ii) | Gifts valued above Rs.30,000/- may be allowed to be retained by the recipient on payment of 50% of the value exceeding the basic exemption of Rs.30,000/-. This exemption shall however not be available in case of antiques and gifts of intrinsic historical value. All such gifts shall be properly catalogued and displayed at the prominent buildings owned by the Government. Different gift articles given by a single dignitary to a functionary at one occasion will be treated as single gift for the purpose of valuation.

The recipient should collect the gifts after payment of retention price within four months failing which it will become the property of the Toshakhana and will be disposed of as per Toshakhana Rules. The Head of Account of Toshakhana in which the amounts are to be deposited is “1300000- Others (NES) Misc. Receipt,of Darbar Presents (Central)”.

Gifts deposited in the Toshakhana which are fit for display, shall be properly catalogued and then displayed in the prominent buildings/institutions owned by Government or in the official residences of the Head of the State or the Head of the Government. Such articles shall be properly entered in the Toshakhana register and in the stock registers of the respective offices/institutions.

An annual physical verification shall be carried out in respect of such articles by an authorized officer of the Cabinet Division in the first quarter of each calendar year.

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

auctions by the Government servants should be disposed of to the public through sealed bids.

(11) Antique items and vehicles shall not be allowed to be purchased by the recipients. Antiques shall be placed in the museums or displayed in official building owned by the Government. Vehicles shall be given to the Central Pool of Cars of the Cabinet Division.

(12) Gifts, other than those in the nature of antiques or of intrinsic historical value, given to but not retained by the President, the Head of the Government and the Governors, will be sold in accordance with sub-para (10) above. The gifts in the nature of antiques or of intrinsic historical value shall be put on display in accordance with sub-para (8) above.

(13) The procedure shall apply to the President/Head of the Government and their family members, Chairman Senate, Speaker National Assembly, Chief Justice of the Supreme Court, Governors of the Provinces, Members of the Federal Cabinet, Attorney General for Pakistan, Ministers of State, Deputy Chairman Senate, Deputy Speaker National Assembly, Dignitaries holding ministerial status, Members of Provincial Cabinets, Judges of Supreme Court, Chief Justice/Judges of the High Courts, Parliamentarians and other elected representatives, all Government servants (Civil and Military) as well as employees of the Government controlled corporations, autonomous and semi-autonomous bodies and their spouse/dependents, members of the Provincial Governments, other members of public visiting abroad as members of official delegation.

[Authority.— Cabinet Division’s O.M No. 8/5/2017-TK dated 18-12-2018.]

21 Bar Against Demanding Dowry and Acceptance of Gifts on Occasions of Marriages

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

2. In view of the increasing tendency to demand and display dowries and to accept expensive gifts, government have decided that rule 5 (1) of the Government Servants (Conduct) Rules, 1964 should be enforced more rigorously and government servants should be directed to avoid lavish expenditure on marriage and other ceremonies

and to desist from demanding or displaying dowries or accepting gifts from persons other than those who are closely related to them.

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

2.2 Bar Against Acceptance of Gratification by *Grade 1-3 Employees on Occasions of Eid etc. from Public

Allegations have come to the notice of government that.on occasions of Eid and other national festivals, "Grade 1-4 employees of certain government departments like the Post Offices, **Telegraphs, Income Tax, Customs Departments efc., pester people for money and other gratifications. Government view such malpractices with extreme displeasure and wish to re-emphasize the necessity of stopping forthwith such practices, wherever they exist and in whatever form or shape.

2. In this connection, attention of the Ministries/Divisions is invited to clause (1) of rule 5 of the Government Servants (Conduct) Rules, 1964 which provides, inter alia, that a government servant shall not, except with the previous sanction of the government, accept, or permit any member of his family to accept, from any person any giftthe receipt of which will place him under any form of official obligation to the donor. ""[If, however, due to very exceptional reasons, a gift cannot be refused, the same may, under intimation to the Cabinet Division, be kept for official use in the department or organization in which he is working].

3. It is requested that all the Ministries/Divisions may kindly bring the above instructions home to all the BS-1-4 employees under their control including those employed in the Departments, efc., under them, and take effective steps to eradicate such evil practices.

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

2.3 Acceptance of Foreign Trips Sponsored by Commercial Firms

It has come to the notice of the government that government servants accept offers of foreign trips. through the generosity of parties who have commercial dealings with government departments or autonomous bodies. Besides being unbecoming of a government servant, acceptance of such offers tends to place him under official obligation to the party concerned which is not conducive to good administration. It has, therefore, been decided that government servants should attempt to avoid acceptance of offers of such trips. If in any case it is not considered desirable to refuse such an offer in public

* BPS.

**Telephone & Telegraph Department (T&T Deptt.) converted into Pakistan Telecommunication Corporat and later privatized as Pakistan Telecommunication Company Ltd. (PTCL). However, National Telecommunication Corporation caters to the telecommunication needs of the government. The posts of Telephone Operators continue to exist in government organizations.

" 'Amended according to rule 5(1) of the Government Servants (Conduct) Rules, 1964.

interest prior permission of the Establishment Division and the Ministry of Finance should invariably be obtained for its acceptance.

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

2.4 Acceptance of Foreign Awards by Government Servants

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

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

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

2.5 Holding of Farewell Parties on the Occasion of Transfers of Government Servants in their Honour

Attention is invited to "rule 3 of the Government Servants (Conduct) Rules, 1964 according to which a government servant shall not, without the pervious sanction of the local government, receive any complimentary or valedictory address, or take part in the presentation of a complimentary or valedictory address or attend a public meeting, or entertainment held in the honour of such other government servant or to any person. Under sub-rule 2(c) of the same rule, no government servant shall solicit any subscriptions in aid of a fund raised for non-official purposes. Instructions in amplification of this rule issued in the Establishment Division O. M. No. 4/39/61-EVI, dated the 26" July 1961 enjoin — that subscriptions which tend to glorify a particular government official should be discouraged. In view of this, the conduct of government servants who encourage non-officials to give big farewell parties on the occasion of their transfers, or who take interest in promoting a large number of pointless functions and inauguration ceremonies would attract the provisions of rule 3 of the Government Servants (Conduct) Rules, 1964.

2. It is, therefore, requested that the Ministries/Divisions/Provincial Governments may kindly bring the above rule and instructions to the notice of all government servants and put a stop to this tendency among them. It may also be emphasized that breach of this rule will make them liable to be proceeded against under the "*Government Servants (Efficiency and Discipline) Rules, 1973 .

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

* article 259(1) of the Constitution of Pakistan, 1973 reads. " No citizen shall accept any title, honour or decoration from any foreign State except with the approval of the Federal Government".

* Rules 7 and 9 of the Government Servants (Conduct) Rules, 1964.

"Now Civil Servants (Efficiency & Discipline) Rules, 2020.

3.1. Prohibition to be Chief Guests

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

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

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

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

3.2. Raising of Subscriptions for Functions, etc.

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

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

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

3.3 Raising of Subscription for Funds — Regulatory Criteria

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

(i) The 'next higher authority' for the purposes of permission should be the next higher officer of the government servant concerned, but where the next higher officer is below the rank of a Head of Department, the

*
Implies the present local government system.

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permission of the Head of the Department concerned should be obtained through the next higher officer;

No coercion or pressure should be used in the raising of funds-the basis of the campaign should be kept purely voluntary and every precaution should be taken to keep this unconnected with official matters;

The Police and Income Tax authorities should be prohibited from taking part in any collection of funds;

Collection of funds should take place outside office hours and it should not interfere with or hamper in the performance of the official duties of the government servants concerned;

The authority permitting the raising of funds should satisfy itself that these are utilized for the purposes for which these have been collected;

Funds should be collected to the extent it is necessary and care should be taken to see that the public are not unnecessarily burdened;

Foreign establishments and firms should not be individually approached but if in response to a general appeal for funds, they voluntarily contribute, this should be accepted; and

All subscriptions should be duly receipted, accounted for and the accounts submitted to the higher officer for scrutiny.

[Authority.- Estt. Div.'s O.M. No. 4/39/61-D.I, dated 28-4-1962].

Grant of Permission for Acquisition
of Property (Movable and Immovable)
by Government Servants

Clarifications to rule 11 of the Conduct Rules, 1964.— The following clarifications are issued for guidance of the Ministries/Divisions in partial modification of

the instructions contained in Establishment Division O.M. No. 3/17/67-D.II, dated the 28" September, 1967 and with reference to the amendments made in the Government Servants (Conduct)Rules, 1964 vide S.R.O. No. 211 (R)/68:—

(a)

(b)

for purchase of land from Co-operative Housing Society or Government Housing Scheme no permission of the Government is necessary, but for construction of house on the same plot, permission of Government will be required under rule 11-A” of the Government Servants (Conduct) Rules, 1964.

for purchase of bonds, shares or securities from the approved security market, a semi-government institution or through public offer by a company prior permission is not necessary. Permission will, however, be necessary if the purchase is made from sources other than these mentioned above; and

* Rule 11-A, omitted vide Estt. Div.’s Notification SRO 984(1)/2004, dated 15-12-2004.

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

[Authority.- Estt. Div.'s O.M.No. 3/17/67-D.VIL(D-IV), dated 6-8-1969].

4.2 Revision of Proforma for Permission Regarding Acquisition/ Disposal/ Construction of Movable/ Immovable Property

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

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

[Authority— Estt. Div.'s O.M. No.3/47/70-D.1V, dated 29-8-1978].

* Add "and Service".

"all Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09 1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi issued on the subject from time to time were mutatis mutandis amended.

(Annex)
(Sl.No.4.2)
PARTICULARS OF THE MOVABLE/IMMOVABLE PROPERTY PROPOSED TO BE BOUGHT/SOLD

Description of property proposed to be bought, sold or purchased/ constructed	Value of the property to be purchased/ constructed	Amount for which the property is proposed to be purchased/ constructed	Sources and Whether Detailed permission was obtained from the government	Whether the particulars of the purchase, sale or construction of property is given to the government	Particulars of the government servant i.e., Name, Address, Profession and Relationship with his service servant and his family	Whether the government servant had any dealing with property and value thereof or seller during the government servant, if any	Existing movable/ immovable property owned by purchaser/ seller
1	3	3	4	5	6	7	8

Family:— Includes the wife and children dependent on the Government Servant.
Signature
Designation
Ministry/Division
Dated

Establishment Division’s O.M. No. 3/47/70-D IV, dated 30-8-1978.

4.3 Acquisition of Immovable Property by Government Servants Posted/ Employed In Pakistan Missions Abroad

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

(a) Pakistani nationals who have more or less settled down abroad. Such persons may be employed there or may be carrying on some independent business or profession;

(b) Government servants who are Pakistani, nationals employed in our Embassies/Missions abroad;

(c) Pakistani nationals employed in branches or subsidiaries abroad of Pakistani companies/firms.

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

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

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

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

“Also refer to State Bank of Pakistan-Foreign Exchange Manual as updated upto March,2017.

4.4 Declaration of Assets Held and Acquired by Government Servants and Corporation Employees

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

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

(1) The Declaration of Assets are to be submitted by—

(a) all government servants of all grades*,
(b) all re-employed government servants,
(c) all persons employed on contract,

(d) provincial civil servants and corporation employees serving on deputation in the Federal Government,

(e) all officers and employees of corporations/ autonomous bodies set up and/or controlled by the Federal Government.

(f) commissioned and non-commissioned officers of the armed forces serving on secondment in civil posts and in corporations/autonomous bodies.

(I) (a) The Declaration of Assets should be submitted by all concerned on first appointment and thereafter annually on 31% December each year, on the attached proforma which should be filled in and signed by the Declarant himself.

(b) The revised proforma for declaration of assets provides for affixing of photographs of all officers of BS-17 and above on the first submission of declaration of assets under these instructions.

(II) The Declarations are to be made in respect of Property and Assets held in the name of government servant himself and members of his family as defined in rule 3(1) (c) of the Government Servants (Conduct) Rules, 1964 reproduced below:-

“Member of a government servant’s family” includes—

(i) his wife, child or step-child, whether residing with the government servant or not; and

BPS.

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

(IV) The Declaration should include the description/ details of immovable property such as land, houses required, built, or under construction including the property which is under mortgage or which is otherwise encumbered and movable property such as motor vehicles, investment or ownership (part or otherwise) of business: enterprises, stocks, shares, securities, certificates, prize bonds, insurance policies and jewellery having a total value of Rs."[50,000] or more, in terms of rule 12 of the Government Servants (Conduct) Rules, 1964.

(Vv) (@
(b)
(VD (a)
(b)
(©)

It will be the responsibility of Ministries/ Divisions/ Departments/ Corporations/Autonomous Bodies to obtain the declaration of assets in respect of persons serving under them. Failure to file the declarations on the prescribed date or within fifteen days thereof construed as misconduct and the defaulters will be liable to disciplinary action under the rules. Action against the defaulting persons will be taken by the respective Ministries / Divisions / Departments / Organizations etc. under whom the official is serving for the time being in accordance with the relevant disciplinary rules.

A certificate to the effect that such declarations have been obtained from all officials should be forwarded to the Establishment Division by all Ministries/Divisions/ Departments by 1" March of each year.

The Declaration of Assets should be maintained and handled in the same manner as the confidential reports. These should be kept on separate files for each individual official and maintained as companion files of the C.R. dossiers of the officials concerned. The declaration of assets of the officials whose C.R. dossiers are not required to be maintained under the relevant instructions, should be kept in the above manner as companion files to their service books.

The Ministry/Division/ Department/ Corporation or Autonomous Body which maintains the original C.R. dossier/ Service Books of the officers/staff will be responsible for custody and maintenance of the files of Declaration of Assets in the prescribed manner.

For this purpose, the Declarations should be forwarded, alongwith lists to the respective Secretaries of the Ministries/ Divisions/Heads

of Attached Departments/ Corporations/ Autonomous Bodies who

* Revised vide Est. Div.'s Notification No. S.R.O. 846(1/85 dated 5-9-1985 from Rs. 10,000 (Ten Thousand).

are responsible for the maintenance of the C.R. dossiers of the concerned officials by 1* March of each year.

(VID Under a directive of the President, the Secretaries of the Ministries/ Divisions and Heads of Departments etc. are to be held responsible for any case of corruption in the Ministry/Department etc. under them. In cases where the Secretary has reasons to believe that the assets have not been correctly reported, or are in excess of known means of income, may order an investigation through an internal inquiry or by FIA, to be followed by proceedings under disciplinary rules in the event of such charges having been, prima facie, established.

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

4. The Ministries/Divisions may please bring these instructions to the notice of the officials serving under them and the Attached Departments/ Subordinate Offices and

Heads of Corporations/Autonomous Bodies for compliance.

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

(ANNEX)
8-121 (Revised) (Loose)
Declaration of Assets for the
year ending on 31“ December, 20
/on.
(initial appointment)
PHOTOGRAPH
(To bevaffixed by officers in
BPS 17 & above only on the
first declaration under the
revised instruction).
1. Name and Designation
with BPS
2. Occupational Group/Service (if any).
3. Name of Organization where serving.
DECLARATION
I S/o

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

(the date of initial appointment).

Signature
Designation

Rules 3(1) (c) of Government Servants (Conduct) Rules, 1964.
“Member of a government servant’s family” includes:-

(i) his wife, child or step-child, whether residing with the Government servant or not; and

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

Reference to a wife shall be construed as reference to a husband where the government servant is a woman.

For the year ending 31“ December, 20....
S-121(Revised) (Loose)

PROFORMA
(See SI. No. 4.6)

I... .S/D/o... wee Employed in o..ccceccceeeseseeeeneeeeeeeeee hereby declare that no immovable and
shares, certificates, securities, insurance policies and jewellery having a total value of Rs *[50,000]or mor
except as stated below:-

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

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

Signature

Designation

* Subs. vide Estt. Div.’s Notification No. SRO 846(1)/85 dated 5.9.1985.

5.1. Amendments in Government Servants (Conduct) Rules, 1964 and Submission of Declaration of Income and Assets Held and Acquired by Government Servants and Corporation Employees

By amendments in the Government Servants (Conduct) Rules, 1964 vide SRO No. 984(1)/2004, dated 15-12-2004 rules 11 and 11A pertaining to buying/ selling of moveable/immoveable property and construction of building etc. have been omitted. By virtue of substitution of sub-rule (2) of rule-12, every government servant shall submit to the government, through the usual channel an annual declaration of income, assets and expenses for each financial year, (from 1“ July to 30" June), showing any increase or decrease of property as shown in the declaration under sub-rule (1) or the last annual return, as the case may be. According to the new sub-rule (3) of the rule 12, declaration of assets proforma shall be opened in the section concerned each year and entered into the relevant database. To meet the requirements of the amended provisions of rule-12 of the Government Servants (Conduct) Rules, 1964, a revised Declaration of Assets Proforma has been devised (Annex).

2. Following guidelines may be noted for strict compliance:

(i) Declaration of Income, Assets & Expenses are to be submitted on prescribed proforma by all government servants in all BPS including all persons re-employed/employed on contract.

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

(iii) The declaration of assets belonging to officers of PAS, PSP, Secretariat Group and OMG officers only will be forwarded to the Establishment Division.

(iv) A certificate to the effect that such declaration has been obtained from all officers/officials should be forwarded to the Establishment Division by all the Ministries/ Divisions by 1* of September each year. The controlling Ministries/Divisions will submit a consolidated certificate in respect of Departments etc. controlled by them.

(v) ‘It will be the responsibility of Ministries/Divisions/ Departments/ corporations/Autonomous Bodies to obtain the declaration of assets in respect of persons serving under them, take disciplinary actions against the defaulting officers/officials who do not submit declarations by the prescribed date or within fifteen days thereof.

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

[Authority:- Establishment Division’s O.M. No. 2/1/2004-D-4, dated 22™ Dec., 2004]

5.2 Declaration of Assets Held and
Acquired by Government Servants
for the year ending 30" June, 20__

Refer to Rule 12 of the Government Servants (Conduct) Rules, 1964 and administrative instructions issued by the Establishment Division from time to time, on the subject cited above. It is requested to obtain Declarations of Assets and Liabilities by August 31,20 for the year ending June 30, 20___ from the officers/officials belonging to occupational cadres serving under you, on the prescribed proforma (Annex), which is also available on website “http: www.establishment.gov.pk” of the Establishment Division.

2. Establishment Division maintains the record of Declaration of Assets of PAS, PSP, Secretariat Group and OMG Officers. Therefore, Declarations of the officers belonging to these Groups should be forwarded to Establishment Division. Officers belonging to these Groups serving under the respective Provincial Governments may send an advance copy of their Declaration to Establishment Division, to avoid delay. The Declarations of Assets in respect of all other Service Groups/Cadres will be maintained by their respective Ministries/Divisions/Departments.

3. It is pertinent to mention that non-compliance of the above Rules & Instructions tantamounts to “Misconduct” within the meaning of Rule 2(4) of the “Government Servants (Efficiency and Discipline) Rules, 1973. Further, in light of Rule 7 (Gj) of Civil Servants Promotion (BS-18 to BS-21) Rules, 2019 “the civil servant who has not submitted his/her annual declaration of assets forms for the last five years” will be deferred from promotion in the respective promotion boards.

[Authority.— Establishment Division’s O.M No. 2/1/2013-D-4 dated 06-08-2020]

* Now Civil Servants (Efficiency & Discipline) Rules, 2020.

Annex
GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION
DECLARATION OF INCOME AND ASSETS
Financial Year Ending on 30 June
1. Name
NIC No.
N.T.
2. Basic Pay Scale Occupational Group
Service/Department
Present Position Held
3. Present Residential Address
Phone (R) Mobile

4. Income Salary

(During the Rs. Rs. Rs

Financial year)
5. Expenses Utilities (Electricity, Gas, Total Household

(Approx.) Telephone etc.) expenses

Rs. Rs.

6. Private Foreign traveling | Country/Countries Period of Stay Approx. expenses

(Self, Spouse & Children visited From. to Rs.
During F.Y
7. Children’s Education Name(s) of children Educational institutions
attended
(inland & Abroad) during F.Y.
8. Club Membership Name of Club(s) Membership No.

Immovable Assets (Agri & Non-Agri lands, House properties, Commercial & Industrial properties, Open plots of all types)

Identification & nature of Asset(s)

Mode of acquisition/year

Cost of acquisition

Movable Assets (Cash in hand, Mo

Capital etc.)

tor vehicles, Jewellery, Household items, Equipment, Business

Identification & nature of Asset(s)

Mode of acquisition/year

Cost of acquisition

Assets held as Attorney

Identification & nature of Asset(s)

Nature of Power of Attorne’

Nature & Address of

(Revocable/Irrevocable

the Legal Owner

a)

b)

12. Assets disposed off during the year
Identification & nature of Asset(s) Date of disposal Amount received as
Sales proceed (Rs.)
a)
b)
c)
d)
13. Investments (Bonds, Shares, Certificates, deposits/Advances, Loans granted efc.)
Details of Bonds held Investments
Bond No. (s) Denomination Rs. Rs.
a) Rs.
b) Rs.
c) Rs.
d) Rs.
14. Banks Accounts (Current, Saving, Deposit A/c & F.C. A/cs)
A/c No. & Bank Branch | Year of Opening Main source of deposits Balance as on
30.6 (Rs.)
a) Rs.
b) Rs.
c) Rs.
d) Rs.
15. Total Assets (9-14) Rs.
16. Liabilities (Departmental/Bank loans, Over drafts, Mortgages secured, private loans etc.)
Outstanding liabilities (A) Liabilities paid off during the year (B)
a) Rs. Rs.
b) Rs. Rs.
c) Rs. Rs.
d) Rs. Rs.
15-16 (A) Net worth Rs.
As on 30.6.
Net worth declared previously Rs.
As on 30.6.
Signature
Name.
Designation.

Name of the Organization/Deptt.

Place.

Date.

10.

11.

12.

INSTRUCTIONS

If the space provided in the form is found inadequate or some explanation is required, a separate page may be attached/annexed.

All assets should be valued at cost and in the cases of assets acquired through gift name, address of the donor and donees relationship with him is to be declared.

Income declared at Serial 4 must include income earned by the spouse & children as well.

Information requested must be completed. No column should be left blank. Columns which are not applicable should be crossed.

All assets owned by the officer & his family members (Family as defined in Rule 3(1) (c) of Conduct Rules 1964) should be declared. Assets acquired by major children dependents & others where funds have been provided by the officer are also to be declared.

Assets owned partly or acquired on “Hire purchase Agreement” or installment should also be declared.

If any exact figure cannot be inserted an estimated/approx figure may be given.

Sale proceeds of assets disposed off during the relevant financial year must be declared under the head “other sources” (Serial 4).

If there is no change in Assets over the previous year (for which the declaration had been filed) relevant columns (Serial 9, 10 & 11) may be marked “As Before”.

At Serial 11 assets held by others as attorney on behalf of declarant, his spouse or dependent children are also to be declared.

Expenses against utilities (Serial 5) should include bills paid against all meters (Gas & Electricity installed on the residence) and telephone connections (including Mobile) in use of the of officer, spouse & dependent children.

Notwithstanding the applicability of any other law for the time being in- force, this declaration is being filed under Conduct Rule 1964 and any breach therefore (including concealment of assets or giving wrong information) is punishable under RSO™ 2000.

“Since Removal from Service (Special Powers) Ordinance, 2000, stands repealed vide Section 2 (1) of th
No.III of 2010, notified vide Estt. Division’s O.M.No. 3/10/2010-R.II dated 17-03-2010.

5.3 Quarterly Statement Regarding Permissions Granted to the Federal Government Officers Under Government Servants (Conduct) Rules, 1964 by the Provincial Government to Buy and Sell Assets

The Chief Secretaries of Provincial Governments have been allowed to grant permissions to the officers belonging to All Pakistan Services who were for the time being serving in Provinces to buy and sell assets under the Government Servants (Conduct) Rules, 1964. However, the Establishment Division has no record regarding the number of such permissions granted under these delegated powers to “APUG officers and officers/ cadres (other than PCS)" during their posting in a province on deputation basis.

2. All Provincial Governments shall submit the information regarding cases disposed of by the orders of the Chief Secretary in respect of *APUG officers on the proforma attached herewith, on quarterly basis as in the enclosed statement (Annex).

[Authority.- Estab. Div.’s O.M. No. 1/3/99/D=3, dated 30" November, 2002]
Annex

Cases Disposed of by the Orders of Chief Secretary, Government of under the Provision of the Govt. Servants (Conduct) Rules, 1964 during the Calendar Years 2001-2002 (onwards), to the Federal Government Officers Posted in the Provinces for the Time Being

Sl. No.	Name, Designation, BPS/Group/Service and Cadre of the Officer	Description of Property Sold/ Purchased	Copy of Proforma as Prescribed by the Federal Government on which Permission was Sought in Case of Rule 11 & 11-A be attached

6.1 Private Medical Practice by Government Servants

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

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

* All Pakistan Services (Change in Nomenclature) Rules, 1973, notified vide SRO 1307(1)/73 dated 14-09 1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructi issued on the subject from time to time were mutatis mutandis amended.

Provincial Civil Service.

6.2 Transaction of Insurance Business
by Government Servants

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

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

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

[Authority — Estt. Div.’s O.M.No.3/9/66-D.II, dated 15-8-1966].
6.3 Private Work During and After Office Hours

It has been brought to the notice of the Prime Minister that in order to supplement their income, a large number of low paid government servants do private work in addition to their government jobs. Some of them work as ushers in the afternoon, evening and night shows of cinemas while others are often absent from their jobs under government as they attend to private work even during office hours.

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

[Authority.— Estt. Div.’s O.M. No.1/20/76-D-IV, dated 6-3-1976].
6.4 Future Good Conduct of Pensioners

Attention is invited to clause (1) of Article 351 of the Civil Service Regulations which reads as follows:—

“Future good conduct is an implied condition of every grant of a pension. The Local Government and the Government of Pakistan reserve to themselves the right of withholding or withdrawing a pension or any part of it, if the

* Now Civil Servants (Efficiency & Discipline) Rules,2020.

pensioner be convicted of serious crime or be guilty of grave misconduct.”

2. It has been decided that the provision of the above Article should be strictly enforced in all cases by the pension sanctioning authorities. In cases where a pensioner commits misconduct, prompt action should be taken to withhold or withdraw his pension or any part of it.

3. | Misconduct in such cases would mean conduct prejudicial to good behaviour or unbecoming of a gentleman. The decision of the President on any question whether any act on the part of the pensioner is misconduct or not shall be final and binding.

[Authority.- Establishment Secretary’s D.O. letter No.5/4/73-D, IV, dated 11-8-1973].

6.5 Taking Part in Politics by Pensioners

Attention is invited to clause (2) of Article 351 of the Civil Service Regulations which reads as follows:—

“(2) Except with the previous sanction of the *Central Government, no pensioner shall, within a period of two years from the date of his/her retirement, take part in any election or engage in political activity of any kind.”

2. It would be noticed from the above that the pensioner can participate in political activity within two years of his retirement from service only with the previous sanction of the Federal Government. It has, however, been decided that as a matter of policy no permission should in future be granted to,any pensioner to engage in political activity of any kind.

3. It may be clarified that political activity would include activities like affiliation with political parties, public speeches, writing articles, giving statements, attending political meetings, making monetary contribution for political purposes etc. This clarification may be brought to the notice of the government servants and also to pensioners who have not yet completed two years from the date of their retirement.

[Authority.- Establishment Secretary’s D.O. letter No. 5/3/73-D.IV, dated 3 1-7-1973].

7.1. Employment of Dependent Family Members of a Government Servant in Foreign Missions in Pakistan

A question has arisen whether dependent family members of a government servant can seek employment in foreign missions in Pakistan. The matter has been considered and it has been decided that government servants should not allow their wives to seek employment in foreign diplomatic missions in Pakistan.

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

72 Engagement in Trade, Business etc. by Spouses of Government Servants

Under the Government Servants (Conduct) Rules, 1964, no government servant is

* Federal.

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

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

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

73 Instructions under Government Servants (Conduct) Rules, 1964 Regarding Procedure for Engaging in Private Business, Trade and Consultancy Work

Government servants in addition to their official duties are known to engage in private business, trade and consultancy work which provide them with pecuniary benefits. However, it has been observed that in many such instances, procedural requirements under the Government Servants (Conduct) Rules,1964 are either not complied with in letter and spirit, or are in many cases, totally ignored.

2. Under Rule 16 of the Government Servants (Conduct) Rules, 1964, government servants are not allowed to engage in private business, trade, or employment/ consultancy work., except with the previous sanctions of the government, and provide such activity does not amount to conflict of interest in terms of the officer's position or obligations as a government servant. Further, a government servant shall not undertake or shall discontinue such work, if so directed by the Government. Also, a government servant who has any doubt about the propriety of undertaking any particular work should refer the matter for orders of the Government.

3. The above provisions of the Government Servants (Conduct) Rules,1964 need to be complied with in letter and spirit. These may therefore be circulated to all government servants belonging to all occupational cadres falling under the Federal Government jurisdiction. Any violation of these instructions tantamounts to misconduct and is liable to be proceeded against under the "Government Servants (Efficiency and Discipline) Rules, 1973.

[Authority.- Estt. Div.'s O.M.No.1/20/1976-D-3, dated 23-07-2020].

"Now Civil Servants (Efficiency & Discipline) Rules, 2020.

7.4 Use of Social Media by Government Servants

Kindly refer to Establishment Division's Circular No. 1/20/1976-D-3, dated 23 July, 2020 whereby detailed instructions under Government Servants (Conduct) Rules, 1964, governing participation of government servants in difference media forums including social media platforms were issued for compliance.

2. Under the Rules ibid, no government servant can participate in any media platform except with the express permission of the Government. Rule 18 of the Rules ibid bars a government servant from sharing official information or document with a government servant unauthorized to receive it or a private person or press. Further, Rule 22 of the Rules ibid refrains a government servant from making any statement of fact or opinion which is capable of embarrassing the Government in any document published or in any communication made to the press or in any public utterance or television programme or radio broadcast delivered by him or her. Furthermore, Rules 21, 25, 25-A and 25-B of the Rules ibid bar a government servant from expressing views against leology and integrity of Pakistan or any government policy or decision. Besides, they also bar a government servant from offering views on any media platform which may either harm the national security,or friendly relations with foreign states; or offend public order, decency or morality; or amount to contempt of court or defamation or incitement to an offence; or, propagate sectarian creeds.

3. Despite the aforementioned instructions and the guiding legal frame-work, it has been observed that government servants often engage themselves with social media i.e. websites and applications that enable users to create and share contents or participate in social networking /virtual communities/online groups. They, while using different social media platforms including Facebook, Twitter, WhatsApp, Instagram, Microblog-ging etc. to air their views on a host/of subject, sometimes indulge in actions or behavior that does not conform to the required standards of official conduct, as envisaged in the Rules ibid. Such actions range from unauthorized relaying of the official information to disseminating the wrong or misleading information to airing of political or secretarian views etc.

4. In view of the foregoing, it is expedient to issue the following instructions for governing use of social media platforms by government servants:-

i. The same instructions as are applicable to government servants while speaking at public fora or publishing articles in print media, shall apply, mutatis mutandis, to the use of social media by them.

ii. As provided in Rule 18 of the Rules ibid, they shall not indulge in

unauthorized disclosure of the official information or sharing of the official documents they come across during the course of performing their duties, via social media.

iii. In order to maintain their impartiality and objectivity in performance, they shall not partake in any discussion on social media or exchange or forward information or message that express their opinion on political issues.

iv. They shall not participate in furthering of any information especially pertaining to government matters that, prima facie, appears to be unauthentic and misleading.

v. They shall not make any disparaging remarks aimed at any individual or group or sect or faith and shall uphold values guiding the Civil Service at all times. They are advised to observe discretion and moderation in use of the Social Media and uphold high standards of propriety.

5. It is, however, clarified that the instructions contained at para 4 are not intended to discourage any constructive and positive use of social media by a government organization for engaging with the public to solicit feedback on a government policy, suggestions for improvement in service delivery and resolution of their complaints. However, such an organization shall edit their social media platforms continuously or frequently to re move offensive, inappropriate and objectionable remarks.

6. All government servants are required to comply with the above instructions in letter and spirit. These may, therefore, be circulated to all government servants belonging to all the occupational cadres falling in the jurisdiction of the Federal Government. Violation of one or more of these instructions will tantamount to misconduct and shall invite disciplinary action against the delinquent government servant under Civil Servants (Efficiency and Discipline) Rules, 2020. Further, in case of a violation committed on a group platform the ‘Administrators’’ or the ‘Admin’, if they are serving government servants, shall also be liable to the disciplinary proceedings.

7. All Federal Secretaries/Additional Secretaries (Incharge)/Service or Cadre Administrators/Chief Secretaries are requested to ensure implementation of these instructions.

[Authority:—Establishment Division’s O.M No. 14/04/2021-D-II dated 25-08-2021.]

7.5 Membership of Private Associations
Connected with Social Work

It has been brought to the notice of the Establishment Division that permission was refused to a government servant to become an office-holder of a private association, whose activities are confined to social work only and whose character is non-political, on the ground that membership of such associations is barred to government servants. Attention of the Ministry of Finance, etc. is drawn to rule 16 of the Government Servants (Conduct) Rules, 1964 and the note thereunder and it is stated that there is no bar to government servants becoming office bearers of such associations, provided they inform their immediate departmental superiors who will decide, with reference to the said rule and note, whether the matter should be reported for the orders of government.

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

7.6 Association with Private Trusts, Foundations, etc.

The Government of Pakistan have considered the desirability or otherwise of serving government servants being associated with private trusts, foundations and similar other institutions which are not sponsored by the government itself, and have decided that no serving officer should associate himself with any such association or organization.

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

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

7.7 Prosecution of Studies by Government
Servants in Educational Institutions

A reference is invited to the Establishment Division O.M. No.4/24/59-VI, dated the 3" May, 1960. It is stated that on further consideration, it has been decided that:—

(1) Government servants intending to take-up a course of study at educational institutions should be required to take prior permission of the Head of the Department.

(2) No-such permission should be granted unless the Head of the Department is satisfied that the prosecution of studies will not interfere with the government servants' official duties.

(3) Permission granted may be withdrawn, if the Head of the Department is convinced that the government servant is taking part in politics or prosecution of such studies is interfering with the satisfactory performance of the duties.

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

7.8 Appearing at an Examination as Private
Candidates by Government Servants

A question has been raised whether permission is necessary for a government

servant for appearing at an examination as a private candidate. The matter has been

considered in consultation with the Home Affairs Division* and the

**two Provincial

Governments and it has been decided that:—

(a)

(b)

In case of those government officials who are prosecuting studies in educational institutions with the permission of the Head of Department no further permission is required for appearing in the examination.

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

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

8.1

Bar Against Naming of Institutions, Projects, Roads, Streets etc. in the Country after the Names of Government Servants

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

@)

(ii)

(iii)

(iv)

No institution, road, street, etc., should be named after a government servant or a public representative while he is still alive.

No institution, official or semi-official should be allowed to be named after a non-Pakistani without the permission of the Federal Government.

British names of towns, institutions, settlements etc. should be gradually replaced by Pakistani or Islamic names.

Institutions and projects like bridges, buildings, roads, streets, etc. may be named after the following:—

(a) The founder of the nation and persons who were in the forefront of the freedom movement, and took a prominent part in the creation of Pakistan.

(b) National personalities (no longer alive) with unblemished record of service to the nation.

(c) Heroes who have laid down their lives for the defence of the country in war.

(d) Art and cultural institutions may be named after dead artists of national fame. The same principle can be followed in respect of educational institutions, libraries, scientific and technical institutions etc.

(e) Principal donors of any building or institution built out of or for charity.

* Now Interior Division.

** The word ‘two’ may be read ‘four’.

(f) Living or dead heads of state/government of foreign countries friendly towards Pakistan.

(v) Defence installations, military lines and institutions in cantonments and army stations may be named after war "'shaheeds".

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

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

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

8.2 Participation in Foreign Cultural Associations or Organizations

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

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

8.3 Membership of Foreign Cultural Associations/Organizations

Government have since further decided to authorize the Secretary of the Ministry concerned to grant permission, in consultation with the Ministry of Home "Affairs, to continue the existing membership of such organization, by a government servant who is committed and cannot extricate himself. In new cases, in which also the Ministry of Home Affairs** should be consulted, the policy should be to discourage new membership in the interest of the proper performance of official duties.

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

9.1 Membership of British Library

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

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

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

* Prime Minister; Chief Minister.
Ministry of Interior (Interior Division).

9.2 Unauthorized Communication of
Official Documents or Information

The Rules of Business contain a provision to the effect that no information acquired directly or indirectly from official documents or relating to official matters shall be communicated by a government servant to the press, to non-officials or even officials belonging to other government offices, unless he has been generally or specially empowered to do so. It has been brought to the notice of the Cabinet Division that the implications of the above rule are not fully appreciated by government servants with the result that information contained in official documents finds its way to non-officials or officials belonging to other government offices and through them to outsiders. Ministry of Finance, efc., are requested kindly to bring the matter to the notice of all government servants under their administrative control and warn them that they should not talk about or discuss official matters coming to their knowledge directly or indirectly with outsiders or even with officials belonging to other government offices.

2. It may further be brought to the notice of the government servants that a provision to the same effect as in the Rules of Business, 1973 is made in rule 18 of the Government Servants Conduct Rules,1964 and an infringement thereof can be the subject of departmental proceedings. It is also an offence under Section 5 of the Official Secrets Act, 1923.

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

10.1 Premature Leakage of Information to the Press/Media

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

2. Communication to the press/media or to a Government servant unauthorized to receive it or to a non-official person of any statement facts or opinion or other information by a Government servant which is likely to embarrass the Government is prohibited under rule 22 of the government Servants (Conduct) Rules, 1964 and any infringement of that rule is cognizable under the "Government Servants (Efficiency and Discipline) Rules, 1973.

3. It is therefore, imperative to bring these provisions of Rules to the notice of all Government Servants for strict compliance. In case of violation of these Rules/instructions, the defaulting Government servants may be proceeded under "Government Servants (Efficiency and Discipline) Rules, 1973.

[Authority.- Estt. Div.'s O.M.No.1/20/76-D-IV-D.3, dated 02-07-2011].

"Now Civil Servants (Efficiency & Discipline) Rules, 2020.

10.2. Instructions under Government Servants (Conduct) Rules,1964 Regarding Procedure for Participating in Electronic, Print and Social Media Platforms

Various instances have come to the notice of Establishment Division that Government Servants participate in electronic, print and social media platforms to air their views on a variety of subjects. However, it has been observed that in many such instances, procedural requirements under the Government Servants (Conduct) Rules, 1964 are either not complied with in letter and spirit, or in many cases, totally ignored.

2. Under the Government Servants (Conduct) Rules,1964, no government servant can participate in any media platforms, except with the express permission of the Government. Rules 20,21,22,25,25-A,25-B of the Government Servants (Conduct) Rules,1964 bar government servants from expressing views against policy or ideology of Pakistan, which may harm the security of Pakistan or friendly relations with foreign states, offend public order, decency or morality;.or amount. to contempt of court, defamation or incitement to an offence, besides propagation of sectarian creeds, and also places a bar on government servants from taking part in any public demonstration directed against a government decision or policy.

3. Attention is also, invited to Rule 22 of the Rules Ibid which bars a government servant from making any statement of fact or opinion which is capable of embarrassing the Government in any document published or in any communication made to the press or in any public utterance or television programme or in any radio broadcast delivered by him. Also, Rule 18 bars the government servant from communicating any official document or information to a Government servant unauthorized to receive it or to a non-official person or to the press.

4. The above provisions of the Government Servants (Conduct) Rules,1964 need to be complied with in letter and spirit. These may, therefore, be circulated to all government servants belonging to all the occupational cadres falling under the Federal Government jurisdiction. Any violation of these instructions will tantamount to misconduct, and. is liable to be proceeded against under the “Government Servants (Efficiency and Discipline) Rules, 1973.

[Authority.- Estt. Div.’s O.M. No.1/20/1976-D-3, dated 23-07-2020].

10.3. Consultation with Principal Information Officer for Projection of Government Policies Programmes and Activities

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

“Now Civil Servants (Efficiency & Discipline) Rules, 2020.

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

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

(ii) Press Statements.— On matters of policy which have already been approved by government and which require publicity and proper projection press releases may be authorized by Secretary concerned and issued through the Press Information Department.

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

4. There is a possibility of incorrect or unauthorized information being collected by journalists and press representatives in informal contacts with officials. Attention is drawn to rule 18 of the Government Servants (Conduct) Rules, 1964 which prohibits unauthorized communication of official documents of information to a government servant unauthorized to receive it, or to a non-official person, or to the press. All government servants are warned to be careful in this matter. Any breach of this rule coming to notice will be severely dealt with.

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

10.4 Letters to Editor

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

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

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

4. The clipping from the "Letters to the Editors" columns will, as usual, be supplied to the government departments/agencies concerned by the Press Information Department.

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

11.1 Approaches to Ministers, M.N.AS. etc. for Purchase or Sale of Property

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

property.

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

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

11.2. Extraneous Influence by Government Servants in Respect of Service Matters

It has been observed that the government servants, at times, attempt to bring extraneous influences in respect of service matters, such as posting, transfer, deputation etc. These acts are not only in breach of Government Servants (Conduct) rules, 1964 (as amended), but also. constitute 'Misconduct' in terms of rule 2(k) of the "Government Servants (Efficiency and Discipline) Rules, 1973, reproduced below:—

> ""Misconduct', means conduct prejudicial to good order or service discipline or contrary to Government Servant (Conduct) Rules, 1964 or unbecoming of an officer and a gentleman and includes any act on the part of a Civil servant to.assert or attempt to assert political or other exterior influence directly or indirectly to bear on the government or any government officer in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of a Civil servant or having entered into plea bargain under any law for the time being in force and has returned the assets or gains acquired through corruption or corrupt practices, voluntarily."

2. The civil servants are, therefore, advised, in their own interest, to scrupulo-usly observe the provisions contained in the Government Servants Conduct 1964 and discipline rules. In future, if any civil servant attempts to bring extraneous influence in respect of his posting, transfer, deputation, etc., a note to this effect will be placed in his CR dossier, unless of course, proposals on these matters are made by the Ministries/Divisions/ Departments themselves formally to the Establishment Division.

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

* Now Civil Servants (Efficiency & Discipline) Rules, 2020.

11.3. Measures to Curb Extraneous Influences by Government Servants in Service Matters

It has been observed there is an increasing trend among government servants to bring extraneous influences in service matters such as postings and transfers, promotions, etc. Apart from that in terms of rule 19 of the Government Servants (Conduct) Rules, 1964, read with sub-rule (k) of rule 2 of the “Government Servants (Efficiency and Discipline) Rule, 1973, such acts constitute ‘misconduct’, they have an adverse effect on the overall discipline and working efficiency of the concerned set ups.

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

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

[Authority.- Estt. Div.’s D.O. letter No.5/4/82-D.I, dated 5-7-1995].

11.4 Steps to Curb Extraneous Influences

In order to curb the general tendency among the civil/government servants to use extraneous influence in contravention of rules 19 and 29 of the Government Servants (Conduct) Rules, 1964, the present government has decided to take effective steps on the subject. This includes suspension of any civil/government servant accused of the said contravention followed by expeditious E&D proceedings.

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

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

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

* Now Civil Servants (Efficiency & Discipline) Rules, 2020.

11.5 Evidence Before Committee
of the National Assembly

Under rules 114 and 179 of the Rules of Procedure of the National Assembly of Pakistan, the Committees of the Assembly have the power, inter alia, to summon and examine any government servant and to require the production of any official record. As the government servant, who may be thus summoned or directed by a Committee would, in the matter of giving evidence before the Committees, be also subjected to the restrains provided for in rule 23 of the Government Servants (Conduct) Rules, 1964 , a question has arisen as to whether a government servant can, in the course of his examination by any such Committee, decline to disclose any information or to produce any document which he thinks it would not be in the interest of the defence, the security or the external relations of Pakistan or in the public interest generally to disclose or produce. The matter has been considered carefully and it has been decided that in such cases, the government servant concerned should claim privilege and politely decline to disclose such information or produce such document on grounds of public interest.

[Authority.- Estt. Div.'s O.M. No. 1/1/64-F.L/DII, dated 14-1-1965].

11.6 Clarification of Application of Instructions
Regarding Radio Broadcasts to Employees
of Autonomous Bodies

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

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

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

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

(ANNEX)

[Copy of Ministry of Communications O.M. No., KP-2(20)/61, dated the 20" March, 1962].

Reference Information and Broadcasting Division's Office Memorandum No.13 (1)/48-B, dated the 15" December, 1950 regarding broadcast talks by government servants. A question has arisen whether instructions laid down therein are also applicable to the heads

of autonomous, semi-autonomous bodies like the Port Trust etc. and if the heads of such institutions are asked to broadcast talks, their cases should come to the administrative Ministry concerned for grant of permission. Since mention has been made only of government servants, it is presumed, they do not come into the picture. However, the Ministry of National Reconstruction and Information* are requested to kindly clarify the above points for guidance.

12.1 Taking Part in Politics- Bar against
Supporting Student Agitations

Attention is invited to **rule 23 of the Government Servants Conduct Rules,

according to which a government servant shall not permit any person dependent on him or under his care or control, to take part in, or in any way assist any movement or activity which is, or tends directly or indirectly to be subversive of government as by law established in Pakistan. Under the same rule, a government servant shall be deemed to have permitted a person to take part in, or assisted a movement or activity, if he has not taken every possible precaution, and done everything in his power to prevent such person so acting. In view of this, the conduct of government servants who may, consciously or unconsciously, support the student agitators and have sympathies with them would attract the provision of rule 23** of the Government Servants Conduct Rules.

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

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

12.2 Action to be Taken Against Government Servants
Found Indulging in Politics/Subversive Activities

Instructions have been issued from time to time bringing to the notice of the government servants, rules under which their participation and the activities of political organizations is prohibited. In the context of the present situation it is necessary to bring the provisions of the relevant law/rules to the notice of all government servants for their guidance.

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

(i) | The Pakistan Essential Services (Maintenance) Act, 1952.

(ii) The Government Servants (Conduct) Rules, 1964.

(iii) The "Government Servants (Efficiency and Discipline) Rules.

(a) Pakistan Essential Services (Maintenance) Act, 1952 If a

* Now Ministry of Information and Broadcasting.

** Rule 24 of the Govt. Servants (Conduct) Rules, 1964 .

*"" Refers to Government Servants (Efficiency and Discipline) Rules, 1960.

© Now Civil Servants (Efficiency & Discipline) Rules,2020.

government servant, whose employment has been declared essential under rule 3 of the Pakistan Essential Services (Maintenance) Act, 1952, disobeys a lawful order or abandons work without reasonable excuse or departs from any area-specified in an order of a competent authority, he can be prosecuted under the Act and punished with imprisonment upto one year and with fine.

(b) Government Servants (Conduct) Rules, 1964— Rule 24 of the Government Servants (Conduct) Rules 1964 prohibits government servants from taking part in, subscribing in aid of, or assisting in any way any political movement in Pakistan, or relating to the affairs of Pakistan, government servants are thus debarred from joining any political party. A defaulting government servant may be proceeded against under the Government Servants (Conduct) Rules 1964 on the charge of misconduct.

(c) Government Servants (Efficiency & Discipline) Rules— A government servant can be proceeded against if he is guilty of misconduct or is found to be engaged in subversive activities independently. or in association with others under rule 3 of the said rules. For subversive activities, the penalty can be compulsory retirement, removal or dismissal from service.

[Authority.- Estt. Div.'s O.M.No.3/1/69-D.IL, dated 19-2-1969].

Bar against Discussing Politics in

Offices, Clubs, Restaurants and
Public Places

Attention is drawn to rule 24 of the Government Servants (Conduct) Rules, 1964 which prohibits government servants from taking part in politics and elections. The rule is reproduced below:-

"Rule 24 Taking part in politics and elections:-

"(1) No Government servant shall take part in, subscribe in aid of or assist in any

"(2)

"(@)

way, any political movement in Pakistan or relating to the affairs of Pakistan.

No Government servant shall permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist, any movement or activity which is, or tends directly or indirectly to be, subversive of Government as by law established in Pakistan.

No Government servant shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body,

whether in Pakistan or elsewhere:

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

“(4)* No Government servant shall allow any member of his family dependent on him to indulge in any political activity, including forming a political association and being its member, or to act in a manner in which he himself is not permitted by sub-rule (3) to act.

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

“(6) | The provisions of sub-rules (3) and (5) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of Government servants required or permitted by or under any law, or order of the Government for the time being in force to be candidates at such elections.

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

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

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

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

13.1 Supply of Copies of Government Orders/
Instructions to the Employees Associations

Copies of general orders of non-confidential nature, which embody decisions of the government affecting a particular class of employees, may, at the discretion of the authorities which accord recognition, be supplied to the recognized associations, through the Establishment Division.

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

*Subs. vide Estt. Div.’s Notification No. SRO 993(1)/776, dated 30.9.1976.

3. The instructions regarding the supply of copies to the associations, as contained in the above-quoted and other orders, on the subject, are therefore, hereby withdrawn.

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

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

13.2 Continuation of Service Association Other Than Those of Services Regularly Constituted

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

[Authority.- Estt. Secretary's D.O. letter No.16/17/73-F.1, dated 30-1-1974].
SI.No.14
Functioning of Service Associations

Following decisions of the.government were circulated to all Ministries/Offices of the Federal Government vide Establishment Division Office Memoranda of even number, dated the 7th May, 1974 and 11th June,1974 , that:—

(i) elections for the service associations may not be allowed to be held during office hours,

(ii) victory celebrations in such elections may not be allowed within the office premises during the office hours, and

(iii) meetings of service associations may not be held in the office premises during office hours.

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

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

[Authority.- Estt. Div.'s O.M. No.16/4/74-F.1, dated 1-4-1976].

"add "and Groups".

15.1 Permission to Representatives of Service Associations to Attend Various Meetings

It is stated that representatives of service associations have informed that they are facing difficulties to attend the meetings during office hours convened by the Staff Welfare Organization.

2. It has been decided with the approval of Establishment Secretary that the representatives of service associations may be permitted to attend meeting of Board of Trustees, Federal Employees Benevolent Fund and Group Insurance as and when held, during office hours, subject to production of notice from the organization.

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

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

15.2. Grant of Interview to the Office Bearers of the Association

It is stated that Pakistan BS 1 & 2 Employees' Association have stated that the officers in the Ministries/Divisions do not give time for interview to discuss the problem of the employees. Ministries/ Divisions are requested that the request of office bearers of BS 1 & 2 Employees' Association for interview regarding their collective and genuine problems may be accepted.

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

15.3. Bar Against Public Criticism of Government Action by Associations etc.

Public criticism of the government action by a civil servant or a body of civil servants constitutes misconduct under the Government Servants (Conduct) Rules, 1964 and calls for disciplinary action.

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

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

15.4 Demands of Service Associations

It has come to the notice of Establishment Division that un-recognized/ un-registered service associations are in existence with whom some of the Ministries/ Divisions

etc. are having discussions. It is hereby advised that the issues raised registered/ recognized associations may only be considered to ensure elimination of un-registered/un-recognized associations.

[Authority.- Estt. Div.'s O.M. No.16/19/88-D.II, dated 07-11-2006].

16.1 Channel of Communication Between Recognized Service Associations and Government

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

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

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

4. The Ministries/Divisions are requested to designate appropriate officers for the purpose of receiving representations and to notify the same to the associations whose recognition is still valid in terms of Establishment Division D.O. letter No. 16/17/73-F.1., dated the 30" January, 1974. The Establishment Division may please be informed of such associations and the officers designated to receive representations from the associations.

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

[Authority.— Estt. Div.'s O.M.No.1814/75-F.II, dated 28-3-1977].

16.2. Approaching Foreign Missions and Aid-Giving Agencies by Officers to Secure Invitation to Visit a Foreign Country or to Elicit Offers of Training Facilities

It has come to Cabinet's notice that certain officers of the Central* or Provincial Governments have approached foreign governments or their representatives in Pakistan for the grant to them of scholarships, fellowships or other facilities to visit foreign countries, efc., and have finalized the arrangements without obtaining prior approval or have taken these negotiations and arrangements to a stage where refusal by the Government of Pakistan to grant the necessary permission to the officer concerned would embarrass the government as well as the officer. In order to prevent a repetition of such cases, it is considered necessary that no officer should make such approaches in future without the prior approval of the government under which he is employed or make any commitment, whatsoever, without obtaining the prior permission of government.

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

17.1 Correspondence with Foreign Missions

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

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

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

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

* Federal.

17.2 Bar Against Security Scholarships
and Invitation to Visit Abroad

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

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

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

4. It is noted with regret, however, that contrary to the laid-down instructions, there have been several instances where direct invitations were extended by certain foreign governments/missions to Pakistan nationals to visit their countries or to participate in conferences and seminars there. Certain foreign missions in Pakistan have also been seeking to establish direct contacts with various local bodies, institutions and opposition elements.

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

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

18.1 Fraternisation Between Government Servants
and the Foreign Missions in Pakistan

Instructions have been issued, from time to time, explaining the parameters within which a government servant could cultivate contacts with the personnel of the foreign missions in the country. It has, however, come to the notice of the government that despite clear orders there exists a tendency amongst government officials to approach the foreign

missions, directly or indirectly, for personal favours as well as consular facilities. Such acts, obviously are a clear violation of rule 30 of the Government Servants (Conduct) Rules, 1964 and instructions issued thereunder.

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

(1) Government servants should exercise great caution and restraint in the matter of social contacts with the members of foreign mission in Pakistan and, inter-alia, abstain from extending invitations to them for private lunches/dinners at their residence etc.

(2) Officials of the level of Deputy Secretary and below should not receive the officials of the foreign missions, except with the express permission of the Secretary.

(3) Government servants are also prohibited from contacting, or making direct approaches, to the foreign missions in Pakistan, in connection with their private business. All such approaches should be made through proper channel (i.e. the Ministry of Foreign Affairs).

(4) Invitations extended by the foreign missions on the occasions of their national days to the officers below the status of Joint Secretaries, may be accepted only after obtaining permission from the Secretary.

(5) The participation of officers below the status of Joint Secretary in the private functions, arranged by the foreign diplomats, should generally be discouraged. Joint Secretaries and officers of equivalent status will, however, do so with the prior approval of the Secretary.

(6) Repeated and frequent attendance, by the officers, at private functions held by the same foreign diplomat, must be avoided.

(7) Asa general rules, only those officers who come into official contact with the foreign diplomat concerned, should accept his invitation.

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

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

18.2 Indulging in Critical Remarks Against Ministers

All government servants should be warned that they should not indulge in critical remarks against their own Ministers or other Ministers. This is against discipline or good conduct, and should be dealt with as such.

[Authority. - Estt. Secretary's D.O. letter No.4/20/61-D.IL, dated 23-9-1961].

19.1 Government Servants (Marriage with Foreign Nationals) Rules, 1962

In exercise of the powers conferred by clause (2) of Article 178 of the Constitution, the President is pleased to make the following rules, namely:-

1. Short title, application and commencement.— (1) These rules may be called the Government Servants (Marriage with Foreign Nationals) Rules, 1962.

(2) They shall apply to every person who is a member of an All-Pakistan Service or who is serving in a civil capacity in connection withthe affairs of the Central* Government, but shall not apply to any person who is employed on contract.

(3) They shall come into force at once.

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

(a) “foreign national” means a person who is not a citizen of Pakistan;

(b) “government servant” means a person in the service of Pakistan to whom these rules apply whether such person is, for the time being, on ‘foreign service’ or not;

(c) “marriage” means matrimonial relationship entered into in accordance with any law for the time being in force or any religious rites or ceremonies, and its grammatical variations and cognate expressions shall be construed accordingly;

(d) “misconduct” has the same meaning as in the “*Government Servants (Efficiency and Discipline) Rules, 1960.

“3. Marriage with Foreign nationals prohibited.-(1) Subject to the provisions of sub-rule (2), a government servant who marries or promises to marry a foreign national shall be guilty of misconduct and render himself liable to any of the major penalties under the ***Government Servants (Efficiency and Discipline) Rules, 1973.

(2) A government servant, may with the prior permission of the Establishment Division marry or promise to marry a @@[foreign national of any country recognized by Federal Government].

* Federal.

** deputation.

"Now Civil Servants (Efficiency & Discipline) Rules, 2020.

®Subs. vide Establishment Division’s S.R.O No. 999(1)/2019 dated 05-09-2019.
&@ Subs. vide Estt. Div.’s Notification No. S.R.O 1083(1)/2010 dated 12-11-2010.

(3) The grant of permission under sub-rule (2) shall be at the discretion of the “Establishment Division, and may be subject to such conditions, if any, as it may specify.”

4. Supersession of previous rules, notifications, etc.-These rules shall supersede all previous rules, notifications and instructions relating to the conditions of marriage of a government servant.

[Authority.- Estt. Division’s Notification No. S.R.O. 341 (K)/63 (4)/103/5, dated 29-4-1963 as amended upto 13-9-1965].

Note—— Officials who propose to marry Indian nationals should submit applications on the form prescribed vide Establishment Division O.M.No. 4/103/59-D-II, dated the 11" June, 1963.

“Subs. vide Establishment Division’s S.R.O No. 999(1)/2019 dated 05-09-2019.

NEW PROFORMA FOR MARRIAGE WITH A FOREIGN NATIONAL

Name of Ministry/Division/Department:

1.
2.

11.

12.

13.
14.
15.

Date:

Name, Designation and Department in which the official is employed:

Particulars of the lady whom the applicant wishes to marry:

(a) Name:
(b) Father's Name:
(c) Age:

(d) Qualification:

(e) Profession:

(f) Full Address:
Political affiliation of the lady and her family, if any.
Family commitments and relationship, if any.

Whether the lady would come to Pakistan to marry, or the official proposes to go to ?

If the official wishes to go to * why cannot the lady come over to Pakistan to get married?

Whether the lady has visited Pakistan previously and if so, on what date and for what purpose? With whom and where did she stay.

Near relations of the lady in * if employed, where and in what status.

Relations of the lady in Pakistan with address and profession.

Work on. which the official is engaged at present stating the nature of work secret or ordinary.

Work on which the official has been engaged during the last two years stating the

nature of work secret or ordinary.

(a) Number of visits made to* by the applicant with approximate date and purpose of visit in each cases.

(b) Where and with whom did he stay in *
(c) Passport number with date and place of issue.

Place visited in *

Proof, if any, in support of the statement made at Serial No.4.

Present Pakistani address of the Government Servant
Signature

Designation

Certificate to be recorded by Secretary/Joint Secretary/Incharge/Deputy Secretary/Head of the Department.

It is certified that the information given above represents true position in respect of according to his own statement. Information relating
to items No.10, 11 and12 has been verified from the official record.

Place: Signature of the recommending officer
Date Designation
“Note: * stand for name of the foreign Country.”

19.2 Marriage or Promise of Marriage with
Foreign Nationals (Except Indian) to
be Considered ‘Misconduct’

Attention is invited to the Government Servants (Marriage with Foreign Nationals) Rules, 1962, whereunder marriage or promise of marriage with foreign nationals, except those of India, by any government servant is not permitted and contravention of these rules is considered as misconduct rendering the government servants found guilty, liable to be removed from service. Marriage or promise thereof with the citizens of India is possible only with prior permission of the government.

2. It has come to notice that in some cases, the government servants concerned were not fully aware of these rules. Ministries/Divisions are, therefore, requested to draw attention of their officers to the provisions of these rules and advise their strict observance. The attention of all those who enter service in future may also be specifically drawn to these rules at the time of assumption of duties.

3. There is also need for forewarning the officers particularly the young at the time of their going abroad. The officers on such occasions may be granted interviews by Secretaries or heads of departments under whom they work in which the risk involved in violating the marriage rules may be explained.

[Authority.- Estt. Div.’s O.M. No. 3/13/68-D.II, dated 14-6-1968].

19.3. Observance of Government Servants (Marriage
with Foreign Nationals) Rules, 1962 and Guidelines

The competent authority in the “Chief Executive Secretariat has directed that all government servants be directed to:—

(i) _ scrupulously observe the requirements of the Government Servants (Marriage with Foreign Nationals) Rules, 1962 and policy guidelines issued from time to time; and

(ii) abstain from applying for or acquiring green cards/foreign nationality etc. in contravention of the conduct and discipline laws/rules etc.

[Authority: Estt. Div.’s Circular No. 2/7/81-D4/D3, dated 15" June, 2000]

“Now Prime Minister’s Office.

19.4 Bar Against Making Requests for 'Ex-Post Facto' Approval for Marriages with Foreign Nationals

Lately, there has been an increase in requests of ex-post facto approval for marriages with foreign nationals in relaxation of the above rules. Invariably, the excuse for having contracted such marriages by the government servants is ignorance of the rules.

2. | The competent authority has taken serious notice of this tendency and has been pleased to direct that all Ministries/ Divisions/ Departments,be asked to disseminate the rule position to government servants for strict compliance. The competent authority has further directed that in future no more ex-post facto permission will be granted in such cases.

[Authority.- Estt. Div.'s O.M. No.2/7/81-D.IV/D.3, dated 26-9-1988].

19.5 Prohibition of Wasteful Expenditure on Marriages

The Cabinet in its meeting held on 11.2.1997, has, inter alia, decided that the government functionaries henceforth should not attend any such marriage functions which violate the provisions of the Marriages (Prohibition of Wasteful Expenses) Act, 1997 and use discretion in attending marriage functions other than those of close family and personal friends.

[Authority.- Estt. Division's letter No.2/3/97-D.3, dated 18-6-1997].

Il, EFFICIENCY AND DISCIPLINE

20.1 Civil Servants (Efficiency and Discipline) Rules, 2020

In exercise of the powers conferred by sub-section (1) of section 25(1) of the Civil Servants Act,1973 (LXXI of 1973), read with Notification No. S.R.O No. 120(1)/1998, dated the 27" day of February 1998, the Prime Minister is pleased to make the following rules, namely:-—

1. Short title, commencement and application.— (1) These rules shall be called the Civil Servants (Efficiency and Discipline) Rules,2020.

(2) These shall come into force at once and shall apply to every Civil Servant.

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

(a) “Act” means Civil Servants Act,1973 (Act No. LLXI of 1973);

(b) “accused” means a civil servant against whom action is initiated under these rules;

(c) “authority” means the appointing authority as prescribed in rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973:

Provided that where proceedings under these rules are to be initiated against two or more civil servants jointly, the authority in relation to senior most civil servant in rank shall be the authority in respect of all the accused:

Provided further that in all such cases where the President or the Prime Minister is the authority, all functions of the authority under these rules, except approval of initiating the disciplinary proceedings, appointment of a hearing officer and final decision on the report of inquiry officer or the inquiry committee, shall be performed by the respective cadre administrator.

(d) | “appellate authority” means the appellate authority as defined in the Civil Servants (Appeal) Rules, 1977;

(ec) “charges” means allegations framed against the accused relating to the acts of omission or commission cognizable under these rules;

(f) “Government” means the Federal Government, Provincial Governments, Government of Azad Jammu and Kashmir or Government of Gilgit-Baltistan, as the case may be.

(g) “hearing officer” means an officer, as far as possible senior in rank to the accused, appointed by the authority to afford an opportunity of personal hearing to the accused on behalf of the authority concerned;

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(k)

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(2)

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“inefficiency” in relation to the discharge of duties of a civil servant means the failure to efficiently perform functions assigned to him;

“inquiry committee” means a committee consisting of two or more officers, headed by a convener, as may be appointed by the authority to inquire into charges of the accused under these rules;

“inquiry officer” means an officer appointed by the authority to inquire into charges of the accused under these rules;

“misconduct” means conduct prejudicial to good order or service discipline or contrary to Government Servants (Conduct) Rules,1964 or unbecoming of an officer and, a gentlemen and includes any act on the part of a civil servant to assert or attempt to assert political or other exterior influence directly or indirectly to bear on the Government or any Government officer in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of a civil servant, or having entered.into plea bargain under any law for the time being in force and has returned the assets or gains acquired through corruption or corrupt practices, voluntarily;

“penalty” means a penalty as prescribed under these rules.

Words and expressions used but not defined herein shall have the same

meanings as are assigned thereto in the Civil Servants Act,1973 (LXXI of 1973) and rules made thereunder or any other legal instrument, statutory order for the time being in force.

3.

Grounds for proceedings and penalty.— A civil servant shall be liable

to be proceeded under these rules by the authority, if he is—

(a)
(b)
()

(d)

4.

considered or reported to be inefficient or has ceased to be efficient; or
considered or reported to be guilty of misconduct; or
considered or reported to be corrupt because—

(i) he or any of his dependents or any other person through him or on his behalf is in possession (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known source of income; or

(ii) “he has assumed a style of living beyond his ostensible means;

engaged, or is reasonably suspected of being engaged, in subversive activities or is reasonably suspected of being associated with other engaged in subversive activities or is guilty of disclosure of official secrets to any un-authorized person.

Penalties—(1) The authority may, by an order, in writing showing

reasons, impose one or more of the penalties, in accordance with these rules.

(2)

The following shall be various minor penalties, namely:—

Curarrer-8

(a)
(b)

(©)

(d)

censure;

withholding of increment or increments for a specific period, subject to a maximum of three years without cumulative effect:

Provided that the penalty of withholding of increment shall not be imposed upon a civil servant who has reached the maximum of his pay scale or will superannuate within the period of penalty;

reduction to a lower stage or stages, in pay scale, for a specific period, subject to a maximum of three stages without cumulative effect; and

withholding of promotion for a specific period, subject to a maximum of three years, otherwise than for unfitness for promotion in accordance with the rules or orders pertaining to the service or post:

Provided that this period shall be counted from the date when a person junior to the accused is considered for promotion on regular basis for the first time:

Provided further that penalty under this clause shall not be imposed upon a civil servant who has no further prospects of promotion or will superannuate during the period of the said penalty.

(3) The following shall be various major penalties, namely:—

(a)

(b)

(©)
(d)
(e)

recovery of embezzled money from civil servants convicted of embezzlement, recovery as provided under financial rules, from pay or any other amount payable to the accused, the whole or a part of any pecuniary loss caused to the Government or the organization in which he was employed or posted. If the amount due from any such civil servant cannot be wholly recovered from the pay or any other amount payable to him, such amount shall be recovered under the law for the time being in force;

reduction to a lower post and pay scale from the substantive or regular post, for a specific period, subject to a maximum of three years:

Provided that this penalty shall not be imposed upon the accused who is likely to be superannuated within the period of the penalty,

compulsory retirement;

removal from service; and

dismissal from service

(4) The penalty of removal from service shall not but dismissal from service, under these rules, shall disqualify the civil servant for future employment of any kind under the Government.

(5) Subject to any restraining order, passed by any court of competent jurisdiction, any proceedings under these rules shall not be discontinued merely on the grounds of the matter being sub-judice:

Provided that where the holding of departmental inquiry during judicial custody is not possible or side by side with the criminal proceedings may have the effect of impeding the course of justice or of prejudicing the trial, the inquiry may be deferred by the authority till release on bail or termination of criminal proceedings as the case may be.

3. Suspension and leave.— (1) The authority may place any civil servant under suspension or send him on leave, against whom proceedings are proposed to be initiated for an initial period not exceeding one hundred and twenty days at one time extendable in writing, by the authority for such period as it may deem appropriate or till conclusion of the proceedings, if in the opinion of the authority, suspension or sending civil servant on leave is necessary or expedient. If the period of suspension is not extended before the expiry of initial period of suspension, the suspension of such civil servant shall cease to have effect:

Provided that a civil servant who has been charged for a criminal offence and is committed to prison shall be considered as under suspension from the date of his arrest without the formal approval of Authority. In case such a civil servant is not arrested or is released on bail the Authority may suspend him by specific order.

(2) During suspension period the civil servant shall be entitled to his pay, allowance and other benefits in accordance with Fundamental Rule-53.

(3) Ifa civil servant is sent on leave in pursuance of an order under sub rule(1), such period shall be treated as on duty.

(4) __ In case a civil servant is absent from official duty during the proceedings, such period shall be treated as extra ordinary leave without pay.

6. Initiation of proceedings.— Proceedings against the civil servant, in case where the authority decides that it is not necessary to hold an inquiry, shall be initiated from the date the accused is informed by an order in writing of the grounds of proceedings against him and where the authority decides to hold an inquiry against the accused, from the date of such order.

7. Procedure where inquiry is dispensed with — If the authority decides that it is not necessary to hold an inquiry against the accused, it shall

(a) inform the accused, by an order in writing, of the grounds for proceedings against him, clearly specifying the charges therein, alongwith apportion-ment of responsibility and penalty or penalties proposed to be imposed upon him;

(b) give him a reasonable opportunity of showing cause against the proposed action, which should not be less than ten days and more than fourteen

days, from the receipt of the order or within such extended period, as the authority may allow;

(c) on receipt of reply of the accused, within the stipulated period or after the expiry thereof, if no reply is received, on the basis of available record or facts of the case, as the case may be, determine whether the charge or charges have been proved against the accused or not:

Provided that after receipt of reply to the show cause notice from the accused or in case where no reply is received the authority shall, except in such cases where the President or the Prime Minister is the authority, decide the case within a period of thirty days;

(d) _ afford an opportunity of personal hearing, before passing any order of penalty under clause (f), if the charge or charges have been proved against him;

(e) exonerate the accused, by an order in writing, if the charge or charges have not been proved against him; and

(f) impose any one or more penalties, mentioned in rule 4, by an order in writing, if the charge or charges have been proved against the accused.

8. Provision of record. — After initiation of order of inquiry the authority shall ensure that relevant record of the case and other related documents should be supplied to the inquiry officer or the inquiry committee, as the case may be, within seven days or within such an extended period which the authority may allow.

9. Procedure to be followed by authority where inquiry is necessary —
(1) If the authority decides that it is necessary to hold an inquiry against the accused, it shall pass an order of inquiry, in writing. An inquiry order shall include—

(a) _ subject to sub-rule (2) the appointment of an inquiry officer or inquiry committee, provided that the inquiry officer or the convener of the inquiry committee, as the case may, shall as far as possible, be of a rank senior to the accused and where two or more accused are proceeded against jointly, the inquiry officer or the convener of the inquiry committee shall, as far as possible, be of a rank senior to the senior most accused;

(b) the grounds for proceedings, clearly specifying the charges alongwith apportionment of responsibility which shall be communicated to accused within fourteen days, from the date of initiation of proceedings;

(c) appointment of the departmental representative by designation; and

(d) direction to the accused to submit his written defense to the inquiry officers or convener of the inquiry committee, as the case may be, within reasonable time which shall not be less than ten and more than fourteen days from the date of receipt of order under clause (b) or within such an extended period as the authority may allow.

(2) In cases where more than one civil servants are accused in one case, a single inquiry officer or an inquiry committee shall be appointed and the inquiry officer or

convener of the inquiry committee so appointed shall, as far as possible, be of a rank senior to the senior most civil servant accused in the particular case.

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

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

10. Procedure to be followed by inquiry officer or inquiry committee —
(1) On receipt of reply of the accused or on expiry of the stipulated period, if no reply is received from the accused, the inquiry officer or the inquiry committee, as the case may be, shall inquire into the charge or charges or in defense of the accused, as may be considered necessary and where any witness is produced by one party, the other party shall be entitled to cross-examine such witness.

(2) _ If the accused fails to furnish his reply within the stipulated period, the inquiry officer or the inquiry committee, as the case may be, shall proceed with the inquiry ex-parte.

(3) The inquiry officer or the inquiry committee, as the case may be shall hear the case on day to day basis and no adjournment shall be given except for reasons to be recorded, in which case the adjournment shall not be of more than seven days.

(4) Statements of witnesses shall be recorded in the presence of accused and departmental representative.

(5) Where the inquiry officer or the inquiry committee, as the case may be, is satisfied that the accused is hampering or attempting to hamper the progress of the inquiry, he or it shall administer a warning and if thereafter he or it is satisfied that the accused is acting is disregard to the warning, he or it shall record a finding to that effect and proceed to complete the inquiry in such a manner as may be deemed expedient in the interest of justice.

(6) If the accused absents himself from the inquiry on medical grounds, he shall be deemed to have hampered or attempted to hamper the progress of the inquiry, unless medical leave, applied for by him, is sanctioned by the authority on the recommendations of a registered authorized medical officer.

(7) | The inquiry officer or the inquiry committee, as the case may be, shall complete the inquiry within sixty days or within such an extended period which the authority may allow on the request of inquiry officer or Inquiry Committee, as the case may be, for reasons to be recorded and shall submit his or its report to the authority within seven days of the date of completion of inquiry. The inquiry report must contain clear findings as to whether the charge or charges have been proved or not proved and specific

recommendations regarding exoneration or imposition of minor or major penalty or penalties upon the accused:

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

11. Revision.— (1) Subject to sub-rule (2), the authority may call for the record of any case pending before the inquiry officer or inquiry committee, as the case may be, and pass such order in relation thereto as it may deem fit.

(2) No order under sub-rule (1) shall be passed in respect of an accused unless the authority has informed him in writing of the grounds on which it is proposed to make the order and has been given an opportunity of showing cause against it, including an opportunity of personal hearing if requested by the accused or is otherwise necessary in the interest of justice, in particular, when the authority contemplates to pass an order adverse to the interest of the accused:

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

(3) In case, the authority decides to call for a case pending before an inquiry officer or inquiry committee or pending before or disposed of by the authorized officer in terms of the Government Servants (Efficiency and Discipline) Rules, 1973, the authority may do so in exercise of powers conferred under rule 6A of the said rules:

Provided that this power shall in no case be exercised after one year of disposal of such a case by the Authorized Officer.

12. Powers of the inquiry officer or inquiry committee— (1) For the purpose of an inquiry under these rules, the inquiry officer or the inquiry committee, as the case may be, shall have the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (Act No. V of 1908), in respect of the following matters, namely:—

(a) | summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents and receiving evidence on affidavits; and

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

(2) The proceedings under these rules shall be deemed to be judicial proceedings within the meaning of section 193 and 228 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860).

13. Rules 7 and 9 not to apply in certain cases —— Nothing in rule 7 or 9 shall apply to a case—

(a) _ where the accused is dismissed or removed from service, on the ground of conduct which has led to a sentence of fine or of imprisonment; or

(b) where the authority competent to dismiss or remove a person from service, or to reduce a person in lower post and pay scale, is satisfied that, for reasons to be recorded in writing by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

14. Proceedings before or during training, scholarship and leave —(1) In case where a civil servant who has been nominated for training or scholarship, is required to be proceeded against and he has not yet joined the training institute or institution, his nomination shall be withdrawn forthwith by the nominating authority under intimation to the training institute or institution concerned.

(2) In case where a civil servant has already joined the training or institution he shall be allowed to complete his training or scholarship, and the proceedings against him may be deferred till completion of the training or scholarship.

(3) No civil servant shall' be denied training on account of ongoing proceedings for a period of more than one year.

(4) Incase where a civil servant on leave, is required to be proceeded against, his leave shall be cancelled by the authority and shall be called back from the leave to join the proceedings.

15. Duties of the departmental representatives— The departmental representative shall perform the following duties, namely:—

(a).-render full assistance to the inquiry officer or the inquiry committee, as the case may be, during the proceedings where he shall be personally present and fully prepared with all the relevant record relating to the case, on each date of hearing.

(b) Cross-examine the witnesses produced by the accused and with the permission of the inquiry officer or the inquiry committee, as the case may be, may.also cross-examine the prosecution witnesses; and

(c) rebut the grounds of defense offered by the accused before the inquiry officer or the inquiry committee, as the case may be.

(2) In case of failure to perform the assigned duties, the departmental representative shall be liable to departmental proceedings.

16. Order to be passed on receipt of report from the inquiry officer or inquiry committee.— (1) On receipt of report from the inquiry officer or the inquiry committee, as the case may be, the authority shall examine the report and the relevant case material and determine whether the inquiry has been conducted in accordance with the provisions of these rules.

(2) If the authority is satisfied under sub-rule (1) that the inquiry has been conducted in accordance with the provisions of these rules, it shall further determine whether the charge or charges have been proved against the accused or not.

(3) Where the authority is satisfied under sub-rule (2) that the inquiry proceedings have not been conducted in accordance with the provisions of these rules or the facts and merits of the case have been ignored or there are other sufficient grounds, it may, after recording reasons, either remand the inquiry to the inquiry officer or the inquiry committee, as the case may be, with such directions as the authority may like to give, or may order a de novo inquiry through different inquiry officer or inquiry committee.

(4) | The authority may in such case specified under sub-rule (3) also require the inquiry officer or the inquiry committee, as the case may be, to explain as to why the inquiry has not been conducted in accordance with these rules, or as to why the facts or merits of the case have been ignored and on the receipt of reply, may determine that the omission or commission by the inquiry officer or the inquiry committee, as the case may be, was not in good faith and there are grounds to proceed against the inquiry officer or inquiry committee, as the case may be, under these rules.

(5) | Where the charge or charges are determined not to have been proved, the authority shall exonerate the accused by an order in writing.

(6) | Where the charge or charges are determined to have been proved against the accused, the authority shall issue a show cause notice to the accused providing him therewith a copy of inquiry report by which it shall—

(a) inform him of the charge or charges proved against him and the penalty or penalties proposed to be imposed upon him;

(b) — give him reasonable opportunity of showing cause against the penalty or penalties proposed to be imposed upon him and to submit as to why one or more of the penalties as provided in rule 4 including the penalty of dismissal from service may not be imposed upon him and to submit additional defence in writing, if any, within a period which shall not be less than ten days and more than fourteen days from the day the charge or charges have been communicated to him by affording him an opportunity of personal hearing:

Provided that the accused shall in his reply to show cause notice, indicate as to whether he wants to be heard in person or not; and

(c) direct the departmental representative to appear with all the relevant record on the date of personal hearing, if any.

(7) _ After duly considering the reply of the accused to the show cause notice and affording personal hearing to the accused, as appropriate, the authority shall, keeping in view the findings and recommendations of the inquiry officer or the inquiry committee, as the case may be, facts of the case and defence offered by the accused if requested, by an order in writing—

(a) exonerate the accused if charge or charges are not proved; or

(b) impose any one or more of the penalties specified in rule 4 if charges are proved:

Provided that:—

(i) _ where charge or charges of grave corruption are proved against an accused the penalty of dismissal from service shall be imposed, in addition to the penalty of recovery, if any; and

(ii) where charge of absence from duty for a period of more than one year is proved against the accused, the ‘penalty of compulsory retirement or removal or dismissal from»service shall be imposed upon the accused.

(8) After receipt of reply to the show cause notice and affording opportunity of personal hearing, the authority, except where the Prime Minister himself is the authority, shall decide the case within a period of thirty days, excluding the time during which the post held by the authority remained vacant due to certain. reasons.

17. Personal hearing — Notwithstanding the proviso to clause (b) of sub-rule (6) of rule 16, the authority may, by an order in writing, call the accused and the departmental representative, alongwith relevant record of the case, to appear before him, or before a hearing officer, who'shall as far as possible be senior in rank to the accused, appointed by the authority for personal hearing on the fixed date and time.

18. Procedure of inquiry against civil servant on deputation or working in other Governments. or organizations etc—— (1) Where an authority determines to proceed against a civil servant who is on deputation to any other Government, department, corporation, body corporate, autonomous or semi-autonomous body, statutory body or any other organization or institution, hereinafter referred to as the borrowing organization, the authority of such civil servant in his parent department may—

(a) ask the relevant Government or borrowing organization, to frame charges against the civil servant and forward the same his parent department; or

(b) initiate proceedings against him on its own under these rules.

(2) In case of members of All Pakistan Service posted in a Province, Establishment Division may refer a case to the Chief Secretary concerned fro probe or fact finding inquiry and may initiate proceedings on the findings of that probe or fact finding inquiry, or on its own if no findings are received within two months:

Provided that in case of proceedings against any Chief Secretary of a Province, the Establishment Division shall frame the charges and initiate the disciplinary proceedings with approval of the Prime Minister.

19. Appeal. — A civil servant on whom a penalty is imposed shall have such right of appeal provided for as under the Civil Servants (Appeal) Rules, 1977:

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

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

21. Repeal.— (1) The Government Servants (Efficiency and Discipline) Rules, 1973, in their application to the civil servants to whom these rules, apply, are hereby repealed but the repeal thereof shall not affect any action taken or anything done or suffered thereunder.

(2) Notwithstanding the repeal of the aforesaid rules, all proceedings pending immediately before the commencement of these rules against any civil servant under repealed rules shall continue under the repealed rules.

[Authority.— Establishment Division's S.R.O No. 1331 (1)/2020 dated 11-12-2020].

20.2 Disciplinary Proceedings Under "Government Servants (E&D) Rules, 1973 Against Accused Government Servants: Furnishing of Case Material

Instances have come to the notice of the Establishment Division that the Ministries/Divisions and Provincial Governments, while forwarding the cases for obtaining the orders of the competent authority i.e. Establishment Secretary under "[rule 5 (1) (i) of the Government Servants (E&D) Rules, 1973], do not generally observe the provisions of said rules, laid down procedure and earlier instructions issued on the subject matter. It has particularly been observed that the copies of relevant documents and case material against the accused officers are not enclosed as annex alongwith the Summary/Note for the Establishment Secretary, duly signed by the respective "*authorized officers on the subject.

2. All the Secretaries/Additional Secretaries Incharge of Ministries/ Divisions and Chief Secretaries of the Provincial Governments are requested to kindly ensure that, while forwarding the cases of "BPS-17 and above Federal Government servants for obtaining the orders of the Establishment Secretary under "@[rule 5 (1) (i) of the Government Servants (E&D) Rules, 1973], following information and copies of documents be enclosed alongwith the Summary/Note:—

(i) In case of the proposal for placing "BPS-17 and above Federal Government servants under suspension, copies of all relevant documents/ case material including bio-data of the accused officer and copies of documents on the basis of which suspension of the officer is necessitated viz. any complaint or fact finding inquiry/probe etc. be provided.

@@@((ii) In case of a request for extension in suspension period of a government

"Now Civil Servants (Efficiency & Discipline) Rules,2020.
"Rule 5 (1) to (4) of Civil Servants (Efficiency & Discipline) Rules, 2020.
"The role of authorized Officer has not been incorporated in Civil Servants (Efficiency & Discipline) Rules,2020.

Under Rule 2(c) of Civil Servants (E&D) Rules,2020 read with rule 6 of Civil Servants (A.P&T)Rules, 197
the authorities for BS-17 to 19 Officers are now concerned Secretaries. Establishment Division is not req
to be approached for their cases.

Rule 5 (1) to (4) of Civil Servants (Efficiency & Discipline) Rules, 2020.

C6 Cases of suspension or forced leave requires to be observed as given in Rule 5 (1) to (4) of Civil Servants

servant under suspension or extension in forced leave period, on expiry of current sanction after three months, the present position of the disciplinary case, including the stage of inquiry if it is in progress, may invariably be stated in the said proposals.]

(ii) In case of recommendation for reinstatement in service of a government servant under suspension or termination of forced leave period, the copies of complete record of proceedings viz. charge sheet alongwith statement of allegations, show cause notice if issued instead of charge sheet, report of the Inquiry Officer and final orders of the *Authorized Officer etc. be provided.

[Authority Establishment Division's O.M. No.11/5/2000-D.1, dated 4-5-2000].

20.3. Applicability of Disciplinary Proceedings Against Dismissed, Removed or Compulsorily Retired Civil Servants

On a directive from the "Chief Executive Secretariat, the question, as to whether any order under the "Government Servants (Efficiency and Discipline) Rules, 1973 can be passed against a civil servant who already stands dismissed from service, has been examined in consultation with Law, Justice & Human Rights Division. It has been clarified that if a person is dismissed or removed from service or compulsorily retired, he does not retain the status of a civil servant for the purpose of any other disciplinary proceedings or imposition of any other penalty. There is a concept of law that the process of appeal is the continuation of the original proceedings, therefore, if a dismissed, removed or retired employee moves a departmental appeal or representation or files an appeal before the appropriate judicial forum he is deemed to be a civil servant for that particular matter only under the said concept of continuation of status during the process of appeal.

2. | Where an appeal is filed, the appellant may be treated as a civil servant for the purpose of disposal of that appeal only and the result of any other inquiry that may have been conducted may be held in abeyance. However, if the dismissed, removed or retired person does not file any appeal, the order of dismissal, removal from service or compulsory retirement will attain finality and the result of the other inquiry will become infructuous.

[Authority: Estt. Div.'s O.M. No.SCE/6/97, dated 14.1.2002].

21.1 Procedure for Obtaining Orders of the President or Prime Minister in Disciplinary Cases

It has been decided that in future, all the summaries for the President/Prime Minister in disciplinary cases should invariably be accompanied by the information desired in the enclosed proforma. The cases/ summaries received without this information will be returned back to their respective Ministries and Divisions.

[Authority.- Estt. Division's d.o. letter No.3/4/83-D-2, dated 24-3-1983].

(Efficiency & Discipline) Rules, 2020.
Now Prime Minister's Office.
Now Civil Servants (Efficiency & Discipline) Rules, 2020.

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BIO-DATA

(TO BE USED IN DISCIPLINARY & OTHER CASES)

1. Name of the Officer
(a) Grade" ..... eee
(b) Date of Birth & Age on

(c)

(d)

(ec)

(fp)

(g)

21.2

(Years Months Days)

Date of Joining & Length of Service.
(Years Months Days)

Total PERs V.Good, Good, Average, Below Average (Years to be shown against Average & Below Average PERs).
Note:

(1)Any missing PERs with reasons.
(2)Photo of the Officer is affixed in the C.R. dossier or not and reasons if missing.

Adverse Remarks.

Appointment of an Inquiry Officer Under the **Government Servants (Efficiency & Discipline) Rules, 1973

Under rule ***9 (1) (a) of the **Government Servants (Efficiency and Discipline) Rules, 1973, the "Authorised Officer" has the powers to order holding of inquiry against an accused government servant through an Inquiry Officer or Inquiry Committee. It has been noticed that sometimes the Ministries/ Divisions/Departments appoint Inquiry Officers who are junior to the accused government servant.

"BPS.

"Now Civil Servants (Efficiency & Discipline) Rules, 2020.
*" amended in the light of Civil Servants (Efficiency & Discipline) Rules, 2020

2. — It is clarified that it is not appropriate to appoint an “Inquiry Officer” junior to the officer being proceeded against under the aforementioned rules as that could lead to administrative and legal complications at a later stage. All Ministries/Divisions are, therefore, advised to keep this aspect in view while appointing inquiry officers in cases involving disciplinary cases under the E&D Rules.

[Authority.- Estt. Division’s O.M. No. 16/61/94-R.2, dated 24-1-1995].

22.1 Need of Keeping the Provisions of FR-29 in View While Imposing the Penalty Under “[Rule 4 (c)of the Civil Servants (Efficiency and Discipline) Rules, 2020]

It is to state that *[rule 4 (c) of the Government Servants (Efficiency and Discipline) Rules, 2020] provides for the penalty of reduction to a lower post or time scale or to a lower stage in a time scale. In this connection attention is invited to the provisions of Fundamental Rule 29 which stipulates that “ ifa Government Servant on account of misconduct or inefficiency is reduced to a lower “grade or post or to a lower stage in his time scale, the authority ordering such reduction shall state.the period for which it shall be effective and whether on restoration it shall operate to postpone future increments and if so to what extent”. Law Division have advised that the provisions of FR-29 should be treated as supplementary to *[rule 4 (c) of the Government Servants (Efficiency and Discipline) Rules, 2020]. It is, therefore, necessary that while passing an order imposing a penalty of reduction tora lower post or time scale or to a lower stage ina time scale, the requirements prescribed in FR-29 should be strictly observed.

[Authority.- Estt. Division’s O.M. No. 16/18/94-R.2, dated 09-09-1998].

22.2 ~ Disciplinary Procedure to be Followed in Cases

Where No Inquiry Officer/ Committee is Appointed

““TRule 7 (a) to (f) of the Government Servants (Efficiency and Discipline) Rules, 2020] provides that if the authorized officer decides that it is not necessary to have an inquiry conducted through an Inquiry Officer or Inquiry Committee, he shall:—

(a) _ by order in writing, inform the accused of the action proposed to be taken in regard.to him and the grounds of action, and

(b) give him a reasonable opportunity of showing cause against that action.

2. Both the provisions mentioned at (a) and (b) in the preceding paragraph are mandatory. On an appeal filed by a government servant against the order of his compulsory retirement, the Service Tribunal has recently set aside the order of his compulsory retirement on the grounds that neither the action to be taken was specifically mentioned in the Show Cause Notice nor was he given a reasonable opportunity of

* Modified as Civil Servants (Efficiency & Discipline) Rules, 2020.
“BPS.
“Modified in line with Civil Servants (Efficiency & Discipline) Rules, 2020.

showing cause against the proposed action. It has been pointed out by the Services Tribunal that there are decisions of the superior courts on the point that whenever any discretion is given to an authority, it has to be exercised not arbitrarily but honestly, justly, and fairly in the spirit of rules, and on judicial grounds and for substantial reasons. For this purpose, the nature of allegations against the accused has to be considered. In a case where it is clear to the “[authorized officer] that the accused can be given reasonable opportunity of showing cause against the action proposed to be taken e.g. where the allegations could be decided by reference to record in a summary manner, the procedure under sub-rule (iii) of rule 5(1) may be adopted. Otherwise, the ends of justice would be served by ordering an inquiry through an Inquiry Officer or Inquiry Committee.

3. Ina Show Cause Notice, the proposed action is required to be specified, and no general mention is to be made by reference to all the minor or major penalties in the rules.

4. Further, serving of a Show Cause Notice and mere reply thereto in denial of allegations or mere questions and answers do not amount to affording the accused a reasonable opportunity of showing cause as required by ““[clause (b) of rule 7 (a) to (f) of the Government Servants (Efficiency and Discipline) Rules, 2020]. The requirement of reasonable opportunity of showing cause against proposed action will only be satisfied if particulars of the charge or charges, substance of evidence in support of the charges and specific punishment which would be called for after the charge or charges are established are communicated to the civil servant who is given reasonable time and opportunity to show cause.

[Authority.- Estt. Division’s O.M. No. 6/8/79-D.L., dated 10-7-1979].

22.3 Requirement to Issue a Fresh Show Cause Notice If the Penalty Imposed Under ***[Government Servants (Efficiency and Discipline) Rules, 1973] or Proposed to be Imposed is Greater than that Specified in the Show Cause Notice or is Proposed to be Enhanced by the Appellate Authority

As a result of disciplinary action taken against a government servant, the appellate authority considered the penalty imposed by the [authorized officer] to be inadequate and enhanced the penalty. The government servant filed an appeal against enhancement of penalty before the Services Tribunal (Appeal No. 2(K) of 1980). The Services Tribunal, while accepting the appeal, observed that the penalty was enhanced without giving the appellant an opportunity of being heard which was against natural justice and further observed that “we are of the firm opinion that even if the rules are silent on the subject, any time an appellant’s punishment is enhanced, he will be given a show cause and a hearing. This requirement of natural justice shall always be read into the rules.” The Division concerned referred the

“In the present context “authorized officer” may be meant as “Authority” as mentioned in Rule 2(c) of Civil Servants (Efficiency & Discipline) Rules, 2020.
“Modified in line with Civil Servants (Efficiency & Discipline) Rules, 2020.

"Now Civil Servants (Efficiency & Discipline) Rules, 2020.
©The role of authorized Officer has not been incorporated in Civil Servants (Efficiency & Discipline) Rules

observation of the Services Tribunal to the Ministry of Law who confirmed that, while it was open to the appellate authority to revise the sentence upward, it would be appropriate for the appellate authority to give a show cause notice to the appellant and hear him before passing the order. They advised that the order of the Tribunal should, therefore, be obeyed:

2. The observations of the Service Tribunal and the advice of the Justice Division mentioned in para | is brought to the notice of all Ministries/Divisions and Departments for guidance and compliance.

3. The cases in which a penalty is enhanced may be as follows:—

(i) | Where the authority decides to enhance the penalty proposed by the authorized officer and which is greater than the maximum penalty shown in the show cause notice issued by the “[authorized officer] in terms of “Trule 7 (a) (b) of the Civil Servants (Efficiency & Discipline) Rules, 2020], or in the show cause notice issued by the authorized officer in terms of *“[rule 7 (c)], after considering the inquiry report, as the case may be; or

(ii) Where the authority in exercise of its revisionary powers under [rule 11] of the rules, decides to enhance a penalty already imposed in a case already disposed of or which, in a pending case, is greater than the penalty shown in the show cause notice; or

(iii) Where the appellate authority, in exercise of its appellate jurisdiction, decides to enhance the penalty already imposed on the appellant.

4. The Ministries, Divisions and Departments are advised to ensure that in all such cases as are mentioned above, before the penalty is enhanced a show cause notice is invariably issued and the accused/appellant is given an opportunity of being heard in person.

[Authority.- Estt. Division’s O.M. No. 4/42/83-D.2, dated 29-7-1985].

23.1 ©© [Publication of Notices in the Newspapers

It has come to the notice of the government that the procedure of publication of notices in the press in the cases of unauthorized absence/ abscondment from duty is being frequently resorted to without taking into consideration the provisions of rule 13(b) of the Civil Servants (Efficiency and Discipline) Rules, 2020 which provides for the dispensation of adopting even formal procedure in such cases. This not only results in undue delay in finalization of these disciplinary cases but also undue wastage of government money on publication of such notices.

“The role of authorized Officer has not been incorporated in Civil Servants (Efficiency & Discipline) Rules
“Modified as per Rule 7 (a) (b) of Civil Servants (Efficiency & Discipline) Rules, 2020.

“Modified as per Rule 7 (c) of Civil Servants (Efficiency & Discipline) Rules, 2020.

"Modified as per Rule 11 of Civil Servants (Efficiency & Discipline) Rules, 2020.

&S1 No. 23.1 is modified as per Civil Servants (Efficiency & Discipline) Rules, 2020.

2. The matter has, therefore, been considered in the Establishment Division in consultation with Law Division. It is clarified that under the Civil Servants (Efficiency and Discipline) Rules, 2020, there is no provision making it obligatory or mandatory for the authority/[**] to publish a notice in the newspaper in the cases of unauthorized absence/ abscondment from duty. The requirement of rule 7 of the Civil Servants (Efficiency and Discipline) Rules, 2020, is that the accused may be informed of the action proposed to be taken in regard to him and the grounds of such action and that he may be given a reasonable opportunity of showing cause against the action. This information can be conveyed to him by different means, i.e. by registered post at his last known address or by affixation of a notice at that address, etc. Same is the position under rule 7(b) in respect of service of a charge-sheet. According to rule 13 of the said rules nothing in rule 7 shall apply if the authority competent to dismiss or remove a person from service, or to reduce a person in rank, is satisfied that, for reasons to be recorded, in writing, by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause, for instance, if it is reported that the accused has left his place of abode without leaving an address or he has gone out of the country and his whereabouts are not known. If the authority mentioned in rule 8(b) is satisfied about the genuineness of the report, it may invoke the provision contained in the said rule. The publication of a notice in newspapers may not be resorted to.

3. The publication of notice in the newspapers, in such cases should, however, be resorted to in very rare cases where the competent authority is not in a position to record reasons for its satisfaction as to the practicability of affording the accused an opportunity of showing cause. There a lack of response to such a notice may induce that authority to be so satisfied.

[Authority.- Estt. Division’s O.M.No.4/18/83-D-2, dated 15-2-1984].

23.2 *[Publication of Charge Sheet or Show Cause Notice in Newspaper]

A case has come to notice where long leave granted to a postal clerk was cancelled and he was asked to resume duty immediately. When he failed to do so, a notice was published in the newspaper directing him to resume duty within seven days otherwise ex-parte proceedings under the *[Civil Servants (Efficiency and Discipline) Rules, 2020] could be taken against him which might result in his removal from service. He failed to resume duty. He was accordingly dismissed from service. His departmental appeal was rejected. Thereafter, he filed an appeal in the Services Tribunal (Appeal 2(P) of 1984). The Services Tribunal accepted the appeal and set aside the order holding as follows:

“It is manifestly evident that the impugned order was passed without taking any proceeding under the Efficiency & Discipline Rules though in the notice published in the newspaper it was categorically stated that in case of failure of the appellant to resume duties, ex-parte proceedings

“Modified as per Civil Servants (Efficiency & Discipline) Rules, 2020.

under the E&D Rules would be taken against him. In any case, the punishment of dismissal from service could be awarded only after taking proceedings under the E&D Rules which was not done and the impugned order was passed in an arbitrary and unlawful manner. The position being so clear, the impugned order cannot be sustained and we have no option but to set it aside."

2. The observations of the Service Tribunal are brought to the notice of all Ministries, Divisions and Departments who should ensure that due care is taken in observing the requirements of *[Civil Servants (Efficiency and Discipline) Rules, 2020] in taking disciplinary action against civil servants. In this case; what was published was merely a notice or a warning that if the clerk did not resume duty, action under *[Civil Servants (Efficiency and Discipline) Rules, 2020] would be taken. However, on his failure to resume duty as directed, order to dismissal was straightway passed without initiating disciplinary action on the ground of misconduct.

3. In this connection, a reference is also invited to the Establishment Division O.M. No. 4/18/83-D.2, dated 15" February, 1984, bringing out the requirement of rule 13, clause (b) and the circumstances in which that rule can be involved. According to rule 13(b), nothing in rule 7 (containing inquiry procedure) will apply to a case where the competent authority is satisfied.that for reasons to be recorded, in writing, it is not reasonably practicable to give the accused an opportunity or showing cause. If all efforts to communicate with the accused through normal channels (like sending him the notice or charge sheet by registered post to his known addresses) fail, that may induce the authority to be so satisfied. For this purpose, publication of charge sheet or show cause notice, as the case may be, in the national press is certainly not required. However, if in rare cases, the competent authority is unable to satisfy itself that it is not reasonably practicable to communicate with the accused, the competent authority may publish the notice i.e. show cause notice in terms of rule 7(b) of the Civil Servants (E&D) Rules, 2020 or rule 7(c) or charge sheet in terms of rule 7 (as the case may be) in the newspapers and any lack of response to it may satisfy the competent authority that it is not responsibly practicable to give the accused an opportunity of showing cause.

[Authority.- Estt. Division's O.M.No.4/18/83-D.2, dated 9-7-1985].

24.1 Leaving Station by Government Servants Under Suspension

It has been observed that, on being placed under "suspension", an officer is generally prohibited from leaving the station. This is desirable where it is felt that, unless he is confined to a particular station, he might tamper with the evidence likely to be produced against him, but such prohibition should not be enforced if there is no cause for such apprehension. He should simply be required to inform the authority concerned of his movement.

[Authority.- Para 3 Estt. Division's O.M. No. F. 32/48-Estt.(SE), dated 21-7-1949].

24.2 Bar Against Use of Government Stationery and Service Postage Stamps by Accused Government Servants in Disciplinary Proceedings

The question whether an accused government servant is entitled to use government stationery and service postage stamps in replying to the charges framed against him and in making other correspondence in connection with his defence has recently been examined and it is decided that an accused government servant is not entitled to use government stationery and service postage stamps in replying to the charges or making other correspondence in connection with his defence. Cost of stationery and postage stamps required by him in connection with his defence has, in all cases, to be borne by the accused government servant himself.

[Authority.- Estt. Division's O.M. No. 2/29/67-D,L., dated 8-1-1968].

25.1 Filling Up of Suspension Vacancies

The question, whether a vacancy caused by suspension of a government servant can be filled-up like other ordinary vacancies, has been recently examined in consultation with the Ministry of Finance and the Law Division. It has been decided that though a vacancy caused by suspension of an officer cannot be filled-up substantively, it can be filled up on an officiating basis, and that no supernumerary post need be created in such case.

2. This supersedes Establishment Division's O.M.No.2/14/67- C.III, dated the 19" September, 1968.

[Authority.- Estt. Division's O.M. No. 6/2/71-D.I, dated 20-9-1971].

25.2 Termination of Services of Temporary Government Servants under Suspension

Attention is invited to Establishment Division's O.M. Nos. 21/11/61-D.1, dated 22"! December, 1962 (Annex-I) and 18" April, 1963 (Annex-II) on the subject of "Speedy Disposal of Disciplinary Cases-Policy Regarding Government Servants undergoing Criminal Prosecution before Departmental Action". It is stated that the advice of the Justice Division was sought whether it was possible to terminate the services of an employee, who was arrested on a criminal charge of murder and had been undergoing trial for a long time, without any notice and without assigning any reasons, in accordance with the terms and conditions of his service as contained in his letter of appointment. The position as per advice of the Justice Division', is as follows:

2. A civil servant is not necessarily in temporary employment merely because of a statement in the order of appointment that his appointment will be purely temporary and liable to termination at any time without any notice or reasons being assigned. No civil servant is a temporary employee as long as the employment is for an indefinite period or against a post which continues to exist for an indefinite period. It is extremely difficult to

"Law & Justice Division.

attribute to the legislature an intention to clothe the authorities concerned with arbitrary power of terminating the service of a civil servant in their discretion without assigning any reason. The courts have always been reluctant to interpret these provisions in a manner as would justify the externment of an employee without any justification.

3. Further after the enactment of Civil Servants Act, 1973, the services of a civil servant can either be terminated under section 11 of the Act or under “[Civil Servants (Efficiency & Discipline) Rules, 2020]. It is not possible to spell out any power to terminate the services of an employee without notice and without assigning any reason from the provisions of sub section (3) of section 11 of Civil Servants Act, 1973, especially in the presence of the provisions of sub-section (1) thereof regarding termination of service during the initial or extended period of probation. If an employee has passed through the period of probation to the satisfaction of the competent authority, he is no longer a temporary employee with the meanings of sub section (3) if his employment is for an indefinite period or against a post which continues to exist for an indefinite period.

4. In the light of the above advice of the Justice Division, services of an employee can no more be terminated without notice and with assigning reason [on the basis of the contents of Establishment Division’s O.M. dated 22nd December 1962 (Annex I) and 18" April 1963 (Annex II) referred to above].

[Authority.- Estt. Division’s O.M.No.31/64/86-R3. dated 20-4-1987].
(ANNEX 1)
[Copy of Establishment Division O.M. No.12/11/61-D.1, dated 22nd December, 1962].

Instances have come to the notice of the government that there are still a number of cases pending in courts against officials for unusually long periods without departmental proceedings having been ever resorted to. It has also been found that, in some cases, the accused officials have, while continuing under suspension, been absconding for long and sometimes for years, presumably with intent to frustrate or delay the court proceedings. With a view to meeting such situations, it has been decided that, whenever such an instance comes to the notice of the government, the accused official, whether permanent or temporary, should be asked by his last known address to report to his official superior/court. If he does not comply with the order, government should take up the formalities of his dismissal from service on charge of misconduct under the “Government Servants (Efficiency & Discipline) Rules.”’[If he turns up and is a temporary hand, his services should be terminated after serving him with the requisite notice or paying him salary in lieu thereof, without assigning any reasons for the action].

2. There may still be cases of temporary government servants undergoing

“Modified as per Civil Servants (Efficiency & Discipline) Rules, 2020.
“ Now Civil Servants (Efficiency & Discipline) Rules,2020.
*“" Note: This applies to temporary employments made on or after 08-06-1962.

long-drawn court proceedings even if they have not absconded. If in any individual case of this nature, the appointing authority considers that irrespective of the outcome of the court proceedings, the accused official should not be allowed to continue any longer on the pay roll of the government, such authority may recall the official to duty and terminate his services after serving him with the requisite notice or paying his salary in lieu thereof without assigning any reasons for the action. “[The course of action discussed in this paragraph should be resorted to unless, of course, there is any direction of the court to the contrary in any particular case].

3. It is requested that all Ministries/Divisions, etc., may kindly check up the position of their employees involved in court proceedings and deal with the individual cases in the light of the suggestions contained in preceding paragraphs.

(ANNEX II)
[Copy of Establishment Division O.M. No.12/11/61-D-I date the 18" April, 1963].

Reference.- Establishment Division O.M. No. 12/11/61-D.1, dated the 22nd December, 1962 (Annex I)

A question has arisen as to whether it was necessary to recall a suspended temporary government servant to duty before serving him with the requisite notice of discharge on the ground that his services were no longer required. The point has been further examined in Establishment Division in consultation with Law Division and it has been held that a suspended temporary government servant can be served with service termination notice in accordance with the terms of the appointment during the period of suspension and discharged after the notice period without requiring him to resume duty.

2. Utmost precaution should, however, be taken to see that no reason is assigned for the termination except saying that his services are no longer required by the government.

25.3. Bar Against Mentioning of Unfinalised Departmental Proceedings in Confidential Reports

It has been noticed that in some “annual confidential reports of officers received from various Ministries, a reference is made to departmental proceedings which are still in progress against the officers concerned.

2. The Establishment Division feel that until and unless the result of such proceedings has been known and final orders, awarding punishment, if any, have been passed by the competent authority, it would not be correct to make any such reference as

“Note: This applies to temporary employments made on or after 08-06-1962.

“Now Performance Evaluation Reports.

may have the effect of creating doubts about the conduct and character of the officers concerned. It can hardly be controverted that such a reference, although factually correct, if inadvertently made, cannot fail to damage the officer's record even if in the long run he is completely exonerated.

3. In the circumstances it is requested that, in the case of an officer against whom departmental proceedings are in progress, no mention, whatsoever, should be made about it in his "annual confidential reports. Only when such proceedings have been finalized, and the punishment, if any, has been awarded, should a mention about it be made in his confidential report. In such a case, a complete copy of the final order may be placed, as is usually done, on his character roll.

[Authority.- Estt. Secretary's D.O. letter No.9(1)/58-S.E.IIL, dated 8-5-1958].

26.1 T.A. Admissible to Witnesses and Accused Government
Servant Summoned by an Inquiry Officer

A government servant summoned by an Inquiry, Officer should be allowed TA as admissible to him under S. R.™* 154 'et seq' "and he should draw it on a regular TA bill from his own department on the strength of the Attendance Certificate furnished by the Inquiry Officer and this should be debited against the office at whose instance the inquiry was being conducted, by book adjustment. In the case of a witness who is not a government servant, travelling expenses should be determined by the Inquiry Officer with reference to the status of the witness and should be paid on the basis of the orders passed by the Inquiry Officer, by the department at whose instance the inquiry was being conducted. The TA to be paid to a non-government servant should, however, in no case exceed the maximum TA admissible to a government servant of the highest grade. The provisions of S.R. 190 'et seq' should also be kept in view in such cases.

[Authority = Estt. Division's O.M. No. 2/41/62-D.1, dated 28-2-1963].

26.2 Admissibility of TA to Witness
in Disciplinary Cases

In continuation of the Establishment Division O. M. No. 2/41/62 D. I, dated the 28" February, 1963, a further question has since arisen as to whether the aforesaid provision of TA should equally apply to the defence witness summoned by the Inquiry Officer in departmental proceedings. The point has been examined in Establishment Division in consultation with the Ministry of Finance. The position of the defence witnesses regarding summoning them and paying them TA is as explained hereunder.

2. It is for the Inquiry Officer to consider if any particular witness cited by the accused as a defence witness is likely to be as essential witness for the purpose of defence or in other words, for the determination of truth. If the Inquiry Officer agrees that the examination of the witness will be essential, he may summon him and as soon as he summons him, he will take

"Now Performance Evaluation Reports.
4 5upplementary Rules.
et seq abbr., and what follows; Latin 'et sequentia'.

upon himself the obligation to allow the witness reasonable TA. If the witness is an official, he is to draw the TA from his parent department on the strength of the attendance certificate furnished by the Inquiry Officer, the amount being debited by book adjustment against the office at whose instance the inquiry was conducted.

3. If, however, the Inquiry Officer is not satisfied whether the examination of a particular witness will be essential for the determination of truth he may at his discretion, refuse to summon such a witness. He may, however, agree to summon him on condition that the accused will bear the travelling expenses of the witness and he may accordingly require the accused to deposit with him the anticipated amount of the TA of the witness, in advance, so that the witness could be paid therefrom. In that case, the attendance certificate to be furnished to the witness by the Inquiry Officer should contain the endorsement that the witness has been paid his travelling expenses. This will debar the witness from claiming the TA again from the government.

[Authority.- Estt. Division's O.M. No. 2/41/62-DI, dated 13-4-1963].

26.3 Admissibility of TA to Government Servants under Suspension

A question has since arisen as to whether a government servant under suspension who was required to perform official journey as a witness or as an accused, would be entitled to TA. The question has been examined in Establishment Division, in consultation with the Ministry of Finance, and it has been held that such a government servant would be entitled to TA in such cases and his 'grade and salary for that purpose would be taken as if he was not under suspension.

[Authority. - Estt. Division's O.M. No. 2/41/62-DI, dated 19-7-1963].

26.4 Framing of an Additional Charge During Currency of the Disciplinary Proceedings

Instances have come to the notice of the Establishment Division that in cases where the main charge of "corruption" or "subversion" was not proved, but there was sufficient evidence to establish the charge of "misconduct the accused could not be punished because he had not been charged with misconduct", although the offences of "corruption" and "subversion" are the graver forms of "misconduct". To meet such exigencies, it has been decided in consultation with the Law Division, that in all suitable cases where an accused is charged with "corruption" or "subversion", an additional charge of "misconduct" may be added to the main charge.

[Authority.- Estt. Division's O.M. No. 2/5/66-D.I, dated 11-6-1966].

27.1 Scope of Departmental Proceedings Under the Efficiency & Discipline Rules in Cases Referred to the Courts

References are very often received in the Establishment Division on the above

subject in various forms. The questions generally posed by the Ministries/ Divisions are

as under:—
(i)
Gi)
(iii)

2

Whether departmental proceedings can be started against a government servant who is being prosecuted in a criminal court;

Whether departmental inquiry can be conducted against a government servant on the same charges after his acquittal by a court;

Whether any departmental action lies against a government servant who cannot be prosecuted in a court of law due to technical grounds.

The matter has been examined in consultation with Law Division. Each

case has to be decided on its merits and in the light of its facts and circumstances. However some guidelines can be laid down in the matter, and the following general guidelines are indicated for deciding such matters:-

@)

(i)

(iii)

There is no legal bar to the holding of a departmental inquiry against a government servant who is being prosecuted in a criminal.court. It may, however, be pointed out that where the holding of departmental inquiry side by side with the criminal proceedings may have the effect of impeding the course of justice or of prejudicing the trial, the inquiry should be deferred till the termination of criminal proceedings.

An acquittal from a criminal case may be on technical grounds or on the ground that all the ingredients of the,offence are not proved by the evidence produced in court. But in departmental proceedings even one of the ingredients, if proved, may be sufficient to reach a conclusion that the accused. has misconducted himself or has acted in a grossly negligent way or has shown inefficiency in the discharge of his official duties. As an example, to illustrate this point, a recent case may be cited. An officer employed in the Registry of the Supreme Court was charged and tried for embezzlement. He was, however, acquitted by the High Court in criminal appeal No. 676 of 1965. Subsequently, he was dismissed on the same allegations which were found proved in a departmental inquiry initiated by the Supreme Court. Thus departmental proceedings on the same facts may be started even if the person concerned has been acquitted in criminal proceedings.

In some cases, a government servant cannot be criminally prosecuted on technical grounds. But this does not bar the government from inquiring into the truth of a charge against a government servant by means of a departmental inquiry. Therefore, there is no bar to proceed against a government servant departmentally, when he cannot be criminally prosecuted in a court of law for some reason or other.

[Authority. - Estt. Division’s O.M. No. 4/5/69-D.1, dated 17-6-1969].

27.2 Quick Disposal of Disciplinary Proceedings Pending Against Government Servants Who are About to Superannuate

It has come to the notice of government that inquiry proceedings against civil servants under the “[Government Servants (Efficiency and Discipline) Rules, 1973] tend to be unduly protracted for various avoidable reasons causing hardships to the affected government servants on the one hand and defeating the purpose of speedy disposal of cases in others. This is obviously against dictates of justice.

2. The disposal of disciplinary proceeding assumes vital importance, especially in cases against government servants who are about to attain the age of superannuation. It goes without saying that delay in disposal of such cases not only causes hardships to the affected persons but also puts the administration to unnecessary criticism.

3. It is, therefore, requested that disciplinary proceedings against government servants nearing the age of superannuation in future should be disposed of before they superannuate. All the agencies working under the administrative control of the Ministry concerned should be advised accordingly.

[Authority.-Estt. Division’s O.M. No.12/2/88-R.3, dated 3-10-1988].

27.3 Censure, Reprimand and Warning

From references received, it appears that some authorities are not clear regarding the procedure to be followed where punishment of Censure is awarded and regarding the distinction between ‘Censure’ and ‘Warning’.

2. Censure is one of the punishments mentioned in *[rule 4 (2) (a) of the Efficiency and Discipline Rules, 2020].

3. There is essentially no difference between ‘Censure and reprimand’, but as the official term is ‘Censure’, it seems preferable that normally this term should be used.

4. _[Not reproduced]

5. According to rule 3 of the Civil Servants (Appeal) Rules, 1977, every civil servant is entitled to appeal to the appellate authority from an order of Censure passed by an authorized officer or an authority provided that, where the penalty is imposed by an order of the President, the civil servant has no right to appeal but he can apply for review of the order.

6. A warning, whether oral or written and whether given ad hoc or in “annual confidential report, is not a censure and does not constitute a punishment, provided that it is genuinely a warning and not a censure distinguished as such.

[Authority. - Estt. Division’s O.M. No. 3/1/52-SE. II, dated 12-4-1952 with necessary adaptations in the light of prevailing circumstances].

“Now Civil Servants (Efficiency & Discipline) Rules, 2020.
* Performance Evaluation Report (PER).

28.1 Participation of Government
Servants in Drinking Parties

It has been reported that a number of persons organize drinking and other parties in Rawalpindi/Islamabad, which are attended by civil as well as military officers, and where views on government policies are expressed without reservations.

2. | While drinking is a manifest violation of the law of the country and the sanctity of Islam, criticism of government by its functionaries, particularly at such gatherings, is a serious offence.

3. | Under the Prohibition (Enforcement of Hadd) Order, 1979, alcoholic drinks are available to only non-Muslim foreigners and non-Muslim Citizens of Pakistan. As such, all government servants are apt to strictly follow the aforesaid Order and desist from such vices.

4. It is requested that severe disciplinary action may be taken against the defaulters, irrespective of their status; and they may also be debarred from employment under the government, semi-government organizations, and autonomous bodies.

[Authority. - Estt. Secretary's D.O. letter No.5/1/79 DIV, dated 17-9-1979].

28.2 Officers' Duty to Watch Conduct
of their Subordinates

It has been decided that all officers should be informed that it is their duty to watch the conduct of their subordinates and to ensure that corruption does not spread among them. Failures to do so would be reflection on their own efficiency.

[Authority. - Estt. Division's O.M.No. 3/35/59-SE.II, dated 4-3-1959].

28.3. Responsibility of Head of Department
for Corruption in Department

Measures undertaken to curb corruption in the police have shown appreciable results, and its personnel deserve to be commended, and encouraged to continue with their efforts in that direction.

2. | Meanwhile, public complaints of corruption in several government departments persist, and effective steps are required to root it out. It is the bounden duty of every Head of Department to exercise utmost vigilance, analyse the cause, and trace the source where incidence of corruption occurs.

3. In future, a Head of Department will bear the responsibility, and be answerable for proven charges of corruption within the area of his administrative jurisdiction. It is self-evident that corruption prevails in a department if its Head is:

(a) himself corrupt, or

(b) wilfully blind to corruption taking place, or
(c) so inefficient that he is unable to control it.

4. | Whichever of these three reasons may be applicable, such a Head of Department cannot be retained in service to the detriment of government's objective of serving the people and promoting their weal and welfare.

[Authority.- President of Pakistan's note No. 57/I/CMLA, dated 25-9-1978].

28.4 Loss of Security Passes to be Treated as 'Misconduct'

As provided in para 97 of the [Security Instructions] (1973 Edition) prepared by the Cabinet Division and this Division's Circular letter No. 14/17/71-Cord., dated the 18th November, 1971, a government servant who has lost the Security Pass issued to him is required:—

(i) to make report to the Police Station and to the Head of his Department about the loss of the Pass; and

(ii) to deposit Rs. 5 in the State Bank of Pakistan before a new Security Pass is issued to him. The amount of Rs.5 covers only the cost of the pass and actually no penalty has been imposed on him. It has been noticed that the government servants generally do not take sufficient care to keep the passes in safe custody with the result that loss of security passes is on the increase. As the pass lost can be misused by any unauthorized person which involves serious security risk, it has been decided, in consultation with the authorities concerned, that the loss of Security Pass would be treated as "misconduct" in terms of "[Civil Servants (Efficiency and Discipline) Rules, 2020].

2. However, before any action is initiated against a government servant who has lost his Security Pass, it is necessary to determine, in each case as to whether the security pass in question was lost due to negligence. If the government servant concerned is able to give a satisfactory account of the circumstances under which the security pass was lost by him, it may not be proper to proceed against him. If, after preliminary inquiry, it is found that the Security Pass was lost due to the negligence of the government servant concermed or that the lost Security Pass had fallen into unauthorized hands as a result of any wilful omission or commission on his part, only then it would be appropriate to take disciplinary action against him under the *[Civil Servants (E&D) Rules, 2020].

3. All Ministries and Divisions are, therefore, requested that in future while referring the case of issue of a Security Pass to a person who has already lost a Security Pass, it may also please be clearly indicated whether disciplinary action, or if any, has

"Modified as per Civil Servants (Efficiency & Discipline) Rules, 2020.

been taken/is being taken against the official concerned.

[Authority.- Ministry of Interior O.M. No. 19/2/75-Security dated 31-3-1975 as amended vide O.M. No.19/9/75- Security dated 2" August, 1982].

28.5 Use of Intemperate and Inappropriate Language in Representations and Petitions of Government Servants

At times, representations of government servants contain wild allegations against superior officers. While government servants would be free to submit their representations in accordance with the prescribed procedure whenever they feel aggrieved, they should be informed that the use of such language constitutes misconduct. You may, therefore, impress upon all government servants working under your administrative control the need and propriety of refraining from the use of such language and to scrupulously observe the norms of decency and decorum. Failure to do so on their part will not only result in no action being taken on requests contained in such representations/petitions but will also render them liable to disciplinary action for misconduct. Serious action will also be taken when wild allegations are made against senior officers which, on investigations, are found to be without any basis.

[Authority.- Estt. Division's D.O. letter No.8/13/71-F.IL, dated 28-5-1974].

28.6 Grant of Leave to Government Servants Compulsorily Retired from Service under the *Government Servants (Efficiency and Discipline) Rules

A reference is invited to the Establishment Division's O.M. No. 4/13/60-SR, dated the Ath October, 1960 (Annex) and it is stated that the instructions contained therein have been reviewed in Establishment Division and in supersession of these instructions, it has been decided that government servants compulsorily retired from service as a measure of punishment under the "Government Servants (E&D) Rules, 1973 should not be granted leave preparatory to retirement.

[Authority.- Estt. Division's O.M. No.4/8/88-D.1, dated 4-4-1977].

ANNEX
[Copy of O.M. No. 4/13/60-SR, dated the 4" October, 1960].

It has been decided that the government servants compulsorily retired from Establishment Division service under the Government Servants (Efficiency and Discipline) Rules, 1960, may be granted leave preparatory to retirement under the normal rules. However, each case should be decided on its own merit by the competent authority as defined in Rule 2 (1) of those Rules.

"Now Civil Servants (Efficiency & Discipline) Rules, 2020.

28.7 Grant of Arrears of Pay and Allowances to Government Servants for Period of Absence from Duty, on Re-Instatement as a Result of Court's Decisions

The Supreme Court, in its recent judgment in C.A. No.28 of 1969 [West Pakistan VS. Mrs. A. V. Issacs], has ruled that a civil servant has and always had the right to recover salary already accrued due to him despite the fact that his service was during "Pleasure". This has rendered obsolete its own two earlier judgments in the cases of Mehrajuddin [PLD 1959 SC (Pak) 147] and Fazl-e-Haq Mussarrat [PLD 1960 SC (Pak) 208] and a judgment of the former Federal Court in the case of Ali Anmed Hussain Shah [PLD 1955 FC 522] all of which followed the Privy Council's view on I. M. Lall's case and which was also followed in the Law Ministry. In its latest judgment, the Supreme Court has taken the view that if the dismissal of a government servant is held to be unlawful he should be allowed salary for the period he was kept out of service. This was, however, subject to the condition that if he has accepted other employment or engaged in other profitable business during this period, any amount earned by him by way of salary from such employment or as profits of such business would have to be set off against the salary due, firstly because as government servant he cannot serve elsewhere or engage in any other business without the permission of the government and secondly, because on general principle a person cannot be allowed to reap a double advantage. Therefore, it would be no more open to the government to resist claim for arrears of pay of a civil servant wrongfully removed from service on the plea that no such claim was competent. The claim will have to be resisted, if at all, on the facts of a particular case referred to in the judgment as exceptional cases. The right of the government servant to claim future salary has, however, been negatived by the court.

2. In view of the latest judgment of the Supreme Court on the subject, a civil servant's claim for arrears of salary in the relevant circumstances cannot now be refused. Therefore, Law Division's earlier advice to the contrary must be deemed to have been recalled and the Establishment Division is requested to review, in consultation with the Ministry of Finance, all the pending cases relating to claims of arrears of pay in the light of the fresh declaration of law by the Supreme Court and settle such claims. The Supreme Court's judgment underlines the necessity of duly observing with care the provisions of the Constitution and the "Government Servants (Efficiency and Discipline) Rules, in all disciplinary cases against government servants and of expeditious disposal of such cases.

[Authority.- Law Division's O.M.No.F.7(8)/70-SOL(1), dated 12-8-1970].

28.8 Reinstatement of Government Servants on Court Decision and Functions of Enquiry Committee

A reference is invited to the O.M. from the Law Division No. F. 7(8)/70-Sol(1), dated 12" August, 1970, which states, inter alia, that, in accordance with the Supreme Court's judgment in CA No. 28 of 1969 (West Pakistan vs Mrs. A. V. Issacs), if the dismissal of a government servant is held to be unlawful, he has to be allowed salary for

"Now Civil Servants (Efficiency & Discipline) Rules, 2020.

the period he was kept out of service, reduced by the amount, if any, that he might have earned by way of salary, or as profits, on account of having accepted some employment, or having been engaged in some profitable business, during the above period. Thus, the legal status of government servants' claims for arrears of pay and allowances is no longer the same as had been indicated in para 3 of this Ministry's circular d.o. No.F.9(15)-RI (Rwp)/61, dated 23rd December, 1961 (Annex). Consequently, it is no longer appropriate for the enquiry committee referred to in para 4 of that circular D.O. to consider on merits, in cases in which government servants are restored to their posts as a result of court's decisions, as to whether or not, and to what extent, pay and allowance for the period of their absence from duty should be restored.

2. It has accordingly been decided that, in cases where a government servant is reinstated retrospectively as a result of a court's decision, the functions of the enquiry committee to be set up under para 4 of this Ministry's circular d.o.No.F.9(15)-RI (Rwp)/61, dated 23rd December, 1961, as amended (Annex) would henceforth be as follows:-

(a) The Ministry/Division/Department as the case may be, may obtain from the government servant concerned a solemn declaration, supported by an affidavit, as to the particulars of his employment, or engagement in profitable business, during the period of his absence from duty, and the amount earned by him by way of salary from such employment, or as profits in such business.

(b) After examining such evidence as might be available, and cross-examining, if necessary, the government servant, the Ministry/Division/ Department, as the case may be, may give their finding as to whether or not the above declaration is, 'prima facie', acceptable and on what grounds.

(c) If the declaration is found to be, 'prima facie', unacceptable, the Ministry/Division/Department, as the case may be, should refer the case to the committee, which, before giving their finding as to the amount earned by the government servant during the period of absence from duty, may get the declaration properly ,verified/ scrutinized by any agency they consider appropriate. For example, if the case had been dealt with by the Special Police Establishment* at an earlier stage in any connection, this verification/scrutiny may be arranged to be carried out by that Establishment™. For purposes of this verification/security, assistance of the relevant Income-tax authorities, may also be sought, if the government servant concerned be an Income-tax payer.

(d) In case the reinstatement of the government servant has been ordered by the court on account of the relevant administrative action having been found to be defective, the committee should also give their findings:

(i) as to which officers were responsible for that defectiveness of administrative action; and

* FIA.
*
Agency.

(ii) as to whether any, and what part, of the amount payable to the government servant by way of net salary for the period of his absence from duty, might justifiably be recovered from such officers. The recovery from such officers will, of course, follow departmental proceedings under the “Government Servants (Efficiency and Discipline) Rules.

3. The above instructions do not apply to cases in which government servants are reinstated as a result of acceptance of appeals by departmental appellate authorities, which will continue to be regulated by the provisions of FR-54, as hitherto.

[Authority.- Finance Division’s O.M.No.781-R4/73-F.3(4)-R.1/73, dated 10-7-1973].
(ANNEX)

[Extract of Paras 4 & 5 of the Finance Division letter No. F.1(15) RI (Rwp)/61, dated 23"! December, 1961 as amended].

4. Ifas a result of court’s decision, a government servant restored to his post, the question whether pay and allowances for the period he was under suspension or was removed from service should be decided on the merit of each case. For this purpose, it is suggested that in all cases the Ministry or Department concerned should order a departmental enquiry headed by the representative of the Ministry/Deptt. administratively concerned with their Financial Adviser/ Deputy Financial Adviser as a member of the Committee. This committee should consider whether, on the merits of the case, government would be justified in restoring the official concerned, the pay and allowances for the period involved and, if so, whether in full or in part. In coming to a conclusion whether pay and allowances to the individual should or should not be restored, following considerations will have to kept in view:—

(a) whether the person concerned was acquitted on a purely technical or procedural grounds or whether the actually allegations against him had been gone into and were found to be incorrect;

(b) whether the individual during the period he was away from active duty and other sources of income; and so on.

5. It has further been decided that in cases where the total period involved does not exceed 12 months from the time the individual was suspended or removed from service, the final decision should be taken by the Ministry concerned at the level of the Secretary and in all other cases the matter should be referred to the Ministry of Finance for prior concurrence.

* Now Civil Servants (Efficiency & Discipline) Rules, 2020.

28.9 Grant of Arrears of Pay and Allowances to Government Servants for Period of Absence from Duty, on Reinstatement as a Result of Court's Decision

Due to certain subsequent developments, instructions issued vide Finance Division circular D.O No. F-9(15) R.I (Rwp)/61, dated 23-12-1961 and O.M No. 781-R4/73-F.3(4)-R-I/73, dated 10-07-1973 called for a revision. FR-53 and FR-54 have been amended and government servants under suspension are now entitled to a subsistence grant equal to full pay and allowances. Similarly, employees reinstated in service administratively or as a result of the court's decision with consequential benefits are allowed salary for the period they stayed out of service.

2. In view of the above, therefore, there is no need to refer cases to the Finance Division for payment of arrears of pay and allowance pertaining to the period of suspension. In cases of reinstatement after removal/dismissal as a result of courts' decisions, however, the Ministry/Division/Department concerned has to determine the amount earned by the government servant concerned from other sources during the period he remained out of service. For this purpose, the Ministry/Division/Department concerned should obtain a solemn declaration from the government servant concerned in the form of an affidavit as to the particulars of his employment/business or any other profitable work undertaken by him during the period of his absence from duty andthe amount earned therefrom. The case should, then, be examined by a Departmental Enquiry Committee on which Finance Division may be represented by the "FA/DFA concerned. The Committee may examine such other evidence as»it may require and give its findings and recommendations to the Secretary of the Ministry / Division concerned for such orders as he may deem appropriate.

[Authority: Estt. Div.'s O.M No. F,5(17)-R-1/2000, dated 4" August, 2000.]
29.1_Committals to Prison- [CSR 194]

A government servant who has been charged for a criminal offence or debt and is committed to prison shall be considered as under suspension from the date of his arrest. In case such a government servant is not arrested or is released on bail, the competent authority may suspend him, by specific order, if the charge against him is connected with his position as government servant or is likely to embarrass him in the discharge of his duties or involves moral turpitude. During suspension period, the government servant shall be entitled to the subsistence grant as admissible under "FR-53".

29.2 Detention of Government Servants Under Public Safety Acts

A question has arisen whether an employee of the Federal Government who is detained in prison for a period of time under the provisions of the Sindh Maintenance of Public Safety Act, 1948 or a similar enactment and is released without any trial, loses his service under the government and whether such a person is entitled to any leave salary or

"Now Chief Finance & Accounts Officers.

subsistence allowance for the period he remained under detention. As some doubts seemed to exist in the matter, the question has been fully considered in consultation with the Law Division and it has been decided that the following procedure should be adopted to regulate cases of detention in prison and subsequent acquittal or conviction:—

(i) | As soon as it comes to notice that an employee has been detained in prison, action should be taken to place him under suspension. The period of the employee's detention "[should be treated as period spent under] committal to prison within the meaning of Article 194 C.S.R. and the pay and allowances during suspension should be regulated under F.R.53.

(ii) If the employee is subsequently acquitted honourably, he should be reinstated forthwith. He will be entitled to receive full salary for the entire period of his absence from duty under F.R. 54(a).

(iii) If on the other hand, the acquittal is not honourable, then the provision of F.R. 54 (b) will apply.

(iv) Ifthe employee is released from detention without any trial, it is open to the competent authority to take disciplinary action against him if good and sufficient reasons exist from such action. In that case the procedure prescribed in the Efficiency and Discipline Rules must be observed.

(v) If the employee is convicted, he may be dismissed from service if his retention in service is not desirable. In that case, the procedure prescribed in the Efficiency and Discipline Rules, need not be observed. He will be entitled to nothing more than the subsistence allowance up to the date of his dismissal from which date the pay and allowance will cease under F.R. 52.

[Authority.-Estt. Division's O.M.No. F/19/11/49-Ests (SE), dated 20-12-1949].

29.3. Clarification Regarding Detention of Government Servants Under Public Safety Act

A reference is invited to the Establishment Division's O.M. No.F. 19/11/49-Ests (S.E.), dated the 20th December, 1949, and it is stated that a certain amount of confusion has arisen from the words "considered as resulting from" which occur in item (i) of that Office Memorandum. These words, as they stand, are capable of being interpreted as if a person who is detained under the Public Safety Act will be governed by the provisions of Article 194, Civil Service Regulations, as it stands. The position, however, is that Article 194 does not strictly apply to such cases but the intention is that, when a person is detained under the Public Safety Act, his pay and allowances should, on the analogy of the provisions of Article 194, be regulated as if he was committed to prison. In order to make this intention clear, it has been decided that the words "considered as resulting from" referred to above may be replaced by the words "treated as period spent under".

[Authority.-Estt. Division's O.M.No.27/41/52-SE-II, dated 7-12-1954].

* Amended vide Estt. Division's O.M.No. 27/41/52-SE II, dated 7-12-1954.

29.4 Removal From Service as a Result of Conviction in Court of Law

Attention is invited to the Establishment Division's O. M. No. 3/24/59-SE.II, dated 21-3-1959 (Annex). It is stated that the instructions contained therein have been reviewed in the Establishment Division and, in supersession of these instructions, it has been decided that, in future, all government servants convicted of a criminal charge involving moral turpitude should be dismissed from government service. For this purpose, "Government Servants (Efficiency and Discipline) Rules, 1973 provide for dispensation of the normal disciplinary procedure.

2. The Ministries and Divisions are requested to bring the above position to the notice of all concerned for strict compliance in future.

[Authority.-Estt. Division's O.M.No.2/2/73-DI, dated 15-4-1976].

(ANNEX)

[Copy of Establishment Division O.M. No. 3/24/59-SE.I, dated the 21 March, 1959].

References have been received from time to time from Ministries and Divisions etc. enquiring whether a government servant convicted by a court of law can be removed or dismissed from service or reduced in rank straightaway or it is necessary to give him a show cause notice before passing final orders in the matter.

2. This question has been given due consideration in the Establishment Division who are of the view that, as a general principle, if a government servant is convicted in a court of law he does not automatically lose his employment under government, But if in the opinion of the authority competent to pass orders of dismissal, removal or reduction in rank grounds which led to his conviction are good and sufficient for imposing any of these penalties, that authority can pass such an order. If, however, the competent authority considers that a lesser penalty or no penalty at all is called for in the circumstances of the case (such as minor or technical nature) there is no bar to that authority taking a decision accordingly.

3. If it is decided to award the penalty of dismissal, removal or reduction in rank it is not necessary to give a show cause notice to the person concerned vide Article 181 (2) proviso (a) of the late Constitution or Rule 55 of the Civil Services (Classification, Control and Appeal) Rules [Article 177 (1) (b) of the 1962 Constitution or rule 6 of the Efficiency and Discipline Rules, 1960 may be referred to in the present context].The order of removal, dismissal or reduction can be passed by the competent authority taking into consideration the grounds of conduct which led to the conviction of the person concerned in the court of law. The removal, dismissal or reduction in such cases takes effect from the date of orders and not from the date of verdict passed by the court.

"Now Civil Servants (Efficiency and Discipline) Rules,2020.

Strictures Passed by Courts Against Government Servants

The question, whether strictures passed by courts of law against a government servant render him liable to departmental action, has been under consideration of the Establishment Division for some time. It has been held that when a court passed any strictures against a government servant, it should not necessarily be assumed that he is guilty of some misconduct or breach of rules or an act of omission or commission. The nature of the action to be taken should be decided after careful consideration of the facts and circumstances of each individual case. If the strictures are such as to merit disciplinary action against the government servant concerned, he should be dealt with departmentally in the light of the “Government Servants (Efficiency and Discipline) Rules. No government servant should, however, be punished on the basis of the strictures without drawing up necessary proceedings in accordance with the aforesaid rules. An entry may be made in the Character Roll of the government servant concerned or a copy of the strictures placed therein only when specific orders are passed to that effect by the competent authority. In no other case, strictures should find a place in the Character Roll of the government servant.

[Authority.- Estt. Division’s O.M. No. 3/110/59-E.V., dated 28-4-1960].

31.1 False or Forged Information about Educational Qualifications and Age and Pakistan Penal Code

Government of Pakistan do not agree with the views expressed by the Government of East Pakistan in their letter No. 2070-GAC, dated 9th December, 1958 that the furnishing of false information by candidates for posts in government service is punishable under section 177 of the Pakistan Penal Code. Section 177 of the Pakistan Penal Code deals with the cases of persons legally bound to furnish information to a public servant, whereas there is no legal obligation in the part of a candidate to furnish information when applying for a post in government service. The offence of furnishing false information in such cases is not, therefore, punishable under section 177, but under section 182 of the Pakistan Penal Code.

2. As for tampering with the date of birth as recorded in an educational certificate, it is considered that this amounts to forgery within the meaning of section 463 of the Pakistan Penal Code. The forging of certificates to support false assertions of educational qualifications would appear to be punishable under section 465, and the use of forged certificates punishable under section 468 of the Pakistan Penal Code. It is considered that these offences, which are punishable with long periods of imprisonment, cannot be tried summarily for the reason that, under section 260 of the Code of Criminal Procedure, only offences punishable with imprisonment for a term not exceeding six months can be tried summarily.

“Now Civil Servants (Efficiency and Discipline) Rules,2020.

3. In the circumstances, prosecution for the offences mentioned above should be restricted to cases of false information under section 182 of the Pakistan Penal Code, ignoring the offence of forgery where it is also present. Steps should also be taken to have the cases tried in a summary manner under sub-section (1) of section 260 of the Code of Criminal Procedure, 1898.

[Authority.- Estt. Division's Letter No.6/26/58-R, dated 20-1-1959 addressed to the [then] Government of East Pakistan].

31.2. Anti-Corruption Measures — Government Servants to Disclose Their Assets/Severe Disciplinary Action for Indulging in Corrupt Practices

Government of Pakistan have recently considered certain measures for the elimination of corruption among government servants and have, 'inter alia', decided as follows:—

(a) that a government servant when required by government to disclose his assets, immovable as well as liquid, must comply;

(b) that a government servant, who indulges in nepotism, favouritism, victimization and wilful abuse of office, will be liable to disciplinary action which may include dismissal.

2. It is requested that the above decisions may please be brought to the notice of all government servants serving under the Government of Pakistan.

[Authority.- Estt. Division's O.M. No. 4/15/53-SE II, dated 7-7-1953].

32.1 Responsibility of Head of Department for Corruption within Area of his Administrative Jurisdiction

Measures undertaken to curb corruption in the police have shown appreciable results, and its personnel deserve to be commended, and encouraged to continue with their efforts in that direction.

2. Meanwhile, public complaints of corruption in several government departments persist, and effective steps are required to root it out. It is the bounden duty of every Head of Department to exercise utmost vigilance, analyse the cause, and trace the source where incidence of corruption occurs.

3. In future, a Head of Department will bear responsibility, and be answerable for proven charges of corruption within the area of his administrative jurisdiction. It is self-evident that corruption prevails in a department of its Head is:

(a) himself corrupt, or

(b) wilfully blind to corruption taking place, or

(c) so inefficient that he is unable to control it.

4. | Whichever of these three reasons may be applicable, such a Head of Department cannot be retained in service to the detriment of government's objective of serving the people and promoting their weal and welfare.

[Authority.- President and CMLA's Note No.57/1/CMLA, dated 25-9-1978].

32.2. Co-operation with Investigating Officers of the Federal Investigating Agency

The New Federal Investigation Agency has been constituted by the Government of Pakistan for the investigation of cases of bribery and corruption involving persons serving in connection with the affairs of the Centre*. The cases of corruption usually relate to the functions of the public servants concerned and involve the examination of official record for coming to a conclusion whether an offence has been committed or not. Instances have come to notice that in some cases when the Investigating Officers of the Special Police Establishment** approached the departments for papers relevant to the cases under investigation, the officers concerned delayed handing over of papers on one pretext or the other and in some cases, even refused to hand over the documents. They were perhaps not aware that under section 94 of the Criminal Procedure Code, an Investigating Officer is empowered to demand the production of any paper connected with the offence, the investigation of which is being conducted by him and omission to comply is punishable under section 175 of the Pakistan Penal Code. Even otherwise, it is the duty of each public servant to assist the anti-corruption agencies in their arduous task of eradicating corruption. The responsibility of the Heads of Departments in this matter has also been emphasized in this Ministry's Office Memorandum No. 1/8/67-SP (P), dated the 20" September, 1967. Delay in the investigation of corruption cases is detrimental to the prosecution and goes in favour of the accused who gets a chance to tamper with the record and win over the witnesses before the police can examine them. It is, therefore, requested that suitable instructions may be issued to all concerned impressing upon them the need for prompt handing over of the requisite record to the Investigating Officers and the desirability of extending full co-operation to them in the investigation of corruption cases.

[Authority.- Interior Division's O.M. No.1/8/68-SP(P), dated 24-7-1968].

32.3 Instructions Regarding Investigations by the Federal Investigation Agency into Cases of Bribery and Corruption

With the coming into force of the F.LA. Act No. VIII of 1975, the Special Police Establishment stands converted into the Federal Investigation Agency. Instructions regarding investigations by the Federal Investigation Agency into the conduct of cases of bribery and corruption have, therefore, been drawn upon the lines of the former instructions regarding investigations by the Special Police Establishment with necessary modifications, and

*Federal.
**DG FIA.

a copy thereof is forwarded herewith (Annex) for information and guidance.
[Authority.- Interior Division's O.M. No. 1/21/74-SP (P), dated 5-3-1975].
(ANNEX)

Instructions Regarding Investigation of Cases of Bribery and Corruption by the Federal Investigation Agency.

Note— The expression "Competent Authority" in these instructions means the Anti-Corruption Council at the *Centre in the case of an.officer of **grade 17 and above who is serving in connection with the affairs of the Federal Government, is not removable from his office save by or with the sanction of the Federal Government and, in any other case, the Interior Division.

1. The Federal Investigation Agency may start an investigation either on its own initiative or on receipt of a complaint or information, oral or written.

2. | When the identity of the complainant is not known, as will happen when the complainant is anonymous or pseudonymous, the Agency, shall not register a case unless they are able to obtain, by the preliminary enquiry, independent corroboration of the allegations made in the complaint:

3. | When the identity of the complainant is known, the Agency shall ascertain from him full facts insupport of his allegations and shall, after doing so, proceed in the manner laid down in the succeeding paragraphs.

4. Ifthe preliminary enquiry, referred to in paragraphs 2 and 3 above, shows that there is reason to suspect the commission of an offence which the Agency is empowered to investigate, the Agency shall at once send a brief statement of the case to the competent authority and seek its concurrence to the registration of the case. On receipt of this concurrence, the Ministry or Department under which the government servant concerned is serving shall be informed of the registration of the case:

Provided that.a reference to the competent authority shall not be necessary to the case of those government servants who are not governed by section 197 of the Code of Criminal Procedure, 1898 (Act V of 1898):

Provided further that the Agency may register a case against any government servant at once, if for reasons to be recorded, it considers that delay in investigation will, or is likely to, result in the disappearance of, or in tampering with, the evidence or in immediate loss to government. When registration is effected without prior reference, under this proviso, a report of the action taken, alongwith reasons thereof, shall be

* Federal Government.
** BPS,

forwarded by the Agency at the earliest opportunity to the competent authority.

5. Before the registration of a case, all inquiries shall be secret, as far as possible. After a case has been registered, investigation shall proceed with care and discretion and no undue publicity shall be given to it. Special care shall be taken to ensure that no unnecessary damage is caused to the prestige, reputation and dignity of the government servant involved in the case.

6. At the close of investigation into cases for which sanction for prosecution is required under section 197 of the Code of Criminal Procedure, 1898 (Act V of 1898), or under sub-section (5) of section 6 of the Pakistan Criminal Law Amendment Act, 1958 (XL of 1958). The Agency shall submit to the Anti-Corruption Council, in the case of officers of grade' 17 and above, as per instructions noted under (a) below, and to the Interior Division, in the case of other officers as per instructions noted under (b) below, full facts of the case, the opinion of the legal adviser, the draft sanction order, a charge-sheet and a brief statement of allegations to be supplied to the accused government servant.

(a) In cases registered against officers of *Grade 17 and above, explanation of the accused officer, giving him 15 days time will be obtained by the Deputy Director of the Agency before submission of the case to the Anti-Corruption Council for decision regarding disposal of the case viz. charge-sheet for trial or departmental action or dropping the case. The Anti-Corruption Council will take into consideration the explanation of the accused in taking decision regarding disposal of the case. The Secretary of the Ministry concerned, in which the accused officer serves, if he is not a member of the Anti-Corruption Council, will be co-opted as a member of the Council while deciding the case. If charge-sheet for trial in court is recommended by the Anti-Corruption Council, Interior Division will accord sanction for prosecution, without further reference to the Ministry concerned to obtain explanation of the accused, on the basis of the decision of the Anti-Corruption Council.

(b) In the case of officers of Grade* 16 and below, the Interior Division shall communicate the full facts of the case to the Ministry under whom the government servant concerned is employed and they shall supply to the government servant concerned a copy of the charge-sheet and the brief statement of allegations furnished by the Agency and give him an opportunity to submit within 15 days of its receipt a statement in writing to show cause why he should not be prosecuted in a court of law or otherwise proceeded against:

Provided that the giving of an opportunity to the government servant concerned to submit a statement in writing shall, in no case, be in

"BPS.

the nature of a departmental enquiry or proceedings. The intention is that his statement should be on record when taking a final decision before according sanction for prosecution.

7. In all cases, referred to the Anti-Corruption Council, under para 6, the following procedure for obtaining the explanation efc., of the accused officer shall be observed before seeking permission for registration of a case or open enquiry from the Anti-Corruption Council:-

(1) Explanation of an accused officer shall be obtained before permission for open enquiry is sought by the Federal Investigation Agency, provided there be no difficulty in seizing documents during confidential enquiry and there is no apprehensions for disappearance of material evidence;

(2) Officers of the Federal Investigation Agency will be able to seize documents during preliminary confidential enquiry as there is no legal bar to it;

(3) Explanation of the accused officers should be obtained before seeking permission for registration of a case against him. This will be done by the Deputy Director of the Federal Investigation Agency. Questions asked and replies furnished by the officer whose conduct is under enquiry shall invariably be sent to the Secretary of the Ministry concerned under which the accused officer serves, through the Director General, Federal Investigation Agency; and

(4) In each case, explanation shall be obtained within 15 days.

8. The Ministry concerned to whom reference is made under para 6 (b) shall communicate their recommendations along with the statement of the government servant concemed to the Interior Division within one month of its receipt.

9. If it is decided to prosecute in a court of law a person who is serving in connection with the affairs of the Federal Government or is not removable from his office save by or with the sanction of the Federal Government, the sanction for his prosecution under section 197 of the Code. of Criminal Procedure, 1898, or sub-section (5) of section 6 of the Pakistan Criminal Law Amendment Act, 1958 (XL of 1958) as the case may be, shall be issued forthwith by the Interior Division.

10. If it is decided to take departmental action against the government servant, the necessary action shall be taken by the authority under whom the government servant is serving. The agency shall supply to the Ministry or Department under which the government servant concerned is employed, all materials required for the departmental enquiry and thereafter that Ministry or Department may avail of the services of the whole-time Enquiry Officers of the Interior Division in accordance with the provisions of their Memo. No. 2/7/67-SP (P), dated the 13th March, 1963. The Ministry or Department, as the case may be, shall intimate the result of the enquiry to the Interior Division and to the Federal Investigation Agency.

11. In case where departmental action is taken, the Interior Division may call for records of the departmental proceedings.

12. When sanction for prosecution is issued, the government servant concermed shall be placed under suspension, unless this action has been taken at an earlier stage.

33.1 The Federal Investigation Agency, Act 1974
(Act VIII of 1975)

[Dated: 13-1-1975]
An Act to provide for the constitution of a Federal Investigation Agency.

Whereas it is expedient to provide for the constitution of a Federal Investigation Agency for the investigation of certain offences committed in connection with matters concerning the Federal Government, and for matters connected therewith;

It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Federal Investigation Agency Act, 1974.

(2) It extends to the whole of Pakistan and also applies to all citizens of Pakistan and public servants, wherever they may be.

(3) It shall come into force at once.

2. Definition.— In this Act, unless there is anything repugnant in the subject or context,—

(a) “Agency” means the Federal Investigation Agency constituted under section 3;

(b) “Code” means the Code of Criminal Procedure, 1898 (Act V of 1898);
(c) “Director-General” means the Director-General of the Agency;

(d) “Provincial Police” means the Police constituted by a Provincial Government under the Police Act, 1861 (V of 1861);

(ec) “Public servant” means a public servant as defined in section 21 of the Pakistan Penal Code (Act XLV of 1860), and includes an employee of any corporation or other body or organization set up, controlled or administered by or under the authority of the Federal Government;

(f) “Special Police” means the Pakistan Special Police Establishment constituted under the Pakistan Special Police Establishment Ordinance,

1948 (VII of 1948);

(g) “Specified persons” means the persons who were appointed to posts in or under a Provincial Police in pursuance of Article 3 of the Special Police and Provincial Police (Amalgamation) Order, 1962 (P.O. No.1 of 1962); and

(h) “Rule” means rules made under this Act.

3. Constitution of the Agency.— (1) Notwithstanding anything contained in any other law for the time being in force, the Federal Government may constitute an Agency to be called the Federal Investigation Agency for inquiry into, and investigation of, the offences specified in the Schedule, including an attempt or conspiracy to commit, and abetment of, any such offence.

(2) The Agency shall consist of a Director-General to be appointed by the Federal Government and such number of other officers as the Federal Government may, from time to time, appoint to be members of the Agency.

4. Superintendence and administration of the Agency—(1) The Superintendence of the Agency shall vest in the Federal Government.

(2) The administration of the Agency shall vest in the Director General who shall exercise in respect of the Agency such of the powers of an Inspector General of Police under the Police Act, 1861 (V of 1861), as may be prescribed by rules.

5. Powers of the members of the Agency.— (1) Subject to any order which the Federal Government may make in this behalf, the members of the Agency shall, for the purpose of an inquiry or investigation under this Act, have throughout Pakistan such powers, including powers relating to search, arrest of persons and seizure of property, and such duties, privileges and liabilities as the officers of a Provincial Police have in relation to the investigation of offences under the Code or any other law for the time being in force.

(2) Subject to rules, if any, a member of the Agency not below the rank of a Sub-Inspector may, for the purposes of any inquiry or investigation under this Act, exercise any of the powers of an officer incharge of a Police-station in any area in which he is for the time being and, when so exercising such powers, shall be deemed to be an officer-incharge of a police-station discharging his functions as such within the limits of his station.

(3) Without prejudice to the generality of the provisions of sub-section (1) and sub-section (2), any member of the Agency not below the rank of a Sub-Inspector authorized by the Director- General in this behalf may arrest without warrant any person who has committed, or against whom a reasonable suspicion exists that he has committed, any of the offences referred to in sub-section (1) of section 3.

(4) For the purpose of the exercise by the members of the Agency of the powers of an officer-in-charge of a police-station, “Police-station” includes any place declared, generally or specially, by the Federal Government to be a police- station within

the meaning of the Code.

(5) If, in the opinion of a member of the Agency conducting an investigation, any property which is the subject matter of the investigation is likely to be removed, transferred or otherwise disposed of before an order of the appropriate authority for its seizure is obtained, such member may, by order in writing, direct the owner or any person who is, for the time being, in possession thereof not to remove, transfer or otherwise dispose of such property in any manner except with the previous permission of that member and such order shall be subject to any order made by the court having jurisdiction in the matter.

(6) Any contravention of an order made under sub-section (5) shall be punishable with rigorous imprisonment for a time which may extend to one year, or with fine, or with both.

5-A. Certain Officers of the Agency deemed to be public Prosecutors.— Notwithstanding anything contained in any order law for the time being in force the Assistant Directors (Legal) and the Deputy Directors (Law) of the Agency shall be deemed to be Public Prosecutors and shall be competent to institute and conduct any proceedings in cases sent up for trial by the Agency in the Special Courts constituted under any law and the courts subordinate to the High Court. (Added through FIA (Amendment) Ordinance 2002)

6. Power to amend the Schedule.— The Federal Government may, by notification in the official Gazette, amend the Schedule so as to add any entry thereto or modify or omit any entry therein.

7. Delegations of powers.— The Director General may by order in writing, direct that all or any of his powers under this Act or the rules shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by any member of the Agency so specified.

8. Indemnity.— No suit, prosecution or other legal proceeding shall lie against the Federal Government, any member of the Agency or any other person exercising any power or performing any function under this Act or the rules for anything which is in good faith done or intended to be done under this Act or the rules.

9. Power to make rules.— (1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the terms and conditions of service of the Director-General and other members of the Agency and the qualifications for recruitment to various posts;

(b) the powers and functions of the members of the Agency in relation to the

conduct of inquiries and investigations;

(c) the nature and extent of the assistance which the Agency may provide to Provincial investigating agencies;

(d) the powers of the Inspector General of Police under the Police Act, 1861 (V of 1861), which shall be exercisable by the Director- General; and

(e) the manner in which rewards may be given to the members of the Agency or of the public for rendering commendable services.

10. Repeal.— (1) The Pakistan Special Police Establishment Ordinance, 1948 (VIII of 1948), and the Special Police and Provincial Police (Amalgamation) Order, 1962 (P. 0. No. I of 1962), hereinafter referred to respectively as the said Ordinance and the said Order, are hereby repealed.

(2) Upon the repeal of the said Ordinance,-

(a) all persons who were members of the Special Police immediately before such repeal, including the specified. persons, shall stand transferred to the Agency and shall, subject to sub-section (5), be entitled to the same terms and conditions to which they were entitled immediately before such repeal; and

(b) any inquiry or investigation pending with the Special Police immediately before such repeal shall continue to be conducted by the Agency.

(3) Notwithstanding the repeal of the said Order, but subject to sub-section (4), every specified person shall-continue to be appointed in or under the Provincial Police in or under which he was holding a post immediately before the commencement of this Act.

(4). On the recommendation of the Director-General, and with the concurrence of the Provincial Government concerned, the Federal Government may direct that such of the Specified persons referred to in sub-section (3) as may within thirty days of the commencement of this Act express their willingness to serve in or under the Agency shall be appointed to posts in or under the Agency.

(5) A specified person referred to in clause (a) of sub- section(2), and a person in respect of whom a direction is issued under sub-section (4) shall, upon the repeal of the said Ordinance or, as the case may be, the issue of such direction, cease to hold a post in or under the Provincial Police concerned and shall be entitled to the same terms and conditions of service to which he was entitled immediately before such repeal or the issue of such direction.

Curarrer-8

(1) Offences punishable

ESTACODE (Epition-2021)

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THE SCHEDULE
under sections “[120-B, 121,122, 123, 123-A, 124,

124-A], {[161, 162, 163, 164, 165, 165-A, 168, 169], “[175, 182, 183, 186, 187, 188,

189], [201], °[216], °[217, 218], *[223

, (224, 225], °[225-A], °[245], °[255, 256, 257,

258, 259, 260, 261, 263], '[295-A, 295-C, 298, 298-A], °[300, 301, 302, 324, 332, 333, 334, 335, 336, 337, 337-A, 337-B, 337-C, 337-D, 337-E, 337-F], “[342, 348], b[353] a[365-A] °[366-B], “[383], °[402-A, 402-B, 402-C, 403, 404], '[406], °[407,408], "[409], *[411,418,419,], [420], "[435, 436, 440], ‘[462A, 462B, 462C, 462D, 462, 462F], '[462H,462I, 462J, 462K,462L,462M] “[466], ‘[467], [468,471], [472], “[473, 474, 475, 476], °[477-A, 489-A, 489-B, 489-C, 489-D, 489-E], '[489-F], “[499, 500, 501, 502, 506, 507], of the Pakistan Penal Code (Act XLV of 1860)

[TOTAL = 115]

"[1-A] Section 25-D & Section 29 of Telegraphic Act,1885.

Offences punishable under the Explosive Substance Act,1908(VI of 1908).
Offences punishable under the Official Secret Act,1923 (XIX of 1923).
Offences punishable under the Foreigners Act, 1946 (XXXI of 1946).

Offences punishable under the Prevention of Corruption Act, 1947 (II of 1947).
Offences punishable under the Foreign Exchange Regulation Act, 1947.

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Offences punishable under
of 1950).

the Import and Export (Control) Act, 1950(XXXIX

Offences punishable under Banking Companies Ordinance, 1962 (LVII of 1962).
Offences punishable under the Pakistan Arms Ordinance, 1965 (W.P. Ord XX of

1965).

Offences punishable under Section the 156 of the Customs Act, 1969 (IV of 1969).
Offences punishable under the Foreign Exchange Repatriation Regulation, 1972.

offences punishable under t

Offences punishable under
(Omitted).

he Foreign Assets (Declaration) Regulation 1972.
the National Registration Act,1973 (LVI of 1973).

Offences punishable under the High Treason (Punishment) Act, 1973 (LX VIII of

1973).

Offences punishable under
(VII of 1974).

Offences punishable under th

the Prevention of Anti-National Activities Act,1974

ie Banks (Nationalization) Act, 1974 (XIX of 1974).

Offences punishable under the Passport Act, 1974 (XX of 1974).

Offences punishable under the Drugs Act, 1976 (XXXI of 1976).

Offences punishable under Emigration Ordinance, 1979 (XVIII of 1979).
Offences punishable under the exit from Pakistan (Control) Ordinance,

1981(XLVI of 1981).

Offences punishable under the Anti-Terrorism Act, 1997(XXVII of 1997) to the

extent of dealing with cases

which:—

(b) — entrusted to the Agency by the Federal Government.
Offences punishable under the Prevention & Control of Human Trafficking
Offences punishable under the Pakistan Telecommunication (Re-organization)
Offences punishable under the National Database and Registration Authority
Offences Punishable under Section 36 & 37 of the Electronic Transmission

Offences punishable under the Copyright Ordinance, 1962 (XXXIV of 1962).
Offences punishable under the Prevention of Electronic Crimes Ordinance,2007

Offences punishable under the Anti-Money Laundering Ordinance,2007

Offences punishable under the Electricity Act, 1910 (IX of 1910).
Offences punishable under the Protection of Pakistan Act,2014 (X of 2014).

Offences punishable under Prevention of Electric Crimes Act,2016 (XL of 2016).

Transportation of Human Organs and Tissues Act,2010 (VI of 2010).

S.R.O. 704(1)/2004 dated 18 August,2004, [693 (2004)/Ex.Gaz.] [F.No. 4/14/2003 -POLL (2)].
S.R.O. 826(1/97 dated 20 September, 1997, (No. 1/18/97-FIA.I.).

S.R.O. 113(1)/2002 dated 18 February,2002, [128(2002)/Ex.Gaz.].

S.R.O. 381 (1/2012 dated 18 April,2012, [2428 (2012)/Ex.Gaz.] [No. 7/13/2012-FIA.].

S.R.O. 31 (KE)/15, dated 22 December,2014, [No.1/12/2014-FIA].

S.R.O. 620(1)/2018, dated 18 May,2018, [5925 (2018)/Ex. Gaz.] [No. 1/2/2017-FIA].

[Entry 161,162,163,164,165,165-A, 168,169 omitted by S.R.O. 702(1)2004 dated 16-08-2004 PLD 2004 Cent.St. Sup.649 Inst. By S.R.O.1097(1)/2008, dated 24-10-2008, PLD 2004-2009 Supp. Fed. St.125].
Section 409 omitted by 702(I) 2004 dated 16-08-2004, PLD 2004 Cent St. Sup. 649 Inst. By S.R.O 1097(1)/2008, dated 24-10-2008, PLD 2004-2009 Supp. Fed. St. 125.

S.R.0. 977 (1)/2003 dated 9 October,2003, [5187 (2003)/Ex.Gaz.] [F.No. 1/18/97-FIA.L]
S.R.0. 67(KE)/2013 dated 03 September, 2013, [F.No. 1/4/2013-FIA].

S.R.O. 1047(1/2016 dated 10 November,2016 [4012(2016)/Ex.Gaz.] [1/2/2016-(FIA).]
S.R.O. 1231(D/2012 dated 1% October, 2012, [3038 (2012)/Ex.Gaz.] [F.No. 7/13/2012-FIA.]
S.R.O. 157(1)/2002 dated 19 March, 2002, [215 (2002)/Ex-Gaz.]
S.R.0. 741(1)/2002 dated 26 October,2002, [1249(2002)/Ex.Gaz.] [F.No. 1/18/97-FIA.L]
S.R.O. 853(1)/2002 dated 28 November,2002, [1411 (2002)/Ex.Gaz.] [F.No. 1/12/2002-FIA.1]
S.R.0. 549(1)/2003 dated 18 June,2003, [4897 (2003)/Ex.Gaz.] [F.No. 1/11/2002-FIA.L]
S.R.0. 1050(1)/2003 dated 15 November,2003, [F.No. 1/18/97-FIA.L]

S.R.0. 321(1)/2005 dated 19 April, 2005, [2800 (2005)/Ex.Gaz.] [F.No. 1(1)/2005-FIA.L]
S.R.O. 206(1)/2008 dated 04 March,2008 [2213 (2008)/Ex.Gaz.]
S.R.0. 1097(1)/2008 dated 21 October,2008, [3120(2008)/Ex.Gaz.] [F.No. 1/154/2001/FIA]
S.R.O. 1/4/2013-FIA dated 24 July,2013 [F.No. 1/3/2013-FIA, dated 16 July,2013]

S.R.0. 5(KE)/2016 dated 7 January,2016, [F.No. 1/5/2015-(FIA)

(a) _ have Inter-provincial scope, or

°(22
Ordinance 2002. (Repealed)
*[23]
Act, 1996 (XVII of 1996)
[24
Ordinance, 2002.
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Ordinance, 2002 (L1 of 2002). (Omitted)
‘(26
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(LXXII of 2007).
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(XLV of 2007).
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i. S.R.O. 237(1/98 dated 10 April, 1998, [No. 1/18/97-FIA].
J.
k.
lL
m.
n.
oO.
p.
q.
r.
Ss.
t.
u.
Vv.
w.
x. Entry No. 31 is laying vacant at present.
y-

S.R.O. 353(1)/2017 dated 20 May, 2017 [706(2017)/Ex. Gaz.], [N. 1/2017-FIA]

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with cases of corruption against Class I Officers

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33.2 Setting up of Anti-Corruption Council

at the Centre to Deal with Cases of
Class I Officers

It has been decided to set-up an Anti-Corruption Council at the *Centre to deal

** investigated by the Special Police

Establishment. The composition etc., of the Council will be as follows:-

Note.-

d)
@)

(i)

(iii)

(iv)

(a)

(b)

(2)

Composition.- The Council will be composed as follows:—

Secretary, Cabinet Secretariat Member
(Establishment Division).

Secretary, Ministry of Home Member
and Kashmir Affairs
(Home Affairs Division*”’).

Secretary, Ministry of Law Member

Inspector-General, Special Secretary
Police Establishment.

The senior most of the three permanent members will act as the Chairman
of the Council.

The Council will co-opt the Secretary of the Ministry concerned, the case of
whose official comes up for decision.

Jurisdiction.-The Council will deal with cases of corruption against:-

(i) All Class I Officers** of the Central* Government;

(ii) Officers of the Provincial Governments or of the corporate bodies and other organizations set-up by the Central* Government where the authority competent to remove the accused from service is the President;

(iii) Members of All Pakistan Services® or of Central Class 1@@ Services or holders of Class I Posts under the *Central Government who were at the time of the commission of the offence serving in connection with the affairs of a Province.

* Federal Government.

** Officers in BPS 17 to 22.

“Interior Division.

© All Pakistan Unified Grades (APUG): Secretariat Group, Pakistan Administrative Services (PAS) and Police Service of Pakistan .

&° BPS 17-22.

(3) Functions.- The functions of the Council will be as follows:-

(i) To permit institution of open enquiry by the Special Police Establishment.

(ii) To permit registration of a case by the Special Police Establishment, for formal investigation.

(iii) To consider the enquiry/investigation report and recommend, as the case may be,

(a) prosecution of the accused, or
(b) departmental action, or

(c) dropping of the case, or

(d) further enquiry/investigation.

[Note.- Recommendations of the Council shall have the same sanctity and shall be given the same weight as the recommendations of the Central" Public Service Commission].

[Reference Interior Division's O. M. No. 1/9/67-SP.(P), dated 29-6-1968].

33.3. Correspondence with the F.1.A

The Federal Investigation Agency (formerly Pakistan Special Police Establishment) is authorized to undertake the investigation of crime under the various laws included in the Schedule to the F.I.A. Act, 1974 (VIII of 1975) (Annex) to. As such, all Ministries and Divisions including their subordinate and attached offices, and for that matter an agency or individual, can directly bring to the notice of the Circle and Branch Offices of the F.I.A. (located in various cities), any incidence or alleged incidence of a crime, under the law included in the said Schedule. However, while doing so they are requested to endorse a.copy of their communication to the Director General, Federal Investigation Agency, to help facilitate a quick disposal of the reference.

2. References regarding important matters should, however, continue to be addressed to the Interior Division.

[Authority.- Interior Division's O.M. No.8/9/74-Admn.IV., dated 6-3-1975].

* Federal.

National Accountability “ORDINANCE NO. XVIII OF 1999

An Ordinance to provide for the setting up of a National Accountability Bureau so as to eradicate corruption and corrupt practices and hold accountable all those persons accused of such practices and matters ancillary thereto;

WHEREAS it is expedient and necessary to provide for effective measures for the detection, investigation, prosecution and speedy disposal of cases involving corruption, corrupt practices,'[misuse or abuse] of power 7[or authority], misappropriation of property, taking of kickbacks, commissions and for matters connected and ancillary or incidental thereto;

AND WHEREAS there is an emergent need for the recovery of outstanding amounts from those persons who have committed default in the repayment of amounts to Banks, Financial Institutions, *[{Governmental agencies] and other agencies;

AND WHEREAS there is a grave and urgent need for the recovery of state money and other assets from those persons who have misappropriated or removed such [money or] assets through corruption, corrupt practices and misuse of power*! or authority;

3[AND WHEREAS there is an urgent need to educate the society about the causes and effects of corruption and corrupt practices and to implement policies and procedures for the prevention of corruption in the society;]

‘[AND WHEREAS there is an increased international awareness that nations should co-operate in combating corruption and seek, obtain or give mutual legal assistance in matters concerning corruption and for matters connected, ancillary or incidental thereto;]

AND WHEREAS it is necessary that a National Accountability Bureau be set up so as to achieve the above aims;

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

“ The NAB Ordinance, 1999 and all rules, notifications and orders made or issued hereunder have been a
and applied in the Northern Areas. See SRO-467(1)/2000, dated 28-6-2000.

'Subs. by the National Accountability Bureau (Amdt.) ordinance. 2002(133 of 2002), s.2, for “misuse/abus

''Ins. bid.,

3Subs.ibid., for “government.”

4The word and oblique “and/” omitted ibid.,

*New paragraph ins. ibid.,

New paragraph ins. by the National Accountability Bureau (Amdt.) Ordinance. 2001 (35 of 2001), s.2.

? Short Title

Commencement

Ordinance to
Override other
laws

Application

Definitions:

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

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

1. This Ordinance may be called the National Accountability 2*Ordinance, 1999 (No. XVIILof 1999).

2. This Ordinance shall come into force at once and shall be deemed to have come into force from the Ist day of January 1985.

3. 4[The provisions»of this Ordinance shall have effect notwithstanding anything contained in any other law for the time being in force.]

4. — It extends to the whole of Pakistan and shall apply to all persons in Pakistan, *[all citizens of Pakistan] and persons who are or have been in the service of Pakistan wherever they may be, including areas which are part of Federally and Provincially Administered Tribal Areas.

5.-(a) “Accused” shall include a person in respect of whom there are reasonable grounds to believe, {that he] is or has been involved in the commission of any offence/[triable] under this Ordinance **or is subject of an investigation [or] inquiry by the National Accountability Bureau, or “‘[any other agency authorised by the National Accountability Bureau in this regard under this Ordinance.]

'Subs. by the National Accountability Bureau (Amdt.) Ordinance. 2002 (133 of 2002). S.2, for “renders”.
*Subs. ibid., s.3, for “Title”.

>The word “Bureau”, omitted ibid.

4Subs. and shall be deemed always to have been so subs, by the National Accountability Bureau (Amdt.)

Ordinance, 1999 (19 of 1999), s.2, for the original section 3,

Sins. by Ord. No. 133 of 2002, s, 4,

® Subs. ibid., 85, for “,”.

TIns. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), S.2,

The word and oblique “and/” omitted by ords. No. 1336 of 2002, s.5,

°Subs. ibid., for “i”

Subs. ibid., for “Concerned Agency”.

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(b)

(c)

(d)

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“Appropriate Government” means in relation to any person serving in connection with the affairs of the Federation, including any person employed by a corporation, body, financial institution, bank, authority undertaking or any other organization set up, controlled or administered by or under the authority of the Federal Government, '[the Federal Government and in other cases,] the Provincial Government {or the local government] concerned.

“Assets” means any property owned, controlled by or belonging to any accused, whether directly or indirectly, or held benami in the name of his spouse or relatives or associates, whether within or outside Pakistan ** which “fhe] cannot reasonably account [for], or for which “[he]cannot prove payment of full and lawful consideration.

“Associates” means—

(i) any “[person] who is or has been managing the affairs [of] or keeping accounts “[for]the accused or who enjoys or has enjoyed any benefit from the assets.

gee

(ii) any association of persons, body of individuals, partnership °[firm] or private limited“~[company] within the meaning of Companies Ordinance 1984, of which [the accused] is or has been a member, partner or director or which“2[has] been promoted, floated, established or run by the “[accused, whether singly or jointly, with

other persons.]

“T@ii) a trustee of any trust declared by the accused, or of which the

accused is also a trustee or a beneficiary; and]

Ins. ibid.,

s. by the National Accountability Bureau (Admt.) Ordinance, 2002 (133 of 2002), s.5 for “or”.

>The comma and word for “for” omitted ibid.,
‘Subs. ibid., for “they”

Subs
°Subs. ibid., “for”.
"Subs. ibid., “of”.

ibid., for “individual”.

’The words “referred to above” omitted ibid.,
“Subs. ibid., for “firms”.

Subs. ibid., for “Companies”.

"Subs. ibid., “such a person”.

Subs. ibid., for “have”,

8Sub:

ibid., for “same group of Persons”.

4Subs.ibid., for clause (iii).

‘tav)
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a benamidar].

“benamidar’” means any person who ostensibly holds or is in possession or custody of any property of an accused on his behalf for the benefit and enjoyment of the accused;]

“Chairman National Accountability Bureau” means a person who is appointed as such by the President 2*** of Pakistan as mentioned in section 6 (b) hereafter;

”Code” means the Code of Criminal Procedure, 1898;

“Conciliation Committee” means the Conciliation Committee constituted under section 25A;]

“Court” means an Accountability Court which shall consist of a Judge who shall be appointed by the President of Pakistan, in consultation with the’ Chief Justice of the High Court ‘of the Province] concerned, 7 ***.on such terms and conditions as may be determined by the President;]

“Judge” means.a Judge of a Court.who shall be a serving District and Sessions Judge qualified to be appointed as Judge of the High Court and includes a Judge, whether serving or retired District and Sessions Judge, who was appointed Judge of a Court before the commencement of the National Accountability Bureau (Amendment) Ordinance, 2001;]

”*Deputy Chairman National Accountability Bureau” means the person appointed as Deputy Chairman of the National Accountability Bureau by the President;]

“National, Accountability Bureau” means the Bureau set up and notified under this Ordinance, (hereinafter ‘“[referred to] as NAB);

' Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s.5, for “clause (iv)”

?New clause (da) ins.ibid.,

>The words “of the Islamic Republic of Pakistan” omitted ibid.,

4New clause (fa) ins. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s.2.
*Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001)s.3, for clause (g) which was previously amended by Ord. No. 24 of 2000, s.2, for original cl. (g).

SIns by Ord. No. 133 of 2002, s.5.

7Certain words omitted ibid.,

8Subs. by Ord. No. 35 of 2001, S.3, for clause (h).

Subs. by Ord. No. 133 of 2002, s.5, for clause (j), which was previously amended by Ord. No. 24 of 2000, s.

2, for “Chief Executive”.

0Subs. ibid., “known”.

(1) ”Freezing” includes attachment, sealing, '[prohibiting], holding, controlling ** or managing any property either through a Receiver or otherwise as may be directed by the ** Court or Chairman NAB, and in case it is deemed necessary the disposal thereof, by sale through auction or negotiation subject to confirmation by the Court or by Chairman “[NAB] as the case maybe after public notice.

(m) “Holder of public office” means a person who-

(i) has been President of Pakistan or the Governor of a Province.

VII of (ii) _ is, or has been the Prime Minister, Chairman Senate, Speaker of

1970 the National Assembly, Deputy Speaker National Assembly, Federal Minister, Minister of State, Attorney General and other Law Officer appointed under the Central Law Officers Ordinance, 1970 (VII of 1970), Advisor to the Prime Minister, Special Assistant to the Prime Minister, Federal Parliamentary Secretary, Member of Parliament, Auditor General, Political Secretary, °** Consultant to the Prime Minister and holds or has held a post or office with the rank or status of a Federal Minister or Minister of State;

(iii) is, or has been, the Chief Minister, Speaker Provincial Assembly, Deputy Speaker Provincial Assembly, Provincial Minister, Advisor to the Chief Minister, Special Assistant to the Chief Minister, Provincial Parliamentary Secretary, Member of the Provincial Assembly, Advocate General including Additional Advocate General and Assistant Advocate General, Political Secretary, °** Consultant to the Chief Minister and who holds or has held a post or office with the rank or status of a Provincial Minister;

(iv) _ is holding, or has held, an office or post in the service of Pakistan, or any service in connection with the affairs of the Federation, or of a Province, or of a local council constituted under any Federal or

' subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), 5 for “prohibition”.
?The word and oblique “and/” omitted ibid.,

3Omitted by the National Accountability Bureau (Amdt.) Ordinance , 2000 (4 of 2000), s.2.

4Subs. by Ord. No. 133 of 2002, s.5_ for “National Accountability Bureau”.

>The words “Advisor or” omitted ibid.,

(v)

“[(va)

(vi)

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Provincial law relating to the constitution of local councils '[co-operative societies] or in the management of corporations, banks, financial institutions, 2a firms, concerns, undertakings or any other institution or organization established, controlled or administered by or under the Federal Government or a Provincial Government, other than a person who is a member of any of the armed forces of Pakistan, ****except a person who is, or has been a member of the said forces and is holding, or has held, a post or office in any public corporation, bank, financial institution, undertaking or other organization established, controlled or administered by or under the Federal, Government or a Provincial Government “[or notwithstanding anything contained in the Pakistan Army Act, 1952 (XXXIX of 1952), or any other law for the time being in force, a person who is a civilian employee of the Armed Forces of Pakistan;]

Su has been, the Chairman or Vice Chairman of a zila council, a municipal committee, a municipal corporation or a metropolitan corporation constituted under any Federal or Provincial law relating to local councils; and

“Explanation” For the purpose of this sub-clause the expressions “Chairman” and “Vice Chairman” shall include “Mayor” and “Deputy Mayor” as the case may be, and the respective councilors therein.

is or has been a District Nazim or Naib Nazim, Tehsil Nazim or Naib Nazim or Union Nazim or Naib Nazim;]

#**has served in and retired or resigned from or has been discharged or dismissed from the Armed Forces of Pakistan;

‘Ins. by the National Accountabii

lity Bureau (Admt.) Ordinance, 2002 (133 of 2002),s.5.

°The words “co-operative societies” omitted ibid., which was previously amended by Ord. No. 35 of 2001,
Omitted by the National Accountability Bureau (Admt.) Ordinance, 2001(35 of 2001),s,3.

‘Ins. by Ord. No. 133 of 2002, s,
The words “is, or “omitted ibid.,
New sub-clause (va) ins, ibid.,

5.

7Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s.2.

(n) “Offence” means the offences of corruption and corrupt practices ' [and other offences] as defined in this Ordinance and includes “[the offences] specified in the Schedule to this Ordinance.

(0) “PERSON” [,unless the context otherwise so requires], includes in the case of a“[company or a body corporate], the sponsors, Chairman, Chief Executive, Managing Director, elected Directors, by whatever name called, and guarantors of the company “[or body corporate] or any one exercising direction or control of the affairs of such “[company or a body corporate}****;and in the case of any firm, partnership or sole proprietorship, the partners, proprietor or any person having “[any] interest in the said firm, partnership or proprietorship concern or direction or control thereof;

(p) “Property” includes any or all movable and immovable properties situated within or outside Pakistan; **

(q) “Government Property” means “[property] belonging to the Government and includes gifts, donations, financial assistance, grants, aid received or collected in whatever name or for whatever purpose“[by a holder of public office during the tenure of office; and]

&(r) “Willful default” a person “for a holder of public office] is said to

commit an offence of willful default under this Ordinance if he does not pay[, or continues not to pay,] or return or repay the amount [due from him]to any bank, financial institution, cooperative society,““** Government department , statutory body or an authority established or controlled by a Government on the date that it became due [as per agreement containing the obligation to pay, return or repay or]

' Ins. by the National Accountability Bureau (Admt.) Ordinance, 2002 (133 of 2002), s. 5.

Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s.3 for “those offence as”.

3Ins. and omitted by the National Accountability Bureau (second Amdt.)Ordinance, 2000 (24 of 2000). s.2
4Subs. by Ord. No. 133 of 2002, s.5, for “Corporate body”.

*The word “and” omitted ibid.,

°Subs. ibid.,s.k, for ‘both movable and immovable properties.

Subs. ibid., for “during the tenure of office”.

SNew clause (r) added by the National Accountability Bureau (amdt.) Ordinance 2000 (4 of 2000), s.2.
Ins. by Ord. No. 133 of 2002,s.5.

The words “or a” omitted ibid., s.5.

according to the laws, rules, regulations, instructions, issued or notified by '[the State Bank of Pakistan, or the bank,] financial institution, cooperative society, Government Department?[,] statutory body or an authority established or controlled by a Government, as the case may be, and a [thirty days notice has been given to “[such person or holder of public office.]]:

Provided that it is not willful default under this Ordinance if *[such person or holder of public office] was unable to pay, return or repay the amount as aforesaid on account of any willful breach of agreement or obligation or failure to perform statutory duty on the part of any bank, financial institution, cooperative society °[,] or a Government department ?{,]statutory body or an authority established or controlled by Government °{:]

‘(Provided further that in the case of default concerning a bank or a financial institution a seven days notice has also been given to “[such person or holder of public office] by the Governor, State Bank of Pakistan:

Provided further that “[the) aforesaid thirty days or seven days notice shall not apply to cases pending trial at the time of promulgation on of the National Accountability Bureau (Amendment) Ordinance, 2001].

2[5A. (1) A Judge of a Court who is a serving District and Sessions Judge shall hold office for a period of three years from the date of his initial appointment as such Judge.

(2). An incumbent Judge who on the 24" April, 2001, is not a serving District and Sessions Judge and has exercised option to serve as a Judge shall continue for a period of three years from the date of his initial appointment as such Judge.

' Subs. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s.2.

*Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (113 of 2002), s.5, for “or a”.

3Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. .3, for “certain wo
4Subs by Ord. No. 133 of 2002, s.5, for ‘the defaulter”.

*Subs.

ibid., for “the accused”.

Subs. and added by Ord. No. 35 of 2001, s.3.

TIns. by Ord. No. 133 of 2002, s.3.

The word “etc” omitted ibid., s.6.

°New sections 5A and 5B ins. by Ord. No. 35 of 2001. s.4

Curarrer-8

Pensionery benefits to serving District and Sessions Judge retiring while serving as Judge of a Court

National Accountability Bureau

(3) An incumbent Judge who is a serving District and Sessions Judge and retires while serving as such Judge shall, subject to his option, continue for a period of three years from the date of his initial appointment as such Judge.

(4) A Judge shall not be removed or transferred from his office before the completion of the term ' [with] his office without consultation of the Chief Justice of the High Court concerned.

5B. Where a serving District and Sessions Judge retires while serving as a Judge of a Court, he shall be entitled to such pension as would have been admissible to him in his service as District and Sessions Judge, had he not been appointed as Judge of a Court, his service as a Judge of a Court being treated as service for the purpose of calculating that pension.

6.(a) There shall be constituted a National Accountability Bureau for the whole of Pakistan.

2[(b) Chairman, National Accountability Bureau:

(i) There shall be a Chairman NAB to be appointed by the President in consultation with the [Leader of the House and the Leader of the Opposition in the National Assembly] for a“[non-extendable] period of [four] years on such terms and conditions as may be determined by the President and shall not be removed except on the grounds of removal of Judge of Supreme Court of Pakistan {[:]

‘[Provided that the present incumbent of the office of Chairman, NAB, shall complete the period of four years from the date of his initial appointment.].

(ii) The Chairman NAB may, in writing under his hand, addressed to the President, resign his office.

8{(ba) A person shall not be appointed as Chairman NAB unless he—

' Subs. by the National Accountability Bureau (Admt.) Ordinance, 2002 (133 of 2002), s.6, for “of”.

*Subs. by the National Accountability Bureau (Admt.) Ordinance 2001 (35 of 2001), s.5. for sub-section (b), which was previously amended by various enactments.

3Subs. by Ords. No. 133 0:
4 Ins. ibid.,

*Subs. ibid., for “three”.
°Subs. ibid., for full stop.
™New proviso added ibid.,

f 2002, s. 7. for “Chief Justice of Pakistan”.

’New sub-section (ba) added ibid.,

Deputy
Chairman
National
Accountability
Bureau

(i) is a retired Chief Justice or a Judge of the Supreme Court or a Chief Justice of a High Court, or

(ii) is a retired officer of the Armed Forces of Pakistan equivalent to the rank of a Lieutenant General; or

(iii) is a retired Federal Government Officer in BPS-22 or equivalent].

(c) Acting Chairman, National Accountability Bureau: As and when the Chairman NAB is absent or unable to perform the functions of his office due to any reason whatsoever, the Deputy Chairman '[NAB,] will act as the Chairman NAB, and in case the Deputy Chairman '[NAB,] is absent or unable to perform the functions of the office, *[any officer of the NAB] duly authorized by the Chairman NAB, to act as Chairman NAB)“[shall] act as the Chairman NAB.

7. (a) There shall be a Deputy Chairman NAB appointed by the 4[President] in consultation with the Chairman NAB. The Deputy Chairman ‘[NAB] shall assist the Chairman [NAB] in the performance of his duties and “[shall] carry out such functions as may be directed by the Chairman![NAB].

3[(aa) A person shall not be appointed as Deputy Chairman NAB unless he—

(i) is or has been an officer of the Armed Forces of Pakistan equivalent to the rank of a Major General; or

(ii) is or has been a Federal Government officer in BPS-21 or equivalent;]

{{(b) | The Deputy Chairman 4[NAB] shall hold office for a“{non-extendable] period of three years and shall not be removed except on the ground of misconduct as defined in sub-rule (4) of rule 2 of the “Government Servants (Efficiency & Discipline) Rules, 1973.]

‘Ins. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), ss. 7, 8 and 9.
2Subs. ibid., s.7, for “any other person”.

°Subs. ibid., for “ to”.

4Subs. by the National Accountability Bureau (Admt.) Ordinance, 2000 (4 of 2000), s. 4 for “Chief Executive”.

5New sub-section (aa) ins. by Ord. No. 133 of 2002, s.8.

8Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), for sub-section (b).

“Now Civil Servants (Efficiency & Discipline) Rules, 2020.

Prosecutor General Accountability :

8. '[(a) (i) The President of Pakistan, in consultation with the 2***Chairman NAB, may appoint any person, who is qualified to be appointed as a Judge of the Supreme Court, as Prosecutor General Accountability.

(ii) The Prosecutor General Accountability shall hold independent office on whole time basis and shall not hold any other office concurrently.

(iii) The Prosecutor General Accountability shall hold office for a*[non-extendable] period of three years.

(iv) The Prosecutor General Accountability shall not be removed from office except on the grounds of removal of a Judge of Supreme Court of Pakistan.

(v) The Prosecutor General Accountability may, by writing under his hand addressed to the President of Pakistan, resign his office.]

(b) The Prosecutor General *[Accountability] shall give advice to the Chairman NAB upon such legal matters and perform such other duties of a legal character as may be referred or assigned to him by the Chairman NAB and in the performance of his duties, he shall have the right of audience in all4[Courts established under this Ordinance and all other Courts “including the Supreme Court and a High Court] and Tribunals].

3[(c) The Prosecutor General Accountability, with the approval of Chairman NAB °***, may appoint Special Prosecutors to conduct prosecution of cases and to appoint advocates to institute or defend cases, appeals, petitions, applications and all other matters before any court 2[or tribunal including the High Courts and Supreme Court in matters arising out of or relating to proceedings under this Ordinance.]

' Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s.7, for “sub-section

?The words “Chief Justice of Pakistan and” omitted by the National Accountability Bureau (Amdt.) Ordina 2002 (133 of 2002) s. 9.

3Ins. ibid., ss. 8 and 9.

4Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s.5, for certain words Subs. by Ord. No. 35 of 2001, s.7, sub-section (c).

°The certain words omitted by Ord. No. 133 of 2002, s.9.

"Ins. ibid.,

'(d) In case the Prosecutor General Accountability is absent

or unable to perform the functions of his office due to any reason whatsoever, any other Law Officer of the NAB, duly authorised by the Chairman NAB, shall act as the Prosecutor General Accountability.]

9. (a) A holder of a public office, or any other person, is said

to commit or to have committed the offence of corruption and corrupt practices—

@)

(ii)

(iii)

(iv)

(v)

if he accepts or obtains from any. person or offers any gratification directly or indirectly, other than legal remuneration, as a motive or reward such as is specified in section 161 of the Pakistan Penal Code (Act XLV of 1860) for doing or for-bearing to do any official act, or for showing or for-bearing to show, in the exercise of his official functions, favour or disfavour.toany person, or for rendering or attempting to render any service or disservice to any person; or

if he accepts or obtains or offers any valuable thing without consideration, or for a consideration which he knows to be inadequate, from any person whom he knows to have been, or likely to be, concerned in any proceeding or business transacted or about to be transacted by him, or having any connection with his official functions or 7[from] any person whom he knows to be interested in or related to the person so concerned; or

if he dishonestly or fraudulently misappropriates or otherwise converts for his own use, or for the use of any other person, any property entrusted to him, or under his control, or willfully allows any other person so to do; or

if he by corrupt, dishonest, or illegal means, obtains or seeks to obtain for himself, or for his spouse 3* or dependents or any other person, any property, valuable thing, or pecuniary advantage; or

if he or any of his dependents or benamidar owns, possesses, or has “[acquired] right or title in any *[“assets or holds irrevocable power of attorney in respect of any assets] or

' New Sub-section (d) ins. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s.9.

?Subs. ibid., s.10, for “from”.

>The word and oblique ‘and/” omitted ibid.,
4Subs. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s.4.
5Subs. by Ord. No. 133 of 2002, s. 10 for “movable or immovable property”.

pecuniary resources disproportionate to his known sources of income, which he cannot '[reasonably] account for [or maintains a standard of living beyond that which is commensurate with his sources of income]; or

(vi) 2[if he misuses his authority so as to gain any benefit or favour for himself or any other person, or *[renders or attempts to render] “[or willfully fails to exercise his authority to prevent the grant, or rendition of any undue benefit or favour which he could have prevented by exercising his authority];

(vii) if he has issued any directive, policy, or any SRO (Statutory Regulatory Order) or any other order which grants or *[attempts to grant] any “{undue] concession or benefit in any taxation matter or law or otherwise so as to benefit himself or any relative or associate or a benamidar “[or any other person]?

S[(viii) if he commits an offence of willful default, 2{; or }]

/{(ix) if he commits the offence of cheating as defined in section 415 of the Pakistan Penal Code, 1860 (Act XLV of 1860), and thereby dishonestly induces members of the public at large to deliver any property including money or valuable security to any person; or

(x) if he commits the offence of criminal breach of trust as defined in section 405 of the Pakistan Penal Code, 1860 (Act XLV of 1860) with regard to any property including money or valuable security entrusted to him by members of the public at large;

' Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 10, for “reasonab
"Ins. +

>Subs. ibid., for “to render or attempt to do so”.

4Added by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 4.
Subs. by Ord. No. 133 of 2002, s. 10, for “enables”.

“Ins. by ord. No. 24 of 2000, s.4.

7Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2000), s. 6. for full stop.
* Added, ibid.,

°Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 8, for full stop.
Subs by Ord. No. 133 of 2002, s. 10, for “clause (ix)”.

Punishment for
corruption and
corrupt practices

(xi) if he, in his capacity as a banker, merchant, factor, broker, attorney or agent, commits criminal breach of trust as provided in section 409 of the Pakistan Penal Code, 1860 (Act XLV of 1860) in respect of property entrusted to him or over which he has dominion; and

(xii) if he aids, assists, abets, attempts or acts in conspiracy with a person or a holder of public office accused of an offence as provided in clauses (i) to (xi).]; and

(b) All offences under this Ordinance shall be non-boilable and, notwithstanding anything contained in section '[426, 491,] 497, 498 and 561 A or any other provision of the Code, or any other law for the time being in force no Court #** shall have jurisdiction to grant bail to any person accused of any offence under this Ordinance.

3[(c) If after completing the investigation of an offence against a holder of public office or any other person, the Chairman NAB is satisfied that no prima facie case is made out against him and the case may be closed, the Chairman NAB shall refer the matter to a Court for approval and for the release of the accused, if in custody.]

dee * * * * * *

10. (a)°[A holder of public office, or any other person who commits the offence of corruption and corrupt practices shall be punishable with [rigorous] imprisonment for a term which may extend to. 14 yearsfand with fine] and such of the assets and ‘[pecuniary resources] of such®[holder of public office or person, as are] found to be disproportionate to the known sources of his income or which““[are] acquired by money obtained through corruption and corrupt practices whether in his name or in the name

' Ins. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 6.

*Added ibid.,

3Subs. ibid., for “sub-section (b)”.

4Subs. ibid., s. 12, for “a person”.

The certain words omitted ibid., s. 12.

°Subs. ibid., for certain words.

Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 7.

8Subs. by Ord. No. 133 of 2002, s. 13, for “a person”.

°The words and comma “movable or immovable” omitted ibid.,

Subs. ibid., for “person which is,”.

Curarrer-8

Imposition
of fine

Power 2*** to
freeze
property:

of any of his dependents, or benamidars shall be '*** forfeited to the appropriate Government 2[, or the concerned bank or financial institution as the case may be.]

3{(b) The offences specified in the Schedule to this Ordinance shall be punishable in the manner specified therein.

(c) The Federal Government may, by notification in the official Gazette, amend the Schedule so as to add any entry thereto or modify or omit any entry therein.

11. Where “[an accused] found guilty of an offence is sentenced to pay a fine, °* * * the amount of the fine shall in no case be less than the gain derived by the accused or any relative or associate “[by the commission of the offence.].

12. (a) The Chairman NAB or the Court trying ‘fan accused] for any offence as specified under this Ordinance, may, at any time, if there **** appear reasonable grounds for believing that the accused has committed such an offence, order the freezing of his property, °*** or part thereof, whether in his possession or in the possession of any relative, associate or person on his behalf.

(b) _ Ifthe property ordered to be frozen under sub-section (a) is a debt or other movable property, the freezing may be made:

(i) __ by seizure; or

(ii) by appointment of receiver; or

(iii) by prohibiting the delivery of such property to the accused or to anyone on his behalf; or

(iv) by all or any of such or other methods as the Court or the Chairman NAB as the case may be, deem fit.

(c) If the property ordered to be frozen is immovable, the freezing shall, in the case of land paying revenue, be made through the Collector of the district in which the land is situated, and in all other cases—

'The words “liable to be” omitted by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2

*Added ibid.,

s. ibid., for ‘sub-section (b).”

s. ibid., s. 12, for “a person”.

*The certain words omitted ibid., s. 12.

Subs. ibid., for certain words.

Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2000(4 of 2000), s. 7.
SSubs. by Ord. No. 133 of 2002, s. 13, for “a person”.

°The words and comma “movable or immovable”, omitted ibid.,

(i)
(ii)
(iii)

(iv)

(d)

by taking possession; or
by appointment of receiver; or

by prohibiting the payment of rent or delivery of property to the accused or to any other person on his behalf; or

by all or any of such methods as the Chairman NAB or the Court may deem fit:

Provided that any order of seizure, freezing, attachment or any prohibitory order mentioned above by the Chairman NAB, shall remain in force for a period not exceeding ' [fifteen] days unless confirmed by the * Court, where the Reference under this Ordinance shall be sent by *[the Chairman] NAB:

Provided further that notwithstanding “[anything to the contrary contained herein,] that the order of *[Chairman] NAB or the Court shall be effective from the time of passing thereof or proclamation thereof in a newspaper, widely circulated and dispatch at the last known address of the accused “[either by registered post A.D. or courier service or ** * * electronic media as the 7[Court] may deem proper having regard to the facts and circumstances of the case.]

If the property ordered to be frozen consists of livestock

or is of a perishable nature, the Chairman NAB, or the Court may, if it deems proper and expedient, order the immediate sale thereof and the proceeds of the sale may be deposited with the Chairman NAB or the Court, or as either may direct as appropriate.

(e)

The powers, duties, and liabilities of a receiver, if any,

appointed under this section shall be the same as those of a receiver appointed under Order-XL of the Code of Civil Procedure, 1908 (Act V of 1908).

' Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s.9, for “30”.
?The word “Accountability” omitted by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 o

2002), s. 13.
*Ins. ibid.,
‘Subs. ibid., for “that”.

*Added by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s.5.
°The words “any other mode of” omitted by Ord. No. 133 of 2002.

7Subs. ibid., for “court”.

Curarrer-8

Claim or
objection
against

freezing.

Presumption
against
accused
accepting
illegal
gratification.

'[(f) The order of freezing mentioned in sub-sections ‘a’ to ‘e’ shall remain operative until the final disposal of the case by the Court, and in the event of the acquittal of the accused, shall continue to remain operative for a period of ten days after receipt of certified copy of the order of acquittal for release] by NAB, whereafter it shall be subject to an order by the court in which an appeal, if any, is filed.

13. (a) Notwithstanding the provisions of any law for the time being in force, the 3* Court shall have exclusive jurisdiction to entertain and adjudicate upon all claims or objections against the freezing of any property under section 12 above. Such claims or objections shall be made before the ** Court within 14 days from the date of the order freezing such property.

(b) The Court may for sufficient cause extend the time for filing such claims or objections for a period not exceeding additional 14 days.

4[(c) The accused or any other aggrieved party, whose claim or objection against freezing of property has been dismissed by the Court, may, within ten days file an appeal against such order before the High Court].

14. (a) Where in any trial of [an offence under clauses (i), (ii), (iii) and (iv) of sub-section (a) of section 9] it is proved that an accused person has accepted or obtained, or has agreed to accept or attempted to obtain, for himself or for any other person any gratification, other than legal remuneration, or any valuable thing, or any pecuniary advantage from a person or any agent of a person, for any favour shown or promised to be shown by the accused, it shall be presumed, unless the contrary is proved, that he accepted or obtained, or agreed to accept or attempted to obtain, that gratification or that valuable thing or pecuniary advantage for, himself or some other person, as the case may be, as a motive or a reward such as is specified in section 161 to 163 of the Pakistan Penal Code, 1860 (Act XLV of 1860), or, as the case may be, without consideration, or for a consideration which he, believed to be inadequate.

(b) Where in any trial of an offence punishable under-section
165A of the Pakistan Penal Code, 1860 (Act XLV of 1860) it is proved
that any gratification, other than legal remuneration or any valuable thing

' Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 9. for sub-section (f).
“Ins. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 13.

>The word “Accountability” omitted ibid., s. 14.

4Subs. by Ord. No. 35 of 2001, s. 10, for sub-section (c), which was previously amended by Ord. No. 4 of

2000, s.8

Subs. by Ord. No. 133 of 2002, s. 15, for certain words.

has been given, or offered to be given, or attempted to be given, by any accused person, it shall be presumed, unless the contrary is proved, that he gave or offered to give, or attempted, to give, that gratification, or that valuable thing, as the case may be, as a motive or a reward such as is specified in section 161 to 163 of the said Code; or, as the case may, be without consideration or for a consideration which he believed to be inadequate.

(c) In any trial of an offence punishable under '[‘clause (v) of sub-section (a) of section 9 of”] this Ordinance, the fact that the accused person or any other person on his behalf, is in possession, for which the accused person cannot satisfactorily account, of [assets] or pecuniary resources disproportionate to his known source of income, or that such person has, at or about the time of the commission of the, offence with which he is charged, obtained an accretion to his pecuniary resources or property for which he cannot satisfactorily account the Court shall presume, unless the contrary is proved, that the accused person is guilty of the offence of corruption and 3* corrupt practices and. his conviction [therefore] shall not be invalid by reason only that it is based solely on:such a presumption.

3. @ “Im any trial] of an offence under [clauses (vi) and (vii) of section 9], the burden of proof that he used his authority, or issued any directive, or authorised the issuance of any policy or statutory rule or order (SRO), or made any grant or allowed any concession, in the public interest, fairly, justly, and for the advancement of the purpose of the enactment under which the authority was used, directive or policy or rule or order was issued or grant was made or concession was allowed shall lie on [the accused], and in the absence of such proof the accused shall be guilty of the offence, and his conviction shall not be invalid by the reason that it is based solely on such presumption:]

°[Provided that the prosecution shall first make out a reasonable case against the accused charged under clause (vi) or clause (vii) of sub-section (a) of section 9.]

‘Ins. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 15.

*Subs. ibid, for “Property”.

3The oblique and word “or” omitted ibid:

4Subs. ibid., for ‘therefore”.

5New sub-section (d) added by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), Subs. by Ord. No. 133 of 2002, s.14, for “where a person is accused”.

7Subs. ibid., for certain words.

“Subs ibid., for “him”

°Subs. and added by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 11.

Curarrer-8

Disqualification to
contest elections"
[or to hold public
office.]

Trial of Offences

15.7[(a) 'Where an accused person is convicted of [an offence under section 9 of this Ordinance] he shall forthwith cease to hold public office, if any, held by him and further he shall stand disqualified for a period of ten years, to be reckoned from the date he is released after serving the sentence, for seeking or from being elected, chosen, appointed or nominated as a member or representative of any public body or any statutory or local authority or in service of Pakistan or of any Province:

Provided that any accused person who has availed the benefit of [sub-section (b) of section] 25 shall also be deemed to have been convicted for an offence under this Ordinance, and shall forthwith cease to hold public office, if any, held by him and further he shall stand disqualified for a period of ten years, to be reckoned from the date he has discharged his liabilities relating to the matter or transaction in issue, for seeking or from being elected, chosen, appointed or nominated as a member or representative of any public body or any statutory or local authority or in service of Pakistan or of any Province.]

(b) Any person convicted of an offence “[under section 9 of this Ordinance] shall not be allowed to apply for or be granted or allowed any financial facilities in the form of any loan or advances ‘for other financial accommodation by] any bank or financial institution 7[owned or controlled by the Government] for a period of 10 years from the date of conviction.

16. *[(a) Notwithstanding anything contained in any other law for the time being in force an accused shall be prosecuted for an offence under this Ordinance in the Court and the case shall be heard from day to day and shall be disposed of within thirty days.]

°[(b) The Court shall sit at such place or places as the ““[Federal] Government may, by order, specify in this behalf.]

“{(c) Where more Courts than one have been established at a place, the Chief Justice of the High court of the Province concerned shall designate a Judge of any such Court to be an Administrative Judge and a case triable under this Ordinance shall be filed before the “[Court] of the Administrative Judge who may either try the case

" Added by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 10.

Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 Ord. No. (35 of 2001), s. 12, for su
3Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 16 for certain wo

4Subs. ibid., s. 16, for “section”.

“Subs. ibid for certain words.

®Subs. by the National Accountability Bureau (Second Amdt.)Ordinance, 2000 (24of 2000),s.6,for “from”.

"Subs. ibid., for “in the public sector”.

‘Subs. ibid., s.

7 for “sub-section (a)” which was previously amended by Ord. No. 4 of 2000, s.11

°Subs. by Ord. No. 4 of 2000 s. 11 for the original sub-section (b).

‘Ins. by Ord. No. 4 of 2002, s. 17.

"Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s.13, for sub-section (c).
® Sub. By ord. No. 133 of 2002, s. 17, for “Court”.

himself or, assign it for trial by any other court established at that place at any time prior to the framing of the charge.]

'[(cc) In respect of a case assigned to a Court under sub section (c), all orders made or proceedings taken before the assignment shall be deemed to have been made or taken by the court to which the case has been assigned]

(d) Notwithstanding anything contained in this section, if in respect of any case relating to an offence triable under this Ordinance, the Chairman NAB, having regard to the facts and\circumstances of the case may file a reference before any 7* Court' established anywhere in Pakistan, and such Court shall have the jurisdiction to try the same:]

3[16A. (a) 'Notwithstanding anything contained in any other law for the time being in force, the Chairman NAB may apply to any court of law or tribunal that any case involving"[any] offence under this Ordinance pending before such court or tribunal shall be transferred to a Court established under this Ordinance, then such.other Court or Tribunal shall transfer the said case to any Court established under this Ordinance and it shall "[be deemed to be-a reference under section 18 of the Ordinance, and it shall] not be necessary for the Court to recall any witness or again to record any evidence that may have been recorded.

'[((b) *In respect. of any case pending before a Court, {[if] Prosecutor General Accountability or any Special Prosecutor authorised by him in this behalf, having regard to the facts and circumstances of the case and. in the interest of justice and for the protection and safety of witnesses, considers it necessary that such case is transferred for trial, he may apply, for the transfer of the case from any such Court in one Province to a Court in another Province or from one[Court] in a Province to another Court in the same Province;

(i) to the Supreme Court of Pakistan in case the transfer is intended from a Court in a Province to a Court in another Province; and

(ii) to the High Court of the Province in case the transfer is intended from one Court in a Province to another Court in the same Province;

and the Supreme Court or the High Court, as the case may be, if it

' New sub-section (cc0. ins. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001)
?The word "Accountability". Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133

2002) s.17.

>New section 16A added by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 1

4Subs. by Ord. No. 133 of 2002, s. 18. for ‘a Schedule”.

Ins. ibid.

®Subs. by Ord. No. 35 of 2001, s. 14 for sub-section (b).
7Subs. by Ord. No. 133 of 2002, s. 18. for “court”

Curarrer-8

Contempt
of Court.

4 [Provision of
the code to

apply;

is in the interest of justice, transfer the case from one '[court] to another ‘[court] and the case so transferred shall be tried under this Ordinance without recalling any witness whose evidence may have been recorded.

(c) The accused may also make an application to the Supreme Court for the transfer of a case from a Court in one Province to a Court in another Province and to the High Court for transfer of a case from one Court in a Province to another Court in the same Province and the Supreme Court or the High Court, as the case may be, if it is in the interest of justice, transfer the case from one Court to another Court, and the case so transferred shall be tried under this Ordinance without recalling any witness whose evidence may have been recorded.]

2[16-B. The Court shall have the power to punish for contempt of court with imprisonment for a term which may extend to six months and with fine which may extend to one million rupees any person who—

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

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

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

(d) does anything, which, by any other law, constitutes contempt of court.

3x * * * * * *

17. (a) Notwithstanding anything contained in any other law for the time being in force, unless there is anything inconsistent with the provisions to this Ordinance, the provisions of the Code of Criminal Procedure, 1898 (Act V of 1989), shall mutatis mutandis, apply to the proceedings under this *[Ordinance.]

(b) Subject to sub section (a), the provisions of Chapter XXIIA of the Code shall apply to trials under this Ordinance.

' Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002) s. 18 for “court”.
*New section 16B ins. by the National Accountability Bureau (Second Amdt.) Ordinance 2000 (24 of 2000),

s.7.

5Explancation omitted by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s.15.
4Subs. by Ord. No. 133 of 2002, s. 19. for ‘Provision’.

*Subs. ibid: for “Order”.

Cognizance of
offences

(c) Notwithstanding anything contained in sub-section (a) or sub-section (b) or in any law for the time being in force, the '* Court may, for reasons to be recorded, dispense with any provision of the Code and follow such procedure as it may deem fit in the circumstances of the case.

2((d) Notwithstanding anything in section 234 of the Code, a person accused of more offences than one of the same kind committed during the space of any number of years, from the first to the last of such offences, may be charged with and tried at one trial for any number of such offences.]

18. (a) The +* Court shall not take cognizance of any offence under this Ordinance except on a reference made by *[the Chairman NAB or an officer of the NAB duly authorized by him.]

(b) A reference under this Ordinance shall be initiated by the #* National Accountability Bureau on—

(i) areference received from the **** appropriate government; or
(ii) receipt of a complaint; or
(ii) [its] own accord.

4[(c)), Where the Chairman NAB, or an officer of the NAB duly authorized by him, is of the opinion that it is, or may be, necessary and appropriate to initiate proceedings against any person, he shall refer the matter for inquiry or investigation.]

(d) . The responsibility for inquiry into and investigation of an offence alleged to have been committed under this Ordinance shall rest on the NAB to the exclusion of any other agency or authority, unless any such agency or authority is required to do so by the Chairman *[NAB] {or by an officer of the NAB duly authorized by him].

' The word “Accountability” omitted by the National Accountability Bureau (Amdt.) Ordinance 2002 (133 o

2002), ss. 19 and 20.

New sub-section (d) ins. ibid.
3Subs. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s.8. for certa

words.
Omitted ibid.,

Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2000(4 of 2000), s. 13.
Subs. by Ord. No. 24 of 2000, s. 8 for “his”.
"Subs. ibid., for the original sub-section (c).

‘Ins. by Ord. No. 133 of 2002.

20.

°Subs. by Ord. No. 24 of 2000,s. 8 for “or/and Deputy Chairman”.

(e) The Chairman NAB and such members, officers '* or servants of the NAB shall have and exercise, for the purposes of an inquiry +* or investigation the power to arrest any person, and all the powers of an officer-in-charge of a Police Station under the Code, and for that purpose may cause the attendance of any person, and when and if the assistance of any agency, police officer or any other official or agency, as the case may be, is sought by the NAB such official or agency shall render such assistance provided that no person shall be arrested without the permission of the Chairman *[NAB] or any officer “[of NAB] duly authorized by the Chairman NAB:

(f) Any Inquiry “{or] Investigation under this Ordinance shall be completed expeditiously**** as may be practical and feasible.

(g) The>*Chairman NAB, {{or2* an officer of the NAB duly authorized by him, shall appraise the material and the evidence placed before him during the inquiry and the investigation, and if he decides that it would be proper and just to proceed further [and there is sufficient material to justify filing of a reference], he shall refer the matter to °[a] Court.

(h) Ifa complaint is inquired into and investigated by the NAB and it is concluded that the complaint received was prima facie frivolous or has been filed with intent to malign or defame any person, the Chairman*[NAB] or Deputy Chairman NAB or ““[an officer of the NAB duly authorised by the Chairman NAB], may refer the matter to the court, and if the complainant is found guilty he shall be punishable with imprisonment for a term which may extend to one year, or with fine or with both.

' The word “and oblique and /” omitted by the National Accountability Bureau (Amdt.) Ordinance 2002 (13

of 2002) s. 20.
“Ins. ibid.,
>Subs ibid., for “and”

4Omitted by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 8.
Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2000(4 of 2000), s. 13.

“Ins. by Ord. No. 24 of 2000, s.8.

7Omitted by the National Accountability Bureau (Amdt.) Ordinance, Ordinance, 2001 (35 of 2001), s.16.

‘Ins. s. 16.

Subs. by Ord. No. 133 of 2002, s. 20, for “an Accountability’.
Subs. ibid., for “the prescribed law officer”.

Power to call 19.: The Chairman NAB or ' [an officer of the NAB duly
for information authorised by him] may, during the course of an inquiry “[or

investigation] “[of an offence under this Ordinance]:-

(a)

(b)
(c)

*[(d)

call for information from any person for the purpose of
satisfying himself whether there has been any contravention of
the provisions of this Ordinance or any rule or order made
thereunder.

require any person to produce or deliver any document or
thing useful or relevant to the inquiry [or investigation];

examine any person acquainted with the facts and
circumstances of the case; +*

require any bank or financial institution, notwithstanding
anything contained in any other law for the time being in force,
to provide any information relating to any person whosoever,
including copies of entries made in a bank’s or a financial
institution’s books such as ledgers, day books, cash books and
all other books including record of information and
transactions saved in electronic or digital form, and the
keepers of such books or records shall be obliged to certify the
copies in accordance with law {[;and]

1[(e)_ where there is reasonable suspicion that any person is involved

in or is privy to an offence under this Ordinance, the Chairman
NAB may, with the prior approval in writing of the High Court
concerned, direct that surveillance of that person may be
carried out through such means as may be necessary in the
facts and circumstances of the case and the Chairman NAB,
may in this regard seek the aid and assistance of
any *[Governmental] agency and the information so collected
may be used as evidence in the trial under this Ordinance:

Provided that the copies obtained or information
received or evidence collected under clauses (d) and (e) shall
be °[kept] confidential and shall not be used for any purpose
other than for legal proceedings under this Ordinance.

'Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 21, for “any

authorized officer”.

“Ins. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 14.

3Subs. by Ord. No. 133 of 2002, s.21, for certain words.

4The words “and” omitted ibid.,

*Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 17. for clause (d).
Subs. by Ord. No. 133 of 2002, s. 21, for full stop.

New clause (e) added by Ord. No. 35 of 2001, s. 17.

SSubs. by Ord. No. 133 of 2002, s. 21, for “Government”.

"Ins. ibid.

Curarrer-8

Reporting of suspicious financial transaction.

International cooperation request for mutual legal assistance.

20. (a) Notwithstanding anything contained in any law for the time being in force, it shall be the duty of all banks and financial institutions to take prompt and immediate notice of all unusual or large transactions! [in an account], which have no apparently genuine economic or lawful purpose and upon bonafide professional judgment of the Bank “[or financial institution] that such transactions could constitute or be related to*[an offence under this Ordinance], the manager or director of such “[Bank or] financial institution shall report all such transactions to the Chairman NAB forthwith by the quickest possible mode of communication to be confirmed in writing.

(b) Whosoever fails to supply the information in accordance with subsection (a) shall be punishable with rigorous imprisonment, which may extend to 5 years, *[and] with fine. °***

In * * * * * *

21. -: The Chairman NAB or any officer authorized by the Federal Government may request a Foreign State to do “fany or all of] the following acts in accordance with the law of such State:--

(a) have evidence taken, or documents or other articles produced;

(b) obtain and execute search warrants or other lawful instruments authorizing search for things relevant to investigation or proceedings in Pakistan believed to be located in that State, and if found, seize them;

(c) freeze assets, by whatever processes are lawfully available in that State, to the extent to which the assets are believed on reasonable grounds to be situated in that State;

(d) confiscate articles and forfeit assets to the extent to which the articles or assets, as the case may be, are believed to be located in that State;

(e) transfer to Pakistan any such evidence, documents, things articles, assets or proceeds realized from the disposal of such articles or assets 2*

(f) transfer in custody to Pakistan a person detained in “[that] state
who consents to assist Pakistan in the relevant investigation or

. at 12
proceedings—; *=.

'ISubs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s.18, for “with context to the”.
*Subs. ibid. for “Suspicion”.

3Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 22, for certain words.

‘Ins. by Ord. No. 35 of 2001, s. 18.

Subs. by Ord. No. 133 of 2002, s. 22, for “or”

©The Comma and words “or with both” omitted ibid.,

TSub-section (c) omitted ibid.,

Sins. ibid., s. 23.

°Omitted by Ord. No. 35 of 2001, s. 19.

Subs. by Ord. No. 133 of 2002, s. 23, for the foreign”.
"Subs. by Ord. No. 35 of 2001, s. 19.

The word “and” omitted by Ord. No. 133 of 2002, s. 23.

Jurisdiction

Transfer of

property
void

ESTACODE (Epition-2021) Crapter-8

'[(g) notwithstanding anything contained in the Qanun-e-Shahadat Order 1984 (P.O. 10 of 1984) or any other law for the time being in force all evidence, documents or any other material transferred to Pakistan by a Foreign Government shall be receivable as evidence in legal proceedings under this Ordinance “[; and]

3[(h) notwithstanding anything to the contrary contained hereinabove, the Chairman NAB may, on such terms and conditions as he deems fit, employ any person or organization, whether in Pakistan or abroad, for detecting, tracing or identifying assets acquired by an accused in connection with an offence under this Ordinance, and secreted or hoarded abroad, or for recovery of and repatriation to Pakistan of such assets.

22. (a) The Chairman NAB may “{inquire into and] investigate any suspected offence, which appears to him on reasonable grounds to involve *[an offence under] this Ordinance, and has been referred to him, or of his own accord.

(b) The Chairman NAB may, if he thinks fit, conduct any such investigation in conjunction with any other agency or any other person ** who is, in the opinion of the Chairman NAB, a proper Agency or person to be concerned in it.

23. (a) Notwithstanding anything contained in any other law for the time being in force after the Chairman NAB has initiated “[an inquiry or] investigation into S[any offence] under this Ordinance, alleged to have been committed by an accused person, “[accused] person or any relative or associate of [accused] person or any other person on his behalf, shall not transfer by any means whatsoever, “[or] create a charge on any 2*** property. owned by him or in his possession, while the inquiry, investigation or proceedings are pending before the NAB or the /* Court; and any transfer of any right; title or interest or creation of a charge on such property shall be void.

(b) Any person who transfers, or creates a charge on property in contravention of sub-section (a) shall be punishable with rigorous imprisonment for a term, which may extend to three years

' New clause (g) added by the National Accountability Bureau (Amdt.) Ordinance 2001 (35 of 2001), s. 20
“Ins. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 9.

3Ins. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 26.

‘Ins. by the National Accountability Bureau (Amdt.) Ordinance 2000 94 of 2000), s. 15.

Subs. by Ord. No. 133 of 2002, s. 24, for certain words.

The word and oblique “which/” omitted ibid.,

TIns.ibid.,ss. 25 and 26.

8Subs. ibid, for “ the offences”.
°The words “movable or immovable” omitted ibid.,
The word “accountability” omitted ibid.,

and shall also be liable to fine not exceeding the value of the

property involved ' [:]

‘[Provided that such transfer of any right, title or interest or creation of a charge on such property shall not be void if made with the approval of the Court, subject to such terms and conditions as the

Court may deem fit.]

2CARREST] 24. (a) The Chairman NAB shall have the power, at any stage of the [inquiry or] investigation under this Ordinance, to direct that

the accused, if not already arrested, shall be arrested.

(b) If the Chairman, NAB ?[, or an officer of the NAB duly authorized by him], decides to refer the case to a Court, such reference shall contain the substance of the *[offence or offences as the case may be,] alleged to have been committed by the accused and a copy of such reference shall be forwarded to the Registrar of the “*Court to which the case has been sent to try the accused, and

another copy shall be delivered to the accused.

(c) The provision of sub-section (a) shall also apply to

cases, which have already been referred to the Court.

£{(d) Notwithstanding anything contained in the Code, where the holder of a public office or any other person accused of an offence is arrested by NAB under this Ordinance, NAB shall, as soon as may be, inform him of the grounds and substance on the basis of which he has been arrested and produce him before, the “[Court] 8*** within a period of twenty-four hours of arrest excluding the time necessary for the journey from the place of arrest to the “[Court] and such person shall, having regard to the facts and circumstances of the case, be liable to be detained in the custody of NAB for the purpose of inquiry and investigation for a period not exceeding ninety days 2[and the Court may remand an accused person to custody not exceeding fifteen days at a time and for every subsequent remand the Court shall record reasons in

writing copy of which shall be sent to the High Court.]

' Subs. and added by the National Accountability Bureau (Amdt.) Ordinance 2001 (35 of 2001), s. 20.

"Ins. by the National Accountability (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 9.
3Ins. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s.26.

4Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s.16.

Subs. by Ord. No. 133 of 2002, s. 26, for “offence/offences”.
Subs by Ord. No. 4 of 2000, s. 16, for the original sub section (d).
7Subs. by Ord. No. 133 of 2002, s.26, for ‘court’.

’The words “established under this ordinance” omitted ibid.,
°Subs by Ord. No. 35 of 2001, s.21.

Voluntary return
and plea bargain

'[(e) All persons presently in custody shall immediately upon coming into force of this sub-section, unless previously produced before “[a] Court be produced before such Court as provided in sub-section (d) and the Order authorizing retention of custody by NAB shall be deemed to relate to the date of arrest; and]

3{(f) The Chairman NAB may declare and notify any place as “[a police station or] a sub-jail at his discretion.]

3[25. (a) Notwithstanding anything contained in section 15 or in any other law for the time being in force, where a holder of public office or any other person, prior to the authorization of investigation against him, voluntarily comes forward and offers to return the assets or gains acquired or made by him in the course, or as the consequence, of any offence under this Ordinance, the Chairman NAB may accept such offer and after determination of the amount due from such person and its deposit with the NAB discharge such person from all his liability in respect of the matter or transaction in issue:

Provided that the matter is not sub judice in any court of law.

(b) Where at any time after the authorization of investigation, before or after the commencement of the trial or during the pendency of an appeal, the accused. offers to return to the NAB the assets or gains acquired or made by himpin the course, or as a consequence, of any offence under this Ordinance, the Chairman, NAB, may, in his discretion, after taking into consideration the facts and circumstances of the case, accept the offer on such terms and conditions as he may consider necessary, and if the accused agrees to return to the NAB the amount determined by the Chairman, NAB, the Chairman, NAB, shall refer the case for the approval of the Court, or as the case may be, the Appellate Court and for the release of the accused.

(c) . The amount deposited by the accused with the NAB shall be transferred to the Federal Government or, as the case may be, a Provincial Government or the concerned bank or financial institution, company, body corporate, co-operative society, statutory body, or authority concerned within one month from the date of such deposit]

' New sub-section (e) added by the National Accountability Bureau (Amdt.) Ordinance 2001 (35 of 2001) s
*Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 26, for “an Accou
3Sub-section (e) renumbered as sub-section (f) by the National Accountability Bureau (Amdt.) Ordinance

2000) s.16.
‘Ins. ibid.

$Subs. by Ord. No. 133 of 2002,s. 27, for “section 25”, which was previously amended by various enactments.

Payment of
loans, etc.

'[25-A. *[(a) Where “[an accused person has been arrested or is in the custody of NAB or apprehends such arrest or custody for the investigation of the charge against him of committing an offence of willful default on account of non-payment of dues to a bank or financial institution or Co-operative Society, he may at any stage before or after such arrest or before, during or after such custody or investigation apply to the Governor, State Bank of Pakistan for reconciliation of his liability through the Conciliation Committee and the Governor may, if he deems fit, refer the matter to the Conciliation Committee.

(aa) The Governor, State Bank of Pakistan shall constitute one or more Conciliation Committees for the purposes of this Ordinance.

4[(b) The Conciliation Committee shall consist of a nominee of the Governor, State Bank of Pakistan, being a senior officer of the State Bank well qualified in the profession of banking who shall be the Chairman of the Committee, two nominees of the NAB to be nominated by the Chairman NAB, two Chartered Accountants to be nominated by the Governor, State Bank of Pakistan, one Chartered Accountant to be nominated by the Council of the Institute of Chartered Accountants of Pakistan, Karachi, such nomination on to be obtained by the Governor, State Bank of Pakistan, a Chartered Accountant to be nominated by the [accused] and a Chartered Accountant to be nominated by the lender bank or financial institution.

Explanation. - Where the “[lender] is a consortium or group of banks or financial institutions, the lender means the lead bank or financial institution.

(bb) The Chairman of the Conciliation Committee shall convene the meetings and conduct proceedings of the 7[Conciliation] Committee in the manner he deems fit.

8[(c) The Conciliation Committee, after examination of the record of the lending bank or financial institution and the [accused] and after hearing the parties through their Chartered‘“[Accountants], shall determine the amount outstanding against the “[accused] calculated in accordance with law, rules, regulations and circulars of the State Bank of Pakistan and further determine the manner and the schedule of repayment having regard to the facts of each case. The®[accused], if he so desires, shall be heard at commencement and before the conclusion of proceedings:

'New section 25A ins. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 18.
?Subs. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 11, for su
section (a) which was previously amended by Ord. No. 4 of 2000, s. 18.3

3Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 28for “a person”.
4Subs. by Ord. No. 24 of 2000, s. 11, for sub-section (b).

*sul
8Sul
TIns

yy Ord. No. 133 of 2002, s. 28, for ‘borrower”.
bid., for “Leader”.

id., S. 28.

SSubs. by Ord. No. 24 of 2000, s. 11, for sub-section (c).
Subs. by Ord. No. 133 of 2002, s. 28, for ‘borrower”.
0Subs. ibid., for “Accountant”.

Provided that the borrower shall have the right to have access to, and instruct, the Chartered Accountant representing him before the Conciliation Committee even if the borrower is in'* custody, during the proceedings of the Conciliation Committee.]

(d) The Conciliation Committee shall conclude the reference within thirty days and its recommendations shall be recorded by its Chairman and shall contain the views of all members of the “[Conciliation] Committee. The recommendation of the Conciliation Committee shall be submitted to the [Governor, State Bank of Pakistan.]

4[(e) The Governor, State Bank of Pakistan shall consider the recommendations submitted to him under sub-section (d) and may accept the recommendations or may, for reasons to be recorded, pass such other appropriate order thereon as he deems fit. The acceptance of the recommendations of the 2[Conciliation] Committee or passing any other order as aforesaid shall constitute the decision of the Governor, State Bank of Pakistan.]

5{(£) Where the 6[accused] undertakes to repay the amount as determined by the Conciliation Committee, the Chairman NAB, with the approval of the Court, may release the accused.]

7[(g) The decision of the Governor State Bank of Pakistan shall be communicated to the Chairman NAB, which shall be binding on him, except for valid reasons to be recorded in writing subject to approval of the Court, to be accorded within a period of seven days.]

8[(h) In the event of failure either of the Conciliation Committee to conclude the reference within thirty days of the commencement of the conciliation proceedings or the failure of the 6[accused] to accept and implement the decision of the Governor, State Bank of Pakistan regarding the payment and matters relating thereto, such failure to accept or implement the decision shall be referred to the 9* Court subject to the provisions of Section 31D and the Court may proceed with the case thereafter:

' The word “the” omitted by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s.

"Ins. ibid.,

3Subs. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 11, for th

“Chairman NAB”.

4Subs. ibid., for sub-section (e).

*Subs.

yy the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 23 for sub-section (f),

which was previously amended by Ord. No. 24 of 2000, s. 11.
Subs. by Ord. No. 133 of 2002, s. 28. for “borrower”.

TSubs. by Ord. No. 35 of 2001, for sub-section (g).

SSubs. by Ords. No. 24 of 2000, s. 11, for sub-section (h).

°The word “Accountability” Omitted by Ord. No. 133 of 2002, s. 28.

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Tender of

crews

pardon:

Provided that the period of thirty days may be extended by the Governor, State Bank of Pakistan by such further period or periods as he may find necessary having regard to the facts and circumstances of the case and for reasons to be recorded.]

26. (a) 'Notwithstanding anything contained in the Code, at any stage of "[inquiry, investigation or trial], the Chairman >[NAB] may, with a view to obtaining the evidence of any person supposed to have been directly or indirectly concerned in or privy to any offence, tender a full or conditional pardon to such a person on condition of his making a full and true disclosure of the whole of the circumstances within his knowledge relating to the said offence including the names of the persons involved therein whether as principals or abettors or otherwise.

(b) Every person accepting a tender of pardon under sub-section (a) shall be examined4[by a Magistrate and shall also be examined] as a witness in the subsequent trial.

(c) Subject to sub-section (d), the person to whom pardon has been granted under this section shall not —

(i) in the case of a full pardon be tried for the offence in respect of which the pardon was granted; and

(ii) in the case of conditional pardon be awarded a punishment or penalty higher or other than that specified in the grant of pardon notwithstanding the punishment or penalty authorized by law.

(d) Where the Chairman NAB certifies that in his opinion, any person who has accepted such tender has, either by willfully concealing anything essential or by giving false evidence through willful or reckless mis-statement, not complied with the condition on which the tender "[of pardon]was made, such a person may be tried for the offence in respect of which the pardon was so tendered, or for any other offence of which he appears to have been guilty in connection with the said matter including the offence of giving false evidence, which he knows or ought to know is false.

(e) Any statement made before [a Magistrate] by a person who has accepted a tender of pardon may be given in evidence against him at "[the] trial.

' Certain words omitted by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 2

*Subs. Ibid., “investigation or inquiry” .

Ins. ibid.,

‘Ins. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 12.
Sins. by Ord. No. 133 of 2002, s. 29.
°Subs. by Ord. No. 24 of 2000, s. 12, for certain words.

Subs. ibid., “such”.

Power to seek assistance

Appointment of officer and staff in the National Accountability Bureau

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27. The Chairman NAB, ‘for an officer of the NAB duly authorized by him,] shall have the power to seek full and complete assistance and call for all or any documents and information relevant to or in connection with any matter or “[inquiry or investigation] pending before the NAB,*for disposal of any property surrendered to or seized by the NAB,] from any department of the Federal Government, Provincial Government, local authority, bank, financial Institution, person or any authority and institution or department in the public sector or the private sector as he may deem it fit and proper to demand or require, provided that in any case in which a question of secrecy in involved or is. raised at any time, the “[Chairman NAB’s] decision shall be final!

3[28. °[(a) The Chairman NAB, or an officer of the NAB duly authorised by him, may appoint such officers and staff as he may consider necessary for the efficient performance of “[the functions of the NAB] and exercise of powers under this Ordinance.]

Bx * * * * * *

(c) The officers and. members of staff *[of the NAB] shall be entitled to such salary, allowances and other terms and conditions of services as. the Chairman NAB may, with the approval of the °[President], determine.

(d) Subject to sub-section (e) the provisions of the Civil Servants Act, 1973 (LXXI of 1973), shall not apply to the persons appointed in '[or employed by the] NAB.

(e) Nothing contained in sub-section (d) shall apply to a person who is a civil servant within the meaning of law relating to appointments as civil ' °[servants] of the Federation or a Province and is deputed to or posted in NAB.

"((f) The Chairman NAB, may appoint advisers, consultants and experts, on payment of such fee or remuneration as he may determine, to assist him in performing the functions of the NAB and the discharge of his duties under this Ordinance.

‘Ins. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 13.
*Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002) s. 30, for “proceedir

3Ins. ibid., ss 30 and 31.
4Subs.

ibid., for “Chairman’s”.

*Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 19 for the Original

section 28

®Subs. by Ord. No. 24 of 2002, s. 14, for sub-section (a), which was previously amended by Ord. No. 4 of

2000, s. 19.

ection (b) omitted

by the Ord. No. 133 of 2002, s. 31, for “his functions” .

ibid.,

°Subs-ibid., for “Chief Executive”.
Subs. ibid., for “servant”.
"New sections (f) and 9(g) added ibid.,

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Accused to be
competent
witness

False evidence etc.

(g) Notwithstanding anything to contrary contained herein, or in any law for the time being in force, the Chairman NAB, shall not be required to consult the Federal Public Service Commission for making appointments and on matters relating to qualifications of persons for such appointments and methods of their recruitment and the qualifications for appointments and methods of recruitment shall be such as he may by rules prescribe.

29. ‘f[An accused] shall be a competent witness for the defence and may give evidence on oath in disproof of the charges made against him;

Provided that the accused shall not be compelled to be a witness against himself:

Provided further that, where an accused 2" appears as a witness of his own choice and refuses to answer any question, the Court may draw such adverse inference from such refusal as it may think proper.

30. (a) Notwithstanding anything 3[to the contrary] contained in [this Ordinance] or any other law *[for the time being] in force, on pronouncement of judgment, the** Court shall have the jurisdiction and power to take cognizance of an offense committed in the course of the investigating or trial of a case by any officer, any witness, including an expert, who has tendered false evidence in the case, whether he deposed in court or not, or any other person, under section 176 to 182 of Chapter X, or section 191 to 204, or 211 to 223, or 225-A of Chapter XI, of the Pakistan Penal Code 1860 (Act XLV of 1860), or under any other law relating to false evidence and offences against public justice, and to summarily try him and award punishment provided for the offence under the law.

(b) For the purposes of trial under sub-section (a), the Court may, as nearly as may be, follow the procedure specified in Chapter XXII of the Code.

(c) The proceedings under sub-section (a) may be initiated by the 7*Court on its own accord at any time after the decision of the case or, in the event that there is an appeal, after the decision thereof, or on an application made by the 2 "{prosecution] 2[or the accused tried by the Court, within thirty days.

‘Subs. by the National Accountability Bureau (Amdt.) Ordinance 2002 (133 of 2002), s. 32, for certain wo
?The word “person” omitted ibid.,

3Ins ibid., ss. 33 and 34.

‘Subs. ibid., for the “preceding provisions”.

SSubs. ibid., for “already”.

The word ‘Accountability” omitted ibid.,

"Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 20.

‘Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 24, for “Prosecutor”.
°Subs. by Ord. No. 133 of 2002, s. 33, for “of the person accused of an offence”.

+[Prohibition to
hamper
investigation]

Absconding to
avoid service of
warrants.-

Withdrawal
from prosecution

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31. (a) ‘Notwithstanding anything contained in any other law for the time being in force, if any person concerned with the inquiry 7[,] investigation and prosecution of a case consciously and deliberately and with malice 3* compromises, hampers, misleads, jeopardizes or defeats an“[inquiry or] investigation of a case under process before NAB or any concerned agency or authority or the [Court or any other Court] he shall be *[guilty of an offence under this Ordinance punishable with rigorous imprisonment for a term which may extend to ten years].

(b) No person will be proceeded “[against] under this section except with the sanction of a committee ‘[comprising] the Chairman NAB, Deputy Chairman NAB and the Prosecutor General Accountability.

°[31-A. ““[(a)] Whoever absconds in order to avoid being served with any process issued by any Court or any other authority or officer under this Ordinance or in any manner prevents, avoids or evades the service on himself of such process or conceals himself to screen himself from the proceedings or punishment under this Ordinance shall be guilty of an offence"[under this Ordinance] punishable with imprisonment which may extend to three years notwithstanding the provisions of section 87 and-88 of 2[Code], or any other law for the time being in force.

4{(b) Notwithstanding the provisions of section 18 it shall not be necessary to file a reference under this section in cases where a reference is pending before the Court.]

4731-B The Prosecutor General Accountability may, with the consent. of the Court, withdraw from the prosecution of any "Taccused] Person generally or in respect of any one or more of the offences for which he is tried and upon such withdrawal:

' amended by the National Accountability Bureau (Amdt.) Ordinance 2000 (4 of 2000), s.21
*Subs. by the National Accountability Bureau (Amdt.) Ordinance 2002 (133 of 2002), s. 34. for “and”.
>The word “aforethought” omitted ibid.,

bid., for “with”.

bid., ss. 33 and 34.
bid., for “any court or an court” which was previously amended by Ord. No. 4 of 2000, s.21.
id., for certain words.

bid., for “composing”.

°New section 31A, 31B and 31C, ins. by Ord. No. 4 of 2000, s. 22.
'Relettered as sub-section (a) by Ord. No. 133 of 2002, s. 35.

"Ins. ibid., ss. 35 and 36

Subs. ibid., for “Code of Criminal Procedure, 1898”.
'5New sub-section (b) added ibid.,
'4Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 25, or

section 31B.

Curarrer-8

{Court to take
cognizance of
offence with

prior approval

of the State Bank.-

Inquiry, investigation or
proceedings

in respect of imprudent
bank loans, etc.

Protection of
witnesses.

Appeal “fand
revision

(i) if it is made before a charge has been framed, the accused shall be discharged in respect of such offence or offences; and

(ii) if it is made after a charge has been framed, he shall be acquitted in respect of such offence or offences.

31-C_ No Court established under this Ordinance shall take cognizance of an offence against an officer or an employee of a bank or financial institution for writing off, waving, restructuring or refinancing any financial facility, interest or mark-up without prior approval of the State Bank of Pakistan.

*[31D. Notwithstanding anything contained in this Ordinance or any other law for the time being in force, no inquiry, investigation or proceedings in respect of imprudent loans, defaulted loans or rescheduled loans shall be initiated or conducted by the National Accountability Bureau against any person, company or financial institution without reference from Governor, State Bank of Pakistan.

Provided that cases pending before any Accountability Court before coming into force of the National Accountability Bureau (Second Amendment) Ordinance, 2000, shall continue to be prosecuted and conducted without reference from the Governor, State Bank of Pakistan.]

3[31E The Chairman NAB or the Court may in the facts and circumstances of a case take such measures as may be considered necessary for the safety, security and protection of witnesses and their families.]

32 (a) Any [person convicted or the Prosecutor General

Accountability, if so directed by °[the Chairman] NAB,] aggrieved by the final judgment and order of the Court under this Ordinance may, within ten days of the final Judgment and order of the 7* Court prefer an appeal to the High Court of the Province where the Court is situated §[:]

S[Provided that no appeal shall lie against any interlocutory order of the Court].

‘Ins. by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 15.

New section 31D ins. ibid., s. 16.

3New section 31E, ins. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 26.
4added by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 37.

*Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 23, for “Party to the

Proceedings”.

“Ins. by Ord. No. 133 of 2002, s. 37.
"The word “Accountability” omitted ibid.,
8Subs. and ins. by Ord. No. 35 of 2001, s. 27.

Transfer of
pending
proceedings

Payment of
bonuses ete:

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(b) All Appeals against the final Judgement '*** filed
before the High Court will be heard by a Bench of not less than two
judges constituted by the Chief Justice of High Court and shall be
finally disposed of within thirty days of the filing of the appeal.

2[(c) No revision shall lie against any interlocutory order of
the Court]:

Provided that where a person makes an application for revision
under this sub-section, he shall, in support of such application,
furnish copies of the reference, documents and order of the Court
and the High Court shall dispose of such application within thirty
days without calling for the record of the Court;

Provided further that such application shall be made within ten
days of the decision of the Court, which shall provide a copy of such
decision within three days thereof.

3x * * * * * *

4[33. Any and all proceedings pending before a *[court] under
the Ehtesab Act; 1997 (IX of 1997), shall stand transferred to {{a]
Court as soon as it is constituted under this Ordinance within the
same Province, and it shall not be necessary to recall any witness or
again to record any evidence that may have been recorded].

133A. There may be paid bonuses or ex-gratia §[payments] to
the officers and staff of the°[NAB], other Government servants,
public servants and rewards to members of public for rendering
commendable services in detection, investigation and prosecution
of “fany offence under this Ordinance] as may be prescribed by rules]

' Omitted by the National Accountability Bureau (Second Amdt.) Ordinance, 2000 (24 of 2000), s. 15.

*Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 37, for “sub-secti
(c)” which was previously amended by various enactments.

Omitted by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 27.

4Subs. and shall be deemed always to have been so subs. by the National Accountability Bureau (Amdt.)
Ordinance, 1999 (19 of 1999, s.2, for the original section 33.

Subs. by Ord. No. 133 of 2002, s. 38, for “Court”.

°Subs. ibid., for “an Accountability”.

7™New section 33A ins. by Ord. No. 35 of 2001, s. 28.

SSubs. by Ord. No. 133 of 2002, s. 39. for “payment “.

Subs.

ibid., for “National Accountability Bureau”.

0Subs. ibid., for certain words.

Reporting of
public contracts

Measures for the
prevention of
corruption and
corrupt practices

'[33B. All Ministries, Divisions and Attached Departments of the Federal Government, all departments of Provincial and local governments, statutory corporations or authorities established by the Federal Government or Provincial Government and holders of public office shall furnish to NAB a copy of any contract, entered into by such Ministries, Divisions and Attached Departments of the Federal Government, all departments of Provincial Government or local government, statutory corporations or authorities established by the Federal Government or Provincial Government or such holder of public office on its behalf, as the case may be, of the minimum monetary value of fifty million rupees or more, within such time as is reasonably practicable from the date of signing such contract.

33C. The Chairman NAB, shall from time to time as he deems fit, constitute committees comprising officers of the NAB or other persons or organizations from the private or public sectors to—

(a) educate and advise public authorities, holders of public office and the community at large on measures to combat corruption and corrupt practices;

(b) develop, arrange, supervise, participate in or conduct educational programmes or media campaigns, and generally to disseminate information on the detrimental effects of corruption and corrupt practices and the importance of maintaining the integrity of public administration;

(c) examine the laws in force, and also rules and regulations relating to the practice and procedure of various ministries, departments of the Federal Government or Provincial Government, statutory or other public corporations or bodies, and the conduct of holders of public office and to recommend amendments in such laws, tules or regulations, as the case may be, in order to eliminate corruption and corrupt practices;

(d) instruct, advise and assist any statutory or other public corporation or bodies or upon request, any organization in the private and public sector on measures for the reduction and elimination of corruption and corrupt practices; and

(e) monitor the implementation of the instructions and advice

as aforesaid and to assess and evaluate the success or otherwise of such instructions and advice on the reduction and elimination of corruption and corrupt practices.

'New section 33B, 33D and 33E ins. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 40.

NAB to submit an annual report

Recovery of amount of fines, etc., as arrears of land revenue

Power to make rules

Delegation of Powers

Repeal

ESTACODE (Epition-2021) Crapter-8

33D. The Chairman NAB shall as soon as possible after the end of every calendar year but before the last day of March next following, submit to the President a report of its affairs for that year which report shall be a public document and on its publication copies thereof shall be provided to the public at a reasonable cost.

33E. Any fine or other sum due under this Ordinance, or as determined to be due by a Court, shall be recoverable as arrears of land revenue.

1[34. The Chairman NAB may, with the approval of the President, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.]

2[34A.The Chairman NAB may, by an order in writing, delegate any of his powers to and authorise performance of any of his functions by, an officer of the NAB as he may deem fit and proper, subject to such conditions, if any, as may be specified in the order, for carrying out the purposes of this Ordinance.]

35. (a) The Ehtesab Act 1997 (Act IX of 1997) shall stand repealed from the date of promulgation of this Ordinance, provided that notwithstanding the repeal of the said Act, any proceedings pending under Ordinance CXL of 1996, Ordinance No. XX of 1997 and the Ehtesab act, 1997, before any Court established under the said Act, of 1997 ** or any of the aforesaid Ordinances amending the same, shall “[continue under this Ordinance as transferred under >*** section 33 to §[a] Court:

4[(b) Any case or proceeding pending under the aforesaid Ordinances and the Act of 1997 immediately before the commencement of this Ordinance and _ transferred to any ‘[Court] °***shall be proceeded with and all subsequent proceedings shall be completed in accordance with, and under the

provisions of, this Ordinance.]

‘Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002(133 of 2002), s. 41, for section 34, which was previously amended by Ord. No. 4 of 2000, s.24, for certain words.

°New section 34A ins. by the National Accountability Bureau (Amdt.) Ordinance 2001 (35 of 2001), s. 29.
>The word “and/” omitted by Ord. No. 133 of 2002, s. 42.

4Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 25, for certain words,

which was previously ins. by Ord. No. 19 of 1999. s.4.

Omitted by Ord. No. 35 of 2001, s. 30.

Subs. by Ord. No. 133 of 2002, s. 42, for “an Accountability”.
7Subs. by Ord. No. 4 of 2000, s. 25, for the original sub-section (b).
SSubs. by Ord. No. 133 of 2002, s. 42, for “court”.

°The words “established under this Ordinance” omitted ibid.,

Curarrer-8

Indemnity

Removal of
Difficulties Order

36. No suit, prosecution, or any other proceedings shall lie against the Federal Government, Provincial Government, Chairman NAB, or any other member of the NAB or any person exercising any power or performing any function under this Ordinance or the Rules made hereunder for any act or thing which has been done in good faith or intended to be done under this Ordinance or the rules thereof.

+[37. If any difficulty arises in giving effect to any provision of this Ordinance, the*[Chairman NAB] “[with the approval of the President], may make such order, not inconsistent with the provisions of this Ordinance, as may appear to him to be necessary for the purpose of removing such difficulty.]

41“THE SCHEDULE|

[See section 10(b)]

S.No.
dd)

Offences
(2)
Any person who aids, abets or through any willful act or omissions instrumental in the commission of the offence of willful default or with wrongful intent for illegal gratification by misuse of power, authority, influence, nepotism, favouritism writes off, waives, restructures or refinances illegally, improperly or without sufficient justification the principal amount of loan on any financial facility, interest or markup on any loan or financial facility provided to any person by any bank or financial institution, a cooperative society, a Government department or an authority established or controlled by the Government shall have committed or be deemed to

Punishment

GB)
Rigorous imprisonment for a term which
may extend to fourteen years and fine.

'Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 31. for section 37.
*Subs by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 43 for “President”.

>Subs.

ibid., for certain words.

4Subs. ibid., for “the Schedule” which was previously amended by various enactment.

S.No.
dd)

Offences
(2)

have committed the offence of corruption or corrupt practices.

Refuses to answer questions, or to provide information to any member of the NAB or any other agency when required to do so.

Giving false information or fabricating false evidence during inquiry into or investigation of an offence by the NAB or any agency authorised by the NAB in this regard when given by-

(a) a complainant, witness or an accused person or any inquiry officer; and

(b) the investigator of the National Accountability Bureau or concemed agency.

Misuse of authority. or power in committing any offence specified above, by any person holding a public office including any offence under sections 161 to 165A of the Pakistan Penal Code (Act XLV of 1860).

Deceitfully, fraudulently or dishonestly causing loss to a bank, a financial institution, a co-operative society, a Government department, a statutory body or an authority established or controlled by the Federal Government, a Provincial Government. or a local government.

Punishment	
(3)	
Rigorous imprisonment for a term which may extend to five years	
Rigorous imprisonment for a term, which may extend to five years.	
Rigorous imprisonment for a term which may extend to ten years.	
Rigorous imprisonment for a term which may extend to fourteen years	
Rigorous imprisonment for a term which may extend to fourteen years.”.	

S.No. Offences Punishment

dd) (2) (3)
6. Omitted vide SRO (1)2008
lated 24th Oct 2008

7. Omitted vide SRO (1)2008
lated 24" Oct 2008

8. Omitted vide SRO (1)2008
ated 24"' Oct 2008

9. Omitted vide SRO (1)2008
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1. Omitted vide SRO (1)2008
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2. Omitted vide SRO (1)2008
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3. Omitted vide SRO (1)2008
lated 24" Oct 2008

4. Omitted vide SRO (1)2008
dated 24" Oct 2008

8 S.# 6 to 14 included in the Schedule vide Law Division’s notification SRO (1)/2003 dated 20-11-2003 (F.# 1(3)-Admin-V).

Ne

35.1 Queries about Review Exercise

Queries have been raised by different quarters whether review exercise for retirement of civil servants is also applicable to the employees of autonomous bodies or not and whether the provisions of the Civil Servants Act, 1973 and amendments therein are also applicable to them or not. The position is clarified as under:—

(i) — Supreme Court in their judgement in Civil Appeals Nos.154 and 155 of 1988 held that organizations established through Resolutions were not bodies corporate but government departments and their employees were held to be civil servants. In the light of the aforesaid decision of the Supreme Court, Civil Servants Act, 1973 and the rules made thereunder are applicable to the employees of organizations established through Resolutions.

(ii) In case of autonomous bodies which are bodies corporate and are administered or controlled by Federal Government, and have their own service rules/regulations, it is necessary to make enabling provision in their service rules/regulations on the lines of section 13(1)(i) of Civil Servants Act, 1973.

2. Ministries/Divisions are advised to take necessary action for making enabling provision in the Service Rules/ Regulations of Bodies Corporate which are under their administrative control.

[Authority Establishment Division's O.M.No.8/31/2000-R.3, dated 11-10-2000].

35.2 Clarification Regarding Option of Seeking Premature Retirement

The amended section 13(1)(i) of the Civil Servants Act, 1973 lays down that—
"(1) a civil servant shall retire from service—

(i) | On such date after he has completed twenty years of service qualifying for pension.and other retirement benefits as the competent authority may, in public interest, direct.

2. | However, queries have been received in the Establishment Division soliciting advice on the point as to whether, or not, a civil servant can seek voluntary retirement on completion of twenty years of service qualifying for pension and other retiring benefits under section 13(1)(i) of the Civil Servants Act, 1973.

3. As such, it is clarified that there is no provision in the Civil Servants Act, 1973 under which a civil servant can seek voluntary retirement on completion of twenty years of service qualifying for pension and other retirement benefits. However, all government servants have the right to seek retirement — if they so desire — on the

completion of twenty five years service qualifying for pension and other retirement benefits (under CSR 465-B). This right is, however, subject to the provisions of the Essential Services Maintenance Act 1952 and is not available to a civil servant against whom the departmental inquiry/proceedings are pending.

[Authority— Estt. Div.'s O.M.No.3/8/2000/R.2, dated 22-10-2001].

35.3 Implications of Release of a Government Servant

under Section 25 of Ordinance No. XVIII of 1999
for Disciplinary Proceedings

Section 25 of NAB Ordinance (Ordinance No. XVIII of 1999) lays down, inter

alia as under:-

"25. (a) Where at any time whether before or after the commencement of trial the holder of a public notice or any other person accused of any offence under this Ordinance, returns to the NAB, the assets or gains acquired through corruption or corrupt practices,-

@)

(ii)

2.

if the trial has not commenced, the Chairman NAB may release the accused; and

if the Court has taken cognizance of the offence or the trial has commenced, the Chairman NAB may, with the approval of the Court, release the accused.

A question had arisen whether release of a government servant under

section 25 should be construed as an order of conviction, and thereby automatically disqualify him for holding the office which he was holding prior to initiation of proceedings against him under the said Ordinance. The matter has been examined in consultation with the Law and Justice Division and correct legal position is clarified below:-

(a)

(b)

The voluntary return of gains and release of the accused for return of money are matters unconnected with the terms and conditions of service of civil servants. Neither any presumption can be drawn against him nor he can be considered disqualified only on such facts unless the civil servant concerned is subjected to disciplinary proceedings as per provisions of the law and the rules.

Though the release of a government servant under section 25 of the said

Ordinance does not automatically disqualify him for holding his office but it makes him liable to face disciplinary proceedings in regard to charges of corruption mentioned in section 25 of Ordinance No. XVIII of 1999 but this liability should be without prejudice to the right of a government servant to:

(i) _ be informed in writing about the action proposed to be taken against him and the grounds of the action; and

(ii) be given a reasonable opportunity of showing cause against the action proposed to be taken against him.

3. If follows from the above stated position that the Ministry/ Division/ Department concerned is required to initiate disciplinary proceedings in accordance with the law, if a government servant is released under section 25 of the NAB Ordinance.

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

[Authority: Estt. Div.'s OM No. 3/65/2000-R.2, dated 3"! November 2000]
SI.No.36

Employment/Re-employment of Persons Penalized Under the "Government Servants (Efficiency & Discipline) Rules, 1973 and the "Removal from Service (Special Powers) Ordinance, 2000

Reference the Estab. Div.'s OM No. 22/4/71-F.1, dated 3-4-1973 under which Ministries/Divisions/Departments were required to consult thelist circulated by the Establishment Division, of persons dismissed from government service for consultation before making fresh appointments. As the number of Ministries/ Divisions/Departments and government servants both have increased tremendously since the issuance of above referred instructions neither the information required for preparation of lists from the Ministries/Divisions is received nor has it now been possible to prepare and circulate lists, keeping in view the voluminous data. Further, to reduce the workload and in the public interest, powers to initiate and finalize disciplinary proceedings in cases of employees from BPS-1 to BPS 19 and equivalent stand delegated to the respective authorities.

2. It has now been decided that, in case of a person having served somewhere under the government before his candidature for fresh appointment or re-employment, Ministries/Divisions/Departments shall consult the parent organization of the person to be appointed/re-employed to find out whether he was penalized under the Government Servants (Efficiency & Discipline) Rules, 1973 or the *Removal from Service (Special Powers) Ordinance, 2000 or had retired from service voluntarily. If a person is found to have been dismissed from service or retired on his request, he shall not be appointed/re-employed. In case of other penalties, the appointing authority may decide whether a penalized candidate may or may not be appointed/re-employed.

[Authority: Estab. Div.'s O.M. No. 12/1/2006-D.2, dated 29" March, 2006]

* Now Civil Servants (Efficiency & Discipline) Rules, 2020.

* Removal from Service (Special Powers) Ordinance, 2000 has been ceased to exit.

CHAPTER 9

RETIREMENT AND SEVERANCE

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CHAPTER 9
RETIREMENT AND SEVERANCE
PART-I

RETIREMENT & SEVERANCE AND RE-EMPLOYMENT

I. Retirement from Service (Statutory Provisions)

1.1 Retirement on Completion of Sixtieth Year of Age

Sections 13 & 19 of Civil Servants Act, 1973 which provides the legal provisions for retirement, are reproduced below:—

13. *[Retirement from service.—(1) A civil servant shall retire from service—

(i) on such date after he has completed " [twenty] years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; or

(ii) where no direction is given under clause (i), on the completion of the sixtieth year of his age.

(2) No direction under clause (i) of sub-section (1) shall be made until the civil servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

Explanation: In this Section, "competent authority" means the appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973].

19. Pension and Gratuity— (1) On retirement from service, a civil servant shall be entitled to receive such pension or gratuity as may be prescribed.

(2) In the event of the death of a civil servant, whether before or after retirement, his family shall be entitled to receive such pension, or gratuity, or both, as may be prescribed.

(3) No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two-thirds of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

* Subs. vide Civil Servants (Amendment) Ordinance No. XX of 2000, dated 1-6-2000.
"™ Subs. vide Civil Servants (Amendment) Ordinance No. XXXIV of 2001, promulgated on 4-8-2001.

(4) If the determination of the amount of pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualifies for pension or gratuity; and any over payment consequent on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

[Authority:- Civil Servants Act, 1973, Sections 13 & 19.]

1.2 Authorities Competent to Accept Requests for Retirement

A reference is invited to the Establishment Division's Office Memorandum No. 1/2/67-CV, dated the 6" December, 1967 (Annex) in which it was stated that it was not necessary to submit requests for retirement on completion of 25 years' qualifying service to the “President for orders where the appointing authority was the *President. This was so because government had allowed all civil servants the right to apply for retirement and the intimation of intention to retire once submitted by a civil servant was final and could not be modified or withdrawn. This right of the civil servant is, however, subject to the provisions of the Essential Services (Maintenance) Act, and is not available to a civil servant against whom a departmental enquiry is pending. The question has, therefore, arisen as to which authority is competent to accept such requests for retirement. It has been decided that requests for retirement of officers of BPS mentioned in column | below should be submitted to the Authority mentioned in column 2 for orders:—

Sr. No.	BPS of officers Request for retirement	Authority competent to accept
“(i	BPS 21 and above.....	Prime Minister. The summary after approval by the Minister concerned would be submitted through the Establishment Division.
“Gi)	BPS 17 to 20 wee.	Secretary of the Ministry/Division which administratively controls the cadre or department to which the post belongs.
iii)	BPS 16...	Head of Department.
(iv)	BPS 1 to 15...ccccccsseee	Head of Department or Head of Office.

[Authority.- Estt. Div.’s O.M.No.1/5/73-CV, dated 6-6-1974].

* Prime Minister.

“Note.— Competent Authorities may be meant as described under Rule 6(1) &(2) of the (Appointment, Promotion and Transfer) Rules,1973.

(ANNEX I)
[Copy of Establishment Division O.M. No. 1/2/67-CV, dated 06.12.1967]

Subject:— Right to retire on a retiring pension after completing 25 years qualifying service-Policy.

A point has been raised whether or not the approval of the “President (where the President is the appointing authority) is required for the termination of services of a “Class I officer who opts for retirement in pursuance of paragraph (5) of the Ministry of Finance O.M. No. O.B. 2/12/63-IMP (1), dated the 18" August, 1966.

2. The point has been examined in the Establishment Division and it has been decided in consultation with the Law Division that it is unnecessary to submit such cases to the President”. Only such cases of officers of and above the level of heads of major departments and Joint Secretaries to the Federal Government may be submitted to the President” for information.

1.3 Retirement on Completion of 25 Years Service — Right to Retire Through Written Intimation

A question has been raised whether a government servant who intends to retire after completing 25 years service qualifying for pension, can submit a written intimation of his intention to retire even before completing 25 years qualifying service.

2. The matter has been examined, in consultation with the Law Division and the Finance Division, and it has been decided that the right to retire from service accrues to a government servant only after he has completed 25 years' service qualifying for pension. As such, he can exercise the said option and submit a written intimation of his intention to retire only after the date of completion of his 25 years' service qualifying for pension. Application for LPR, if due, shall also be submitted after that date.

3. Ifa government servant desires to leave service before completion of his 25 years' service qualifying for pension, he may do so by tendering resignation from service. In that case he will not be entitled to any pensionary benefits.

[Authority.- Estt. Division’s O.M. No. 23/2/81-CV (A), dated 12-4-1981].

1.4 Retirement on Completion of 25 Years Service Qualifying for Pension (General Instructions) - Retiring Pension

Subject to the provisions of the Essential Services (Maintenance) Act, 1952, all government servants shall have the right to retire on a retiring pension after completing 25 years qualifying service, provided that a government servant, who intends to retire before

* Prime Minister
“* BPS 17 and above.
“ Leave Preparatory to Retirement.

attaining the age of superannuation, shall, at least *(Six) months before the date on which he intends to retire, submit a written intimation to the authority which appointed him, indicating the date on which he intends to retire. Such an intimation, once submitted, shall be final and shall not be allowed to be modified or withdrawn. [The right given by this paragraph shall not, however, be available to government servant against whom a departmental enquiry is pending].
[Authority.- Para 5 of the Finance Division's O.M. No. O.B.2/12/63-IMP(I), dated 18-8-1966 as amended vide Finance Div.'s O.M No. OB.2/12/63-Imp. (1), dated 14.12. 1967].

1.5 Withdrawal of Applications
for Premature Retirement

According to "Note 1" below Article 465-B/CSR, a written intimation once submitted by a government servant who intends to retire after completing 25 years service qualifying for pension, shall be final and shall not be allowed to be modified or withdrawn.

2. The matter has been examined, in consultation with the Law Division and the Finance Division, and it has been decided that, in partial modification of the existing rules/orders, if a government servant withdraws his application for premature retirement or modifies the date of retirement, before its acceptance by the competent authority, the application or the date of retirement shall be deemed to have been withdrawn or modified, as the case may be.

[Authority.- Estt. Division's O.M. No. 23/2/81-CV (B), dated 12-4-1981].

1.6 Voluntary Retirement of
Government Servants

Refer to para 5 of Finance Division O.M No. OB.2/63-IMP(I) dated 18-08-1966 according to which the right to seek voluntary retirement accrues to a Government servant after he has completed 25 years of qualifying service for pension. A number of cases have come to the notice of Finance Division in which it was found, after such an application for retirement under para 5 of the O.M referred to above has been submitted and accepted by the competent authority and the government servant had actually retired, that the 25 years qualifying service for pension had not been rendered e.g. the period of extra-ordinary leave had not been excluded from service. As such the government servant became altogether ineligible for pension, which caused hardship. In order to avoid recurrence of such cases in future and to avoid resultant hardship to the retired government servant concerned it has been decided that the application on for retirement after completion of 25 years qualifying service must be accompanied by particulars as in the enclosed form. These particulars are based on the pension application form and are intended for the purpose of calculating qualifying service. On receipt of the application, the Head of Department should arrange verification of the qualifying service by the Audit Officer within one month from the date of the receipt of the application before orders of retirement are passed.

[Authority— Finance Division O.M No. F.8(5)-Reg (6)/73 dated 4" January, 1975]

"Amended in terms of CSR 907.

1.7 Notifying Retirement of an Officer on Attaining the Age of Superannuation

It has come to notice of the Establishment Division that in some cases no notification was issued regarding retirement of the officer who retired from service on attaining the age of superannuation, i.e., the age of 60 years. The absence of a notification regarding the retirement led to delay in payment of the pension and other dues. The matter has, therefore, been considered by the Establishment Division and it is stated that while a notification may not be necessary in the case of officers who attain the age of superannuation for retiring them from service, it is necessary to notify the retirement of such officers to all concerned for the recovery of dues from the officers, if any, and to facilitate payment of pension and other dues of the officers. The Ministries/Divisions are, therefore, requested to ensure that retirement of officers working under them are notified well in time even if the officer concerned does not take leave preparatory to retirement. In case the retiring officer is on deputation with the Ministry/ Division or with any of their Attached Departments/ Subordinate Offices and the orders regarding his retirement are to be issued by his parent Ministry/Department, that Ministry/ Department may please be informed of the date of retirement of the officer so that they may issue notification regarding his retirement.

[Authority.- Estt. Division’s O.M.No.8/22/75-C.I., dated 26-2-1976].

1.8 Recall to Duty After Premature Retirement

Attention is invited to Establishment Division's O.M. No.23/2/81-CV(B) dated 12.4.1981 according to which option to withdraw or modify the request for premature retirement is available to a government servant only before the said request is accepted by the competent authority. Requests for premature retirement once accepted by the competent authority, cannot, repeat cannot, be allowed to be withdrawn or modified. Recall to duty after acceptance of request for voluntary retirement amounts to re-employment for which approval of the Prime Minister is required.

2. Ministries/Divisions are requested to bring the above position to the notice of all concerned including their attached departments and subordinate offices, autonomous and semi-autonomous organizations, etc., to ensure strict compliance with the above stated provision.

[Authority.- Estt. Division’s O.M. No. F. 14/10/95-R.2 dated 25-8-1996].

2.1. Grant of Medical Allowance to Civil Pensioners of the Federal Government

The sanction of the President to the introduction of Medical Allowance with effect from 1 July, 2010 to all civil pensioners of the Federal Government including civilians paid from Defence Estimates and Civil Armed Forces at the following rates: —

(i) | Pensioners who retired in BPS 1-15 @15% of pension drawn.
(ii) Pensioners who retired/will retire in BPS 16-22 @20% of pension drawn.

2. The medical allowance will be allowed after allowing increases in family pension, pension and minimum pension notified vide following O.Ms:-

i. No.F2(3)-Reg.6/2010 dated 05-07-2010.
ii, No.F.4(1)-Reg.6/2010 dated 05-07-2010.
iii, No.F.15(1)-Reg./2010 dated 05-07-2010.

3. | The re-employed pensioners will be allowed medical allowance after allowing increases in pension on notional basis as increases in pension are not admissible to them during re-employment.

4. The existing facility of reimbursement of amounts spent on account of purchase of medicines by the retired Government servants and local purchase of medicines by Government Hospitals for Outdoor Patients (OPD) will be discontinued. However, the existing facilities for consultation and diagnostic investigations at OPD will continue as before. Reimbursement/Local Purchase on account of Cancer, Hepatitis B,C and Insulin dependent diabetes would be admissible for OPD patients. The existing facility of reimbursement of all kinds of expenditure on account of indoor Medical Treatment will continue as before.

[Authority:- Finance Division's O.M.No F.16(1)-Reg.6/2010-778 dated 5" July,2010].

2.2 Grant of Medical Allowance to Civil Employees/Pensioners of the Federal Government

In partial modification of Finance Division's O.Ms. No. 1(1)Imp/2010-622 and No.F.16(1) Reg-6/2010-778, both of dated 5° Ju y,2010 regarding the subject mentioned above, that it has been decided in consultation with "Ministry of Health that serving/retired civil employees of the Federal Government or member of his/her family suffering from the following chronic diseases, will be entitled for reimbursement of amount spent on account of purchase of medicines for the medical treatment at OPD:—

(1) Chronic pulmonary-cardiovascular and circulatory disorders.
(2) _ Tumours, malignancies, cancer and chronic blood disorders (Thallasaemias

etc).

(3) | Chronic hepato-renal disorders, organ failure, dialysis and transplants.

(4) | Chronic neuro-psychiatric diseases, neuropathies, epilepsy, paralysis.

(5) Chronic inflammatory-infectious diseases (rheumatoid, arthritis, hepatitis, TB, tetanus etc.)

(6) Chronic endocrine disorder (diabetes/goiter pancreatitis etc).

(7) Chronic degenerative disorders.

(8) Poisoning, dog and snake bite.
(9) Drug Abuse, STD,HIV/AIDS, VHF.
Cc

hronic skin diseases, allergies-chronic connective tissue and auto immune

* Now Ministry of National Health Services Regulations and Coordination.

disorders.

(11) Injuries including orthopaedics, burns, gunshot, blast and head injuries.

(12) Day surgery (obstetric-gynae disorders, deliveries, cataract and eye/ENT day procedures).

(13) Shock, cardiogenic shock, stroke and electrolyte disorders.
(14) Treatment for eye, ENT and disabilities/handicaps.
(15) Dental treatment.

2. [X x x x x x X]

3. “Ministry of Health will issue necessary instructions for constitution of a Medical Board at each Government Hospital, which will examine the serving/retired Government servant or a member of his/her family and decide suffering from chronic disease, not covered under the above stated list, for reimbursement of medical expenses incurred for the treatment in OPD and their decision shall be final.

[Authority:-Finance Division’s O.M. No.F.6(1)R-10/2010-171-2011 dated 24-03-2011].

Clarification for the Grant of Medical Allowance to Civil Employees/ Pensioners of the Federal Government

Refer to Finance Division’s O.M. of even number dated 24" March,2011 on the above subject and to clarify that provisions of the said O.M. are applicable to all serving/retired Civil Employees (Gazetted/Non-Gazetted) of the Federal Government with effect from 1“ July,2010.

[Authority:-Finance Division’s O.M. No. F.6(1)R-10/2010-564 dated 5" July,2011].

2.3 Grant of Medical Allowance to Civil Pensioners of the Federal Government

Refer to Finance Division’s O.M.No.F.16(1)-Reg.66/2010-778 dated 5™ July,2010 and to state that the Government introduced Medical Allowance with effect from 1* July,2010 to all civil pensioners of the Federal Government including civilians paid from Defence Estimates and Civil Armed Forces.

2. In terms of para-22 of Finance Division’s O.M. No.F.1(5)-Imp/2011-419 dated 04-07-2011 it was decided that:-

(i) | Medical Allowance admissible to the existing retired Civil Servants in BPS-1 to BPS-15 and BPS-16 to BPS-22 @ 25% and @ 20% of the net pension respectively shall continue to be admissible at the frozen level of its admissibility as on 30-06-2011 till further order.

(ii) All the Civil Servants in BPS-1 to BPS-15 and in BPS-16 to BPS-22, who shall retire on or after 01-07-2011 onwards, shall be allowed Medical Allowance @ 25% and @ 20% of the net pension respectively and shall

* Now Ministry of National Health Services Regulations and Coordination.

stand frozen at the same level.

3. | Now the President has been pleased to sanction, w.e.f. 01-07-2015 until further orders 25% increase in the amount of medical allowance being drawn by the civil pensioners of Federal Government, civilian paid from Defence Estimates and Civil Armed Forces and to the future retirees on the medical allowance admissible to them at the time to retirement and shall stand frozen at same level.

[Authority:-Finance Division's O.M.No.16(1)-Reg.6/2015-698 dated 07-07-2015].

3.1. Traveling Allowance for Journey on Retirement (For Mission Abroad)

Grant of T.A. on Retirement of Government Servants Posted in Missions Abroad. The President has been pleased to sanction the grant of T.A. as admissible under the rules on retirement within a period of six months from the date of retirement by approved route to home-based government servants serving in Pakistan Missions abroad and their families from the station of retirement to Pakistan.

2. In the event of the legitimate children of the retiring government servants receiving education at the station of retirement, the T.A. for such children may be claimed within one year from the date of retirement. In either case no T.A. advance is to be paid, instead the Mission will itself arrange necessary tickets and charges for the transportation of personal effects in accordance with entitlement.

3. This issues with the concurrence of the Ministry of Finance vide their U.O. Note No.668-R5/64, dated the 30" March, 1964.

[Authority:- Foreign Affairs O.M. No. Rules 4/7/63, dated the 4" April, 1964].

3.2 Revision of Traveling Allowance Rules (Within Pakistan)

The existing rules governing the grant of traveling allowance to government servants on tour and on transfer, etc. within Pakistan were framed long ago and do not conform to the present day conditions, the President has, therefore, has pleased to decide as follows:—

Xx Xx Xx Xx

TRAVELLING ALLOWANCE FOR JOURNEY ON RETIREMENT

17.(a) A government servant shall be allowed TA to the extent specified below, in respect of the journey from the place of his last posting to his home town, performed during leave preparatory to retirement or on or after retirement.

(i) Actual fare by rail or "air of the class to which he was entitled immediately before his retirement for himself and for each member

" Amended vide Finance Division's O.M.No.F.1(5)R-10/2010-98 dated 24-04-2014.

of his family. For journeys by road between places not connected by rail or *air, mileage allowance shall be allowed.

(ii) Cost of transportation of personal effects to the extent admissible to him immediately before retirement for journeys on transfer.

(b) Advance payment for expenditure as at (a) above shall be made and be treated as final payment.

(c) The home town shall be determined according to entries pertaining to the permanent address of the government servant in his service record or according to the declaration, made by him for purposes of leave travel concession.

(d) The term “retirement” shall mean retirement on attaining the age of superannuation, or on completing prescribed service limit, or voluntary retirement on completion of 25 years qualifying service or on invalid pension or compulsory retirement.

XxX XxX xX XxX
18. [omitted] xX xX xX xX

19. The existing rules and general orders on the subject shall be deemed to have been modified to the extent indicated in the preceding paragraphs.

20. These orders shall come into force from the Ist January, 1973.
[Authority: Para 17 of Finance Division’s OM No. F. 2(1)-Rev., 1/72, dated 20-12-1972].

3.3 T.A. for Journey on Retirement -
Cost of Transportation of Personal
Car/ Motorcycle/Scooter

Reference paragraph 17 of this Division O.M. No. F. 2(1)-Rev.1/72, dated the 20" December, 1972, as amended from time to time.

2. It has been decided that, in addition to the cost of transportation of personal effects prescribed in paragraph 17 of the Office Memorandum referred to above, the cost of transportation of personal car or motor cycle or scooter shall also be admissible for journey to home town on retirement. The cost shall, however, be calculated by road and restricted to the distance by the practicable route.

3. These orders shall have immediate effect.

[Authority:- Finance Division’s OM No. 2(3)-R. 9/79-dated 23" January, 1979].

3.4 T.A. for Journey on Retirement —
Determination of Home Town

According to paragraph 17 of Finance Division's Office Memorandum No. F. 2(1)- Rev. 1/72, dated the 20" December, 1972, a civil servant is entitled to travelling allowance for journey on retirement up to his home town, on the scale and to the extent prescribed therein. The home town for this purpose is determined according to entries pertaining to the permanent address in his service record or according to the declaration made for purpose of leave travel concession.

2. A question has arisen as to how the home town should be determined in cases where the civil servant had no occasion to make a declaration for the purpose of leave travel concession; nor was any entry pertaining to permanent address available in his service records or, where available, the service book/service record shows- a place of permanent residence in territories now forming part of India. It has been decided that the following procedure shall be adopted to regulate such cases: —

(i) Civil servants who have already retired or are on leave preparatory to retirements.—They may be allowed to give declaration to this effect now and granted travelling allowance accordingly.

(ii) Civil servants who are in service.—They may be required to declare their home town within a period of six months from the date of issue of these orders.

[Authority:- Finance Division's O.M. No. F. 2 (42)-R. 9/75, dated the 24"' November, 1975].

3.5 Time-Limit for Availing of the
Concession of Traveling Allowance
After Retirement

Reference paragraph 17 of Finance Division's Office Memorandum No. F. 2(1)- Rev. 1/72, dated the 20% December, 1972, according to which a retiring civil servant is entitled to claim Travelling Allowance for journey, upto his home town, performed during leave preparatory to retirement or on or after retirement to the extent prescribed therein.

2. It has now been decided that a civil servant who did not avail himself of the concession of retirement T.A. during leave preparatory to retirement, may do so within six months after the actual date of his retirement. If, however, a retired civil servant dies during this period, without having availed himself of the concession, it may be allowed to the family on application to the Head of Department and should be availed of before the expiry of six months from the date of retirement of the deceased government servant or within three months of the date of his death, whichever may be later.

3. It has further been decided that in the case of retired civil servants who are re-employed immediately after, or within six months from the date of their retirement, the time limit prescribed in paragraph 2 above, shall commence from the date on which the period of re-employment concludes.

[Authority:- Finance Division's O.M. No. F. 2 (5)-R. 9/76, dated the 3"! March, 1976].

3.6 T.A. for Journey on Retirement —
Admissibility of TA to Employees with
Home Towns of “Gilgit Baltistan and Chitral

According to paragraph 17 of Finance Division O.M. No. F.2(1) Rev. 1/72 dated the 20" December, 1972 a government servant, on retirement, is entitled to T.A. to the extent specified therein.

2. A question has been raised as to what amount of T.A. shall be admissible to employees whose home towns are in *Gilgit, Baltistan, Chitral and therefore, of necessity, they have to perform the journey on retirement, by air. The matter has been considered and it has been decided that in such cases T.A. shall be allowed as under:—

(i) For the portion of journey connected by rail, rail fare of the class of entitlement.

(ii) For the portion of journey connected by road, mileage allowance at prescribed rate.

(iii) Air fare (economy class) for self and family, from the airport of Rawalpindi/Peshawar, as the case may be, upto the airport near the home town;

(iv) and cost of transportation of personal effects “paisas 3 per road mile from the residence at the old station of posting to the residence at his home town, irrespective of mode by which the personal effects are carried.

[Authority:- Finance Division’s O.M. No. F. 2(16)-R. 9/77, dated the 29" July, 1977].

3.7 Time Limit for Availing of the Concession
of Traveling Allowance after Retirement —
Admissibility in Re-employment in Government

Reference Finance Division’s Office Memorandum No. F. 2(5)-R9/76, dated the 3 March 1976, on the subject noted above. A question has been raised as to whether the concession of retirement T.A in case of re-employment is also admissible to retired civil servants who are re-employed in autonomous/ semi-autonomous organizations or private companies. It is clarified that the concession of retirement T.A. in ‘case’ of re-employment is admissible only to those retired civil servants who get re-employment in government departments and not to those re-employed in autonomous/semi-autonomous organizations or private companies. It is also clarified that a retired civil servant is entitled to avail of the T.A. concession any time during leave preparatory to retirement or after his retirement but before the expiry of the time limit of six months after the date of retirement. In the case of re-employment during leave preparatory to retirement or within six months from the date of retirement, a retired civil servant can avail of the concession any time before the termination of his re-employment or within a period of six months from the date on which his re-employment period ends.

[Authority:- Finance Division’s O.M. No. F. 2 (28-R.9/80; dated the 10" March, 1981].

“Previously “Northern Areas”.

As per Revised Rates amended from time to time.

Cuapter-9

3.8 Revision of Transfer Grant, Transportation

of Motorcar/ Motorcycle/Scooter and

Mileage Allowance

Reference Finance Division's O.M. No. F.2(1)-Rev.I/72 dated the 20th December, 1972, on the above mentioned subject, as amended from time to time. It is stated that the President has been pleased to decide that the existing rates of Transfer Grant, Transportation of Motor Car/Motorcycle/Scooter by road and the Mileage Allowance shall be revised with

immediate effect, as under:—

() TRANSFER GRANT

(i) Employees having family One month’s pay.
(ii) Employees not having a family Half month’s pay.
Note:— (i) Transfer TA is admissible where change of residence is involved in

consequence of change of headquarters.

(ii) Transfer grant is admissible only where breaking-up of the house hold establishment at the old station and setting up of the house hold establishment at new station takes place, and a certificate to this effect is recorded on the Transfer TA bill by the Government servant concerned duly countersigned by the controlling officer (No.F.2(34)-1.9/84-999/84,

dated 30.09-1984).

[Authority:- Finance Division’s O.M. No.F.1(2)-Reg. 10/2005, dated 10" September, 2005].

“(D) TRAVELLING AND MILEAGE ALLOWANCE

Transportation Previous Existing
(i) | Motor Car Rs. 2/- k.m. Rs. 5/- per k.m.
(ii) | Motor Cycle/Scooter Rs. 1/- per k.m. Rs, 2.5/- k.m.
Mileage Allowance
(i) Personal Car/Taxi Rs. 5/- per k.m. Rs. 10/- pr k.m.
(ii) Motor Cycle/Scooter Rs. 2/- per k.m. Rs. 4/- per k.m.
(iii)Bicycle/Animal back/ foot Rs. 1/- per k.m. Rs. 2/- per k.m.
Rs. 1/- per k.m.
; , (BPS-6 and below). Rs. 2.5/- per k.m.
(iv) Public Transport
Rs, 1/- per km. Rs. 2.5/- per k.m.
BPS-7 and above).

“ Revised vide Finance Division’s O.M No. F.1(3)/Imp/2012 dated 16-07-2012.

Travel by Air Govt. servants in BPS-17 and those in receipt of pay of Rs. 54000 and above.	Govt. servants in BPS-17 and above.
Carriage of Personal effects on Transfer/ Retirement	Rs. 0.008 per k.m. Perk.g.	Rs. 0.02 per k.m. per kg.

(ii) | Government servants shall be allowed to use the mode of transport as shown below:—

Mode of Transport	Category of Government servants
Personal car, borrowed car, hiring of a full taxi.	Officer of Category I. In the case of others, a taxi may be engaged, if the urgency of the situation so demands, with the approval of the controlling officer.
Personal Motor Cycle/Scooter. Bicycle etc. and public transport plying for hire single seat basis.	Category I and II. All Government servants.

[Ministry of Finance O.M. No. F. 2(1)-Imp. 1/77, dated the 29th April, 1977.]

It has been decided to reimburse the toll tax on Motor Way paid by an officer while travelling in an official vehicle on official duty/tour on production of original receipt in token thereof. “It has also been decided to allow reimbursement of the Toll Tax on Motor Way paid by an officer while travelling on official duty/tour by his own car subject to production of original receipt in token thereof.

[Authority:—Finance Division’s O.M. No. 1(5) R. 9/98-345, dated 13" March, 2002.]

* Revised vide Finance Division’s 0.M No. F.1(3)/Imp/2012 dated 16-07-2012.

Il. RE-EMPLOYMENT

4.1 Employment after Retirement- Policy and Procedure — Re-employment after Superannuation

It has been noticed that Ministries/Divisions initiate proposals for re-employment of government servants after superannuation as a routine measure. It is emphasized that re-employment beyond superannuation should be an exception and not the rule. It may be recommended only in cases where government considers that the experience gained by the retiring person is of vital importance and can be gainfully utilized, particularly in fields where suitably qualified and experienced persons are not available.

2. For achievement of the objective mentioned above, the government has framed a policy for re-employment of government servants and cases for re-employment would, in future, be considered in accordance with the following criteria:

(i) non-availability of suitably qualified or experienced officers to replace the retiring officer;

(ii) the officer is a highly competent person with distinction in his profession/field;

(iii) the re-employment does not cause a promotion block; and
(iv) retention of the retiring officer, for a specified period, is in the public interest.

This policy would also apply to government controlled corporations and other autonomous bodies.

3. Proposals for re-employment are required to be accompanied with the following documents/information:-

(a) _ the proposal duly signed by Secretary or Additional Secretary Incharge of the Ministry concerned to be received in the Establishment Division 6 months before the officer is due to attain the age of superannuation and has the approval of the Minister Incharge;

(b) the steps taken to train the substitute, if any;
(c) PERs with photograph, ICP chart and bio-data on prescribed proforma; and
(d) certificate that the officer is medically fit.

4. Re-employment beyond the age of superannuation in all cases requires the approval of the Prime Minister. While submitting summaries for re-employment /extension in re-employment on the prescribed proforma, as circulated vide Establishment Secretary D.O letter No. 4/1/84-R-I dated 08-08-1985 as Annex.

5. It is requested to instruct all concerned in Ministries/ Divisions and Attached Departments/autonomous bodies to strictly follow the guidelines given above.

[Authority.- Establishment Secretary's D.O. letter No.7/3/ 89-OMG-II dated 28-01-1989].

(ANNEX)
BIO-DATA FORM

(TO BE USED IN RE-EMPLOYMENT CASES)

1 (Name of the Officer) 00.008
a, “Grade...
b Date of Birth & Age on
(Years Months Days)
c Date of joining & Length of Service
(Years Months Days)
d. Date of Re-Employment (approved earlier) (Only

seeeteeeeees in case of extension in Re-employment period).

e. Total PERs V.Good Good Average Below Average
(Years to be shown against Average & Below Average PERs)

NOTE:
(1) Any missing PERs with reasons
(2) Photo of the officer affixed in the CR dossier or not, if not affixed.
f. Adverse Remarks in the PERs
g. Service (Showing Appointment Held)
2. Promotion in Blockade (Indicate if Promotion blockade is created due

to his re-employment).

4.2 Indication of Date of Superannuation of
Officers Proposed for Appointment to
Tenure Posts

Cases have come to the notice in which some officers, who were about to attain the age of superannuation within a few months time, were recommended for appointment to tenure posts, and in the Summary for the Prime Minister, there was no indication that the tenure of the proposed appointment would last much beyond the age of superannuation of the recommendee. Submission of such proposals to the Prime Minister

* BPS/Post.

without indication of date of birth amounts to disguised recommendation for re-employment. The competent authority has viewed the aforesaid lapse with displeasure and has directed that all proposals entailing to appointment to tenure posts should, besides providing other relevant information, specifically mention the date of superannuation of the recommendee so that the competent authority may be able to exercise conscious discretion in regard to appointing a person to a tenure post involving his retention in public service beyond the date of his superannuation.

[Authority.- Estt. Division's O.M. No.1/134/99-E.6, dated 3-9-1999].

4.3 Re-employment of Civil Servants After Compulsory Retirement or Termination of Service

A person, whose services have been terminated as a result of a disciplinary action against him, or retrenched due to winding up of an organization (where he was serving) on grounds of its having been set up irregularly, will not be re-employed without obtaining the orders of the President".

2. Such cases for re-employment of persons, in all **grades, both in government service and corporations etc., should be submitted by the Ministry concerned (together with its recommendations and bio-data of the proposed person), through the Establishment Division, to the *President for orders. Such a proposal shall be made in the form of a "Summary", containing the approval of the Minister-in-Charge, and signed by the Secretary or Additional Secretary Incharge.

[Authority.- Estt. Division's O.M. No. 2/6/78-CV, dated 08-1-1979].

4.4 Re-employment During Refused L.P.R

A question has arisen whether a government servant, whose L.P.R. has been refused, should be recommended for re-employment on the same post, after superannuation.

2. It has been decided that as a matter of policy, re-employment, beyond superannuation, may not be initiated as the period of refused L.P.R. gives ample time to find out replacement of the retiring officer. In exceptional cases, where re-employment beyond superannuation is inevitable, the reasons therefor may specifically be brought out in the "Summary for the *President".

[Authority.- Estt. Division's O.M. No. 3/60/81, dated 17-11-1982].

4.5 Re-employment after Superannuation by Corporations/ Autonomous Bodies

It has time and again been stressed that the approval of the President* would be necessary in all cases of re-employment after the age of superannuation in government as well as in the autonomous bodies. In this connection attention is invited to Establishment Secretary's D.O. letter No. 8/l/72-CV, dated 29-5-1972 and Estt. Div.'s O.M. No. 2/2/ 78- CV, dated 24-12-1978. According to these instructions the age of superannuation of all government servants should be 60 years and this should apply equally to government

* Prime Minister.
** BPS.

controlled corporations/ autonomous bodies etc. and if such organizations have prescribed age beyond 60 years they were required to amend their recruitment/service rules and inform the Establishment Division of compliance. It was abundantly made clear that in case no communication was received, it would be assumed that the age of superannuation, as prescribed in their rules, is 60 years.

2. Contrary to the explicit instructions referred to above, it has come to notice that corporations/autonomous bodies have been re-employing persons after the date of superannuation without obtaining prior approval of the *President.

3. — It is, therefore, reiterated that no person who has already attained the age of 60 years should be allowed to be in employment without obtaining prior approval of the President*.

[Authority.- Estt. Division’s O.M. No. 2/48/84-ABC dated 23-1-1985].

4.6 Cabinet Decision Regarding Re-employment

The Cabinet in its meeting held on 12-11-1990 has decided that no re-employment beyond the age of superannuation should be allowed except in very exceptional cases for which approval of the Prime Minister would need to be obtained.

2. This decision is also applicable to autonomous bodies/semi-autonomous bodies and may please be brought to their notice for strict compliance.

[Authority.- Estt. Division’s O.M. No.4/2/90-R.1 dated 5-12-1990].

4.7 Re-employment beyond Superannuation in Unavoidable Cases

The Ministries/Divisions are advised not to initiate cases of re-employment of civil servants beyond the age of superannuation unless that is considered unavoidable due to non-availability of his replacement and the importance and sensitivity of the job which must be clearly brought out while initiating any such proposal.

[Authority.- Estt. Division’s O.M. No.4/1/93-R.1 dated 27-8-1995].

5.1 Continuation in Service Beyond Superannuation

The Prime Minister has taken serious notice of cases in which civil servants were allowed to continue in service beyond the date on which they attained the age of superannuation or completed the specified period of their re-employment on contract simply on the grounds that proposals for their re-employment beyond the age of 60 or beyond the period of re-employment had been submitted or were being submitted. This practice is in violation of government's clear instructions issued time and again. In this connection, attention is invited to circular (d.o. letter No. 4/1/84-R.I dated 20-6-1984).

* Prime Minister.

2. The procedure for employment of civil servants after retirement should be strictly followed. It should particularly be ensured that all proposals for re-employment beyond the age of 60 or for extension of the period of current re-employment are made at least 6 months before the date of attaining the age of superannuation or the date of expiry of the current period of re-employment, as the case may be.

3. Incase a proposal for re-employment has been submitted and no decision has been received by the date on which the civil servant concerned attains the age of 60 or completes the current period of re-employment, it is the responsibility of the head of office to ensure that the civil servant relinquishes the charge on such date.

[Authority.- Establishment Secretary's D.O. No. 4/1/84-R.1, dated 8-8-1985].

5.2. Guard Against Unauthorised Overstayal after Superannuation/on Expiry of the Period of Contract Re-employment

It has been observed by the Establishment Division in certain cases that officers on superannuation or on expiry of contract re-employment continue in office which is violation of the existing instructions issued on the subject from time to time. Attention is invited to this Division's D.O. letters No. 5/10/83-E-4, dated 23-4-1983, No.4/1/84-R.1, dated 20-11-1986, O.M.No.4/1/84-R.1, dated 2-9-1990 and O.M. No.4/2/90-R.1, dated 5-12-1990.

2. In view of the above, all the Ministries/Divisions are requested to ensure that the instructions already issued by the Establishment Division are complied with in letter and spirit and no officer is allowed to continue in office after superannuation/on expiry of the period of contract re-employment unless prior approval of the competent authority is obtained in advance. In case of unauthorized overstayal, the financial liability for such an irregularity shall rest upon the head of the department and the officer concerned himself.

3. Ifit is intended to get the retiring person re-employed on contract in public interest or to get his contract extended, a proposal in the form of a summary for the Prime Minister should be submitted to Establishment Division about six months in advance from the date of his retirement from service/expiry of the contract so that Establishment Division could have sufficient time to process it properly.

4. The proposal for re-employment on contract/extension in contract should invariably contain the following information:-

(a) A brief report on the performance of the officer during the period of his contract re-employment (only for the cases for extension in contract).

(b) Certificate that the proposed re-employment/ extension in contract will not create promotion blockade for the departmental officers.

(c) Steps taken to train a substitute of the officer and a statement of circumstances in which no officer could be groomed to take up the assignment.

5. No request for grant of ex-post-facto approval to the contract re-employment/ extension in contract, in any circumstances, will be entertained.

6. All the Ministries/Divisions are requested to strictly abide by the above guidelines. If a proposal, floated on the subject, either fails to give adequate information, as mentioned above or is not received in the Establishment Division in time, the same will be liable to be summarily rejected by the Establishment Division and will not be processed further.

[Authority.- Estt. Division's O.M. No.3/16/99-CP-6, dated 26-5-1999].

5.3. Request for Re-employment by Officers Retired Voluntarily

As per existing policy of the government, re-employment of retired civil servants beyond superannuation is not encouraged except in cases when a civil servant possesses such expertise that his services are irreplaceable.

2. The Prime Minister has been pleased to decide that requests for re-employment of ex-civil servants, who have voluntarily retired from service, shall be summarily rejected. Ministries/Divisions are advised not to initiate any such proposal in future.

[Authority.- Estt. Division's O.M. No.4/1/96-R.1, dated 16-11-1996].

5.4 Permission to Seek Private Employment by Civil Servants During LPR and Within Two Years of Retirement

A revised proforma, required to be filled in by civil servants who may be desirous of seeking private employment, during LPR or within two years of the date of the retirement, in accordance with section 14 of the Civil Servants Act, 1973 is enclosed (Annex).

2. All Ministries/Divisions are requested to circulate the above instructions and ensure that these are observed by their employees.

[Authority: Estab. Div.'s OM No. 8/1/83/D4/D3, dated 17" July, 2002]

(Annex)

APPLICATION FORM FOR SEEKING PRIVATE
EMPLOYMENT DURING LPR/WITHIN TWO YEARS OF RETIREMENT

2. Appointments held during last 5 years of service:

Post(s) held Department(s)/Organization(s) Total Period of
with BPS Stay
From To

Nature of Retirement (*):...
Date of Proceeding on LPR: .
Date of Retirement: .....0...0ccs eee ee eee

Daw Rw

Particulars of Private Employee: .....
(i) Name of organization

(ii) | Law under which registered: .
(iii) Composition of the Board of Directors: ..... cee
(iv) Nature of business ete: 0008
(v) Location of Head Office: .....

7. Designation of the Post and Pay Offered: .
8. Nature of duties: .....0. cscs e cece cece eee
9. Whether the firm had official dealings with any of the department in which the

officer served during the last five years. If so please give details:

“10. Any other information
Signature
with Designation/BPS
of last post held and
Organization
(i) On attaining the age of superannuation.
(ii) Voluntary retirement on completion of 25 years service,
(iii) Premature retirement, under Section 13(1)(i) of Civil Servants Act, 1973.
(iv) Compulsory retirement on account of disciplinary action.
(v) Retirement on medical grounds.
(Additional sheet(s) may be added where necessary)

*PI. indicate one of the following:

(a) Voluntary retirement on completion of 25 years service.

(b) Retirement on attaining the age of superannuation (60 Years).
"10 (iii) to read with 3.

5.5 Permissions Granted by the Provincial Governments to Officers of All Pakistan Services/Federal Government Officers

The Chief Secretaries of Provincial Governments are allowed to grant permission to the officers belonging to All Pakistan Services who are, for the time being, serving in the Provinces under the Government Servants (Conduct) Rules, 1964.

2. These officers apply for any permission later during their posting in the Federal Government and usually refer to the previous permission(s) obtained by them during their posting in the provinces. As the Establishment Division generally have no intimation/record of such permission(s), it becomes difficult for Establishment Division to deal with such cases in their time perspective.

3. To help keep the record complete and up to date in the Establishment Division, it is requested that;

(i) | Copy of each request of Federal Government servant and order passed thereon by Chief Secretary may be sent to Establishment Division.

(ii) Similar information in regard to cases processed during calendar year 2000 onwards may be sent.

[Authority: Estab. Div.'s OM No. 1/3/99.D.3, dated 8" October, 2002]

6.1. Ex-Government Servants (Employment with Foreign Governments) (Prohibition) Act, 1966 (Act No. XII of 1966)

An Act*™ to prohibit ex-Government servants from seeking or taking up employment with a Foreign Government or Foreign Agency.

WHEREAS, in the interest of the security of Pakistan, it is expedient to prohibit Ex-Government Servants from seeking or taking up employment with a Foreign Government or Foreign Agency;

AND WHEREAS the national interest in relation to the security of Pakistan requires Central legislation in the matter under clause(2) of Article 131 of the Constitution;

It is hereby enacted as follows:-

1. Short title, extent and commencement.— (1) This Act may be called the Ex-Government Servants (Employment with Foreign Governments) (Prohibition) Act, 1966.

(2) It extends to the whole of Pakistan.
(3) It shall come into force at once.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,—

* Article 241, Constitution of Pakistan, 1973 provides for continuance in force of laws, rules and orders consistent with the provisions of the Constitution, 1973.

(a) “ex-Government servant” means any person who was, at any time, appointed or employed as an officer or servant of the Central Government or a Provincial Government and has ceased to be so appointed or employed;

(b) “foreign agency” means any office or establishment of the diplomatic or consular representative of a foreign Government by whatever name called and includes any information, public relations, trade or commercial agency, service, centre or foundation established or maintained by any such Government or by any person who is a national of a foreign country; and

(c) “foreign Government” means the Government of a foreign country.

3. Prohibition of employment, etce.— (1) No ex-Government servant shall, except with the previous permission in writing of the Federal Government or a person “[or authority authorized by it in this behalf] seek or take up employment as an officer or servant of a foreign government or a foreign agency.

(2) No ex-Government servant who is, at the commencement of this Act, in the service of a foreign government or a foreign agency shall, except with the permission in writing of the *Central Government, continue in such service after the expiry of three months from such commencement.

““T4, Penalty Whoever contravenes the provisions of section 3 shall be punishable with imprisonment for a term which may extend to seven years, or with fine which may extend to fifty thousand rupees or with forfeiture of property, or with any two or more of the said punishments].

[Authority.- The Act Published in the Gazette of Pakistan Extraordinary Part-I, dated 7-7-1966].

6.2 Ex-Government Servants Employed by UN Agencies

Ex-Government servants employed by U.N. or its agencies are not affected by the Ex-Government Servants (Employment with Foreign Governments) (Prohibition) Act, 1966 (Act No. XII of 1966).

[Authority.- Para 3 of Ministry of Foreign Affairs Circular No. SS (A) EGS/66, dated 17-12-1966].

6.3 Production of Certificate of Physical Fitness by Retired Government Servants on Re-employment to Gazetted Posts

Under S.R.4-A (6), retired government servants re-employed immediately after retirement are exempted from producing medical certificate of health. It has, however, been noticed that the appointing authorities do not insist upon the production of a medical certificate even where there has been a break between the retirement and re-employment of the government servants. The attention of the Ministries/Divisions is drawn to the provisions of the said rules and it is stated that the medical certificate of health should be

. Now Federal.
“ Section 3, as amended vide Ordinance No. XXIX of 1984, dated 27-6-1984.
““* Subs. vide Ordinance No. XI of 1982, dated 18-5-1982.

obtained in all cases in which an interval occurs between government servant's retirement and re-employment.

[Authority.- Estt. Division’s O.M. No. 5/5/49-Ests. (SE), dated 23-8-1949].

6.4 Re-employment and Medical Examination

The orders contained in the Ministry of Finance Office Memorandum No. 20-F. 38(1) RI/(2)/54, dated the 17" August, 1954 (Annex) also apply to the cases of re-employment to Gazetted posts when an interval occurs between the retirement and re-employment of a government servant. A medical certificate of health is necessary in such cases under the orders contained in the Establishment Division Office Memorandum No. 5/5/49- Ests. (SE), dated the 23" August, 1949.

[Authority.- Estt. Division’s O.M. No.15/28/ 54-SEIL, dated 4-5-1955].

(ANNEX)

[Copy of Finance Division O.M. No. 20-F. 38(1) RI/(2)/54, dated the 17th August, 1954].

The question has been raised whether candidates appointed direct to Gazetted posts under Central* Government should be examined by a Medical Board or by a Civil Surgeon. Since those orders are not clear on some points the question has been reconsidered and it has been decided that —

(ii) Persons already in temporary service under Federal Government whether in Gazetted or non-Gazetted posts will also be subject, mutatis mutandis, to the general rules in (i) above; provided that any person appointed to a post not likely to last for more than a year who has already been medically examined by an authority not lower than a Civil Surgeon in respect of a previous post need not undergo examination again until and unless the period of the post is extended beyond one year. If such a person has already been examined by a Medical Board in respect of his previous appointment and if standard of medical examination prescribed for the new post is the same, then he need not be required to undergo a fresh medical examination before confirmation.

(iii) A person, who is already permanent or quasi-permanent in a post under the Federal Government, need not be medically examined on appointment to a Gazetted post; provided that if the new appointment is not in normal line of promotion of the person concerned and requires a different medical standard from that required in his permanent or quasi-permanent appointment or the rules for recruitment to the new appointment prescribe a fresh medical examination in respect of all candidates, he shall undergo a fresh medical examination by the prescribed standard and by the prescribed medical authority.

2. These orders will not have retrospective effect and cases already decided need not be re-opened.

* Federal

3. These orders do not apply to the medical examination of persons recruited through competitive examinations held by the Federal Public Service Commission, the rules for which make separate provision for the purpose.

Note:— The above orders also apply to female candidates appointed to Gazetted posts vide Establishment Division letter No. 1/15/58-SEI, dated 27-5-1958, reproduced at Serial No. 5 of Part IV of the Ministry of Finance's Compilation of General Orders (2" Edition).

6.5 Fixation of Pay and Allowances of Re-employed Government Servants — Principles for Fixation of Pay

The question of formulating a uniform policy in regard to the fixation of pay of retired government servants re-employed under the Government of Pakistan and in autonomous bodies had been under the consideration of the Ministry of Finance for some time past. The President has now been pleased to decide that, in supersession of all previous orders on the above subject, the pay of retired government servant on re-employment shall be fixed in accordance with the following principles:-

(i) | Where the new post carries a fixed pay, he should be allowed the pay of that post less pension.

(ii) Where the new post carries a time-scale of pay:-

(a) If the substantive pay last drawn by the officer before retirement was less than the minimum of the scale of the new post, he should be allowed the minimum of the scale less pension.

=

(b) the substantive pay last drawn was more than the minimum of the scale but less than the maximum of the scale of the new post, his pay ould be fixed at the stage in the scale corresponding to the pay last lrawn, or if there be no such stage, at the next lower stage in the scale.

From the pay so fixed the amount of pension should be deducted.

wo

(c) Where the substantive pay last drawn was more than the maximum of the scale of the new post the pay should be fixed at the maximum less pension.

(iii) A re-employed government servant should earn increments in all cases where pay has been fixed in a scale at a stage lower than the maximum.

(iv) In case a re-employed pensioner is promoted to a higher post, his pay should be fixed in such a manner as if he was a serving officer with the difference that from the pay so determined the pension would be deducted.

(v) Ina case where officiating pay higher than the substantive pay was drawn for a continuous period of 3 years or more immediately before retirement, the

officiating pay drawn before retirement may be treated as substantive pay for the purpose of these orders.

2. The above principles should be made applicable to employment in autonomous bodies and public limited companies in which government holds controlling shares.

3. These principles should be followed in case of appointments to statutory posts as those of Governors, Speakers, Ministers etc. A retired official appointed to any statutory post should draw the pay of the post less the amount of pension drawn by him.

4. — The pay of the retired military personnel, re-employed in civil posts, may also be fixed in accordance with the above principles. In their case substantive pay shall also include the following elements; provided that they were drawn before retirement/release/leave/leave pending retirement for a continuous period of 3 years or more:—

(a) Command/Staff/Charge Pay.
(b) Instructional pay.

(c) Qualification pay.

(d) Disturbance Pay.

5. | The word ‘pension' wherever used in these orders means pension before commutation and/or surrender.

6. | These orders will have effect from the date of issue of this Office Memorandum.

[Authority.- Finance Division’s O.M. No.F. 4(7)-Regs.7/72, dated 1-1-1973].

6.6 Grant of Allowances During Re-employment/
Contractual Appointment

The queries have been received from different quarters about the payment of Orderly Allowance, Senior Post Allowance and Qualification Allowance (where admissible) during re-employment/contractual appointment. It is clarified that these allowances are not admissible during re-employment/contractual appointment because:—

(1) 100% Orderly Allowance is already included in pension, as Special Additional Pension.

(2) Similarly, Senior Post Allowance also forms part of pension. Moveover, this allowance is admissible to civil servants: whereas a contractual appointee is not a civil servant.

(3) Qualification Pay also forms part of pension. This has been examined many times in the past. The view has been:

“QP is not admissible because, the philosophy at the time of its introduction was to encourage the government officers in service to do the higher courses and was made a condition for future promotion. It was meant as an incentive for government's regular, permanent officers who are in service. Moreover, the Qualification Pay is counted towards pension. As such, there cannot be two benefits at the same time, as the officer was already drawing.”

2. — If these allowances are again granted on re-employment, it will amount to duplication. This policy is being kept in mind while vetting the terms and conditions of contractual appointments and the payment of the above discussed allowances is not allowed to retired government servants.

[Authority.- Finance Division's O.M. No. 5(4)R-3/96 dated 16-4-1996].

6.7 Fixation of Pay of Retired Government Servants Civil/Military Re-employed under the Government and in Autonomous Bodies

The question of fixation of pay of retired government servants, civil and military, on re-employment in civil posts under Federal Government and in autonomous bodies has been reviewed by government and the President has been pleased to decide that re-employment and re-employment pay of retired government servants shall henceforth be regulated in accordance with the following principles:-

(1) Post on which re-employment shall be made

(i) | Re-employment of retired civil servants shall be made in *grades equivalent to substantive *grade or temporary *grade if held for one year by the government servant before retirement.

(ii) In the case of officers of armed forces, re-employment shall be made on contract in accordance with the instructions contained in the Establishment Division O.M. No. 14/5/78-D. III, dated 10-2-1980 in the case of civil posts and in the light of orders issued in pursuance of the Establishment Division No.14/5/78-D.III, dated 11-2-1980 in the case of autonomous bodies. The equivalent grade in the civil post shall be determined according to the equivalence formula approved by the President.

(I) Pay on re-employment under clause (I) above.

(i) (a) When a retired civil servant is re-employed under Federal Government after superannuation or after completion of 30 years pensionable service, his initial pay shall be fixed at the minimum of the pay scale of the post in which he is re-employed.

(b) When a retired civil servant is re-employed under the government owned/controlled autonomous/ semi-autono-mous bodies and corporations after superannuation or after completion of 30 years pensionable service, the initial pay of such a government servant shall be fixed at the minimum of the scale of pay of the post in which he is re-employed.

(c) Are-employed government servant would earn increments under normal rules.

(d) In addition to pay, as indicated in clause (a) and (b), full pension shall be admissible to the re-employed civil servant.

BPS.

(ii) (a) When a retired military officer of the rank of Major/ equivalent and above is re-employed under Federal Government or under an autonomous body in accordance with clause I (ii), his pay may be fixed at the minimum of the equivalent grade in which re-employment is made and, in addition, full service pension as admissible under the rules shall be paid. The pay scale of the post shall for this purpose be determined with reference to the equivalence formula mentioned in Clause I (ii).

(iii) The pay of retired government servants other than those covered by I & II shall be fixed in accordance with the Ministry of Finance O. M. No. F. 4(7) Reg. 7/72, dated 1-1-1973 referred to above, as amended from time to time.

2. Existing re-employed retired civil servants may opt to be governed by the existing rules/orders or by the revised orders in this Office Memorandum. Where such a government servant opts to be governed by the revised orders, his initial pay should be re-fixed at the minimum of the scale of the post held by him with effect from the Ist of the month in which option is given and pension may be allowed in addition as provided in part (ID (i) above.

3. Existing retired officers of the armed forces of the rank of Major/equivalent and above who were re-employed in civil posts for a specified period may opt either to be governed by their existing terms and conditions or by the revised orders in this Office Memorandum. Where such re-employed officers opt to be governed by the revised orders, they will be brought on the revised terms and conditions with effect from 23rd December, 1979 on which date the President was pleased to approve the scheme published vide Establishment Division O.M. No.14/5/78-D. III, dated 10-2-1980. From that date, their re-employment would be converted into re-employment on contract on the terms and conditions laid down in the O.M. of 10-2-1980 for the remaining term of their re-employment or for a period of 3 years, whichever is less. Their pay will be re-fixed at the minimum of the scale of the post held by them w.e.f 23-12-1979, and if the pay so fixed plus pension is less than the pay received by them immediately before 23-12-1979, the difference shall be allowed as personal pay to be absorbed in future increase of pay.

4. The option will be submitted to the Audit Officer concerned under advice to the Ministries/Divisions, Departments or offices administratively concerned.

[Authority.- Finance Division’s O.M. No.F.4(4)-Reg.7/78 dated 20-3-1980].

6.8 Principle of Equivalence — Defence Services and National Pay Scales

The President has been pleased to approve the following ‘principle of equivalence’ between the rank held in the Defence Services with appointment in “National Pay Scales.

Defence Service Rank

Major General *Grade-21 or 22 at the

* Basic Pay Scales.

and equivalent discretion of the Government.

Brigadier and *“Grade-20.
equivalent.

Colonel and *Grade-19
Lt. Colonel (with

18 to 20 years

commissioned

service) and

equivalent.

Major and *Grade-18
equivalent.

Captain and *Grade-17
equivalent and

Lt. 2/Lt. and

equivalent.

[Authority.- Estt. Division's Circular No. 16/4/79-AV, dated 8-8-1979].

7.1. Re-employment — Pay Fixation

Reference sub-clauses (i) (b) and (ii) (a) of clause II of para 1 of this Division's O.M. No. F. 4(4) Reg. 7/78, dated 20th March, 1980 laying down the method of fixation of pay of retired civil and military officers on appointment to posts in government owned/controlled autonomous and semi- autonomous bodies. The position has been further reviewed with particular reference to re-employment against a post in an autonomous/semi-autonomous body or corporation included in Management *Grades vide Finance Division O. M. No. F. 6(27) Imp. 1/79, dated 30" April, 1980, and appointment to which is, by law, required to be made and the salary of which is required to be fixed, by the Federal Government. It is clarified that in the case of such re-employment, the re-employed officer, civil or military, shall be entitled to draw minimum of the rank/*grade from which he has retired. In addition, he will be entitled to pension and pre-requisites attached to the management post concerned.

[Authority.- Finance Division’s O.M.No.F.4(4)-Reg.7/78-1520, dated 30-11-1980].

72 Re-fixation of Pay After Introduction of
Revised National Pay Scales

Under the existing orders, the pay of a retired government servant who has been re-employed under the Federal Government or in an autonomous body or public limited company in which government holds controlling shares and who has not attained the age of 60 years, is required to be fixed after taking into account the amount of gross pension,

* For Grade, read ‘BPS’.
* For Grade, read ‘BPS’.

i.e. pension before commutation and/or surrender. Consequent upon the liberalisation of pension rules for civil servants vide Finance Division O.M. No. F. 6(l)-Rev. 1/75, dated 7-1-1977 the amount of gross pension in the case of existing pensioners is also required to be enhanced with effect from 1-2-1977 in accordance with the provisions of paras 3 and 8 of the above mentioned O.M., with resultant adjustment in the pay.

“2. It has been decided that, consequent upon the introduction of Revised National Scales of Pay, the pay of retired government servants re-employed since before 1-5-1977 who have been drawing, or may elect to draw, pay in, or with reference to the National Scales of Pay shall, with effect from Ist May, 1977, be fixed in the relevant revised National Scales of Pay in the manner indicated below:-

(i) | In the case of a re-employed government servant who has not attained the age of 60 years on 1-5-1977, the initial pay in the relevant Revised National Scale of Pay shall be fixed at the stage equal to, or if there is no such stage, at the stage next above, the amount arrived at by allowing an increase of 10% over the aggregate of the basic pay, which for this purpose shall be taken as inclusive of gross pension, i.e. pension before commutation and/or surrender, and the dearness allowances that would have been admissible thereon, but for these orders, on the 1st May, 1977. The pay so re-fixed shall then be reduced by the amount of gross pension and the amount of pension will continue to be drawn separately in addition to the pay so determined, subject to the condition that pay plus pension shall be limited to the maximum of the Revised National Scale of pay or the last pre-retirement substantive pay inclusive of dearness allowances, whichever is more.

(ii) In the case of a re-employed government servant who has already crossed the age of 60 years before 1-5-1977 and is thereby entitled to draw pension in addition to pay of the post vide this Division O.M. No.F.4(3)-R.7/76, dated 17-2-1976 (Annex), the initial pay in the relevant Revised National Scale of Pay will be fixed as in (i) above on the basis of the pay he is entitled to draw in accordance with the above mentioned O.M., together with the dearness allowances subject to the pay so fixed not exceeding the maximum of the Revised National Scale of Pay. The amount of pension shall not figure in the calculation anywhere and shall in his case continue to be drawn separately in addition to the pay so fixed.

3. | When the pay of an existing re-employed government servant is fixed in the revised National Scale of Pay, the amount of Dearness Allowance, Special Dearness Allowance and Additional Dearness Allowance shall cease to be admissible with effect from Ist May, 1977.

4. Inthe case of a retired government servant employed on or after 1-5-1977, the initial pay shall be fixed in the revised National Scale of Pay in accordance with the relevant orders for the time being in force, provided that the last pre-retirement pay in his case would be taken as inclusive of the amount of Dearness Allowance, Special Dearness

“ Subs. vide Finance Division’s O.M.No.F.1(4)Imp/77 dated 30-7-1977.

Allowance and Additional Dearness Allowance, actually drawn or which would have been drawn, on the date of retirement.

5. For the purpose of grant of allowances, the pay or basic pay on which the allowances are to be calculated would, in addition to actual pay drawn, also include the amount of gross pension which had been taken into account for the purpose of determination of pay during the period of re-employment.

[Authority.- Finance Division’s O.M. No. F. 1(4)-Imp.11/77, dated 14-5-1977].

(ANNEX)
[Copy of Finance Division O.M. No. F. 4(3)-R. 7/76, dated the 17th February, 1976].
SUBJECT:- Fixation of Pay, of Retired Civil Servants Re-employed in the

Government of Pakistan and in Autonomous Bodies.

A reference is invited to the Finance Division's O. M. No. F. 4 (7)Reg. 7/72, dated the Ist January, 1973 read with O.M. No. F. 4(6)-Reg. 7/73, dated the 22nd August, 1974 and it is stated that according to the instructions issued therein, the salary of a re-employed pensioner, as determined with reference to the scale of pay of the post to which he is appointed, is to be reduced by the amount of his gross pension. The position has been further reviewed and it has been decided that, in partial modification of the instructions referred to above, a retired civil servant who is re-employed after, or continues to be re-employed beyond, the age of 60 years, he may, with effect from the date of his appointment or of attaining the age of 60 years, as the case may be, allowed to draw his pension in addition to the pay of the post.

2. The above decision will be applicable to retired government servants appointed to posts, other than statutory posts, under government or in autonomous bodies and public limited companies in which government hold controlling shares.

3. The pay of the existing re-employed pensioners of the above categories shall be re-fixed in accordance with these orders with effect from the date of issue of this Office Memorandum.

7.3 Leave Salary Admissible
During Re-Employment

The government servants who proceed on leave preparatory to retirement on voluntary premature retirement on proportionate pension on completing 25 years of qualifying service and re-employed during LPR under the *Central or a Provincial Government or in an autonomous or semi-autonomous corporation or body set up by or under the control of the *Central or Provincial Government or in a local body or Local Fund, will be entitled to leave salary, which shall be restricted to the amount of anticipated pension in accordance with Government decision below F.R. 69.

[Authority.- Finance Division’s O.M. No. F.2(59)-R.1/79, dated 22-7-1979, read with O.M. No. F. 2(59)-R.1/79, dated 5-7-1980].

* Federal.

PART-II

TERMINATION OF SERVICE AND DIRECTORY RETIREMENT

I. TERMINATION OF SERVICES

8.1 C.S.R. 436. Notice of Discharge on the Abolition of Post to Permanent Employees

Reasonable notice should be given to an officer in permanent employ before his services are dispensed with on the abolition of his office. If, in any case, notice of at least three months is not given, and the officer has not been provided with other employment on the date on which his services are dispensed with, then, with the sanction of the authority competent to dispense with the officer's services, a gratuity not exceeding his emoluments for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the pension to which he may be entitled under *these regulations; but the pension shall not be payable for the period in respect of which he receives a gratuity in lieu of notice.

1. The gratuity prescribed in this Article is not granted as compensation for loss of employment but only in lieu of notice of discharge with a view to mitigating the hardship caused an officer by the sudden loss of employment. When, therefore, an officer discharged without notice is provided with some other employment on the date on which his services are dispensed with whether that re-employment be in qualifying or non-qualifying service, he is not entitled to any gratuity.

2. Unless it contains an express statement to the contrary, an order for the abolition of an office or appointment shall not be brought into operation till the expiry of three months after notice has been given to the officers whose services are to be dispensed with on such abolition. The immediate head of the office or the department will be held responsible that there is no necessary delay in giving such notice. In the case of an officer on leave, the order shall not be brought into operation until the leave expires.

Note.—'Emoluments" in this rule means the emoluments or leave allowances (or partly the one, partly the other) which the officer would be receiving during the period in question had the notice not been given to him.

CSR 436-A. Whenever it is found necessary to determine the service of an officer serving under a contract within the period of his agreement, a specific intimation of the determination of the agreement and of the grounds on which it has been determined shall be furnished to the officer in writing.

* Added vide Finance Division's Notification No. D.203-RSII/69, dated 24-02-1969.

8.2. Termination of Service of Temporary Government Servants

A civil servant is not necessarily in temporary employment merely because of a statement in the order of appointment that his appointment will be purely temporary and liable to termination at any time without any notice or reasons being assigned. No civil servant is a temporary employee as long as the employment is for an indefinite period or against a post which continues to exist for an indefinite period. It is extremely difficult to attribute to the legislature an intention to clothe the authorities concerned with arbitrary powers of terminating the services of a civil servant in their discretion without assigning any reason. The courts have always been reluctant to interpret these provisions in a manner as would justify the externment of an employee without any justification.

2. Further, after the enactment of Civil Servants Act, 1973, the services of a civil servant can either be terminated under Section 11 of the Act or under “Government Servants (E&D) Rules, 1973. It is not possible to spell out any power to terminate the services of an employee without notice and without assigning any reason from the provision of sub section (3) of Section 11 of Civil Servants Act, 1973, especially in the presence of the provisions of sub-section (1) thereof regarding termination of service during the initial or extended period of probation. If an employee has passed through the period of probation to the satisfaction of the competent authority, he is no longer a temporary employee within the meanings of sub-section (3) if his employment is for an indefinite period or against a post which continues to exist for an indefinite period.

3. In the light of the above advice of the Justice Division services of an employee can no more be terminated without notice and without assigning reason.

[Authority.- Extract from Estt. Division’s O.M. No. 31/64-86-R-3 dated 20-4-1987].

8.3. Termination of Services of Officers Employed on Contract

It has been decided by the government that officers employed on contract normally be given 3 months' notice clause in the contract.

2. All concerned are, therefore, requested to keep in view the above decision when appointing an officer on contract and to stipulate in the agreement that the services of the officer employed on contract may be terminated on 3 month's notice on either side even before expiry of the period of the contract.

[Authority.- Estt. Div.’s O.M. No. 13/2/66-D.I. dated 27-6-1966].

* Now Civil Servants (Efficiency and Discipline) Rules, 2020.

II. REVERSION

9.1 Reversion to Lower “Grade/Post

Fundamental Rule 29.-If a Government servant is, on account of misconduct or inefficiency, reduced to a lower BPS or post, or to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration, it shall operate to postpone future increments and if so, to what extent.

Auditor General's Decision.-Having regard to the principle underlying Fundamental Rule 29, the question as to whether an increment falling due during the period of reduction should or should not be allowed is one necessarily to be decided with reference to the exact terms of the orders of the punishing authority. If the Audit Officer feels any doubt about the intention underlying the orders of the punishing authority, he has simply to ascertain it and act accordingly.

[Authority.- Auditor General's letter U.O. No. 917/308-42, dated 19-12-1942].

9.2 Imposition of Penalty for Specific Period

It has been noted that the “Government Servants (E&D) Rules do not require an authority to specify the period for which any penalty mentioned in Rule 4 (1) shall be effective, although according to Fundamental Rule 29 it is imperative for him to do so. To resolve this apparent discrepancy between the two rules, it is decided that in imposing a penalty under Rule 4 (1) of **Government Servants (E&D) Rules care should be taken to see that such an imposition is for a specified period and it should be stated whether, on restoration, it shall operate to postpone future increments and, if so, to what extent in order to make it in conformity with Fundamental Rule 29.

[Authority.- Estt. Division’s O.M. No. 2/3/65-DI, dated 7-8-1965].

9.3 Reversion to Parent Group/Cadre

Instances have come to the notice of the Establishment Division where officers inducted into the Secretariat Group have asked for reversion to their original Group. This defeats the purpose of horizontal movement which was envisaged under the Administrative Reforms to ensure a fair representation of officers with varied experience at policy making levels in the Federal Government. It has, therefore, been decided that officers ‘inducted into an Occupational Group with their consent, will not in future be allowed to opt out.

2. | However, officers of the Secretariat Group can be posted to other groups for exigencies of service and in public interest.

[Authority.— Estt. Division’s O.M. No.7(3)76-AV, dated 4-6-1980].

9.4 Reversion of Ad-Hoc Appointees

Ad hoc appointees cannot be promoted to higher grade vide Estt. Division O.M. No. 3/29/70-D. III, dated the 7” January, 1971. The question of determination of the

“BPs.

™ Civil Servants (Efficiency & Discipline) Rules,2020.

seniority of the ad hoc appointees for purposes of promotion, therefore, does not arise. However, sometimes the question which does arise is as to which one of the several ad hoc appointees should be reverted when the F.P.S.C. qualified candidates become available. It has been decided that reversion should be made in the reverse order of ad hoc appointments. However, when the date of ad hoc appointment of more than one officer is one and the same, the reversion should be made in the reverse order of the seniority in the lower BPS if available, otherwise the younger in age should revert first. Reversion, for the purposes of this O.M., includes termination of service where the ad hoc appointee was recruited directly from outside.

[Authority.- Estt. Division's O.M. No.1/8/72-DIII, dated 4-5-1972].

9.5 Departmental Promotion Committee not Concerned with Demotions/ Reversions

It appears from references made recently to the Establishment Division that the scope and functions of Departmental Promotion Committees* are not clearly understood. In certain cases, government servants officiating without any condition in higher grades have been demoted on the recommendation of Departmental Promotion Committees. It is necessary, therefore, that the position should be clarified.

2. As their name indicates, the function of Departmental Promotion Committee is to make recommendations in respect of promotions and there is nothing in Establishment Division Office Memorandum No. 33/1/47-Ests. (SEII), dated the 29th January, 1948 which relates to the constitution of these Committees to suggest that these Committees have been given the power to recommend the demotion of an officiating officer (Please see Note below).

3. | What Departmental Promotion Committees should do is to prepare a list of officers whom they consider fit for promotion. They should revise this list periodically which means that they can either add to, or subtract from it. An officer who has been substantively promoted to a higher BPS will not, of course, figure in this list. Similarly, an officer who has been promoted to officiate in a substantive vacancy for an indefinite period should not appear in the list because he is for all practical purposes to continue in the higher BPS. In other words, the officers whose names will be shown in the list maintained by these Committees will be those who have not been promoted to a higher BPS in any capacity or who have officiated off and on or who are officiating against leave vacancies or in temporary posts of short duration and are, therefore, liable to revert in the normal course to the lower grade.

[Authority.- Cabinet Secretariat, Estt. Branch O.M. No.F.33/49-SE, dated 18-6-1949].
Note below:—

Para No. 2 of Sl.No. 2.6 requires to be read with Appointment, Promotion & Transfer) Rules,1973 and Civil Servants Promotion (BPS-18 to BPS-21) Rules,2019 regarding constitution and powers of DPC/CSB.

*Rule 2(d) of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 framed under the Civ Servants Act, 1973 contains the definition of the term "Departmental Promotion Committee".

IH. RESIGNATION FROM GOVERNMENT SERVICE

10.1 Acceptance of Resignation During
Pendency of Disciplinary Proceedings

The instructions contained in the Establishment Division Office Memorandum No. 5/3-A/52-ME, dated the 6th January, 1953 (Annex) can be interpreted to mean that the resignation of a government servant, whose conduct is under enquiry, can be accepted and the orders of dismissal or discharge can be passed in due course. The legal position, however, is that any orders of dismissal or discharge passed after retirement or resignation will be void, and inoperative on the ground that the person concerned does not remain in service as soon as his resignation has been accepted. The instructions contained in the Office Memorandum, dated the 6th January, 1953 (Annex) have, therefore, been considered further by the Establishment Division in consultation with the Ministry of Law and the following clarification is issued for the guidance of the Ministries, etc:-

(a) Service of a temporary government servant who has signed the undertaking can be terminated by the government on 14 days' notice.

(b) If such a government servant wants to terminate his employment, he should submit his resignation.

(c) The employer may or may not accept his resignation.

(d) If his resignation is not accepted on any ground, including the ground of disciplinary action outstanding against him, he continues to be in service inspite of his having given 14 days' notice of his intention to do so.

(e) He should not absent himself from office without leave.

(f) If his resignation is accepted, he does not continue his service, and his presence in office should not be insisted upon.

(g)_ In the event of his resignation having been accepted the disciplinary action standing against him, should not be proceeded with as he cannot be punished for the reason that he does not continue in service.

(h) | The undertaking prescribed for temporary employees does not reserve any right in a temporary government servant to terminate his employment by mere notice. He has to resign his post on the expiry of the notice and the resignation does not become effective unless it is accepted by Government.

[Authority.- Estt. Division’s O.M. No. 1/34/57-ME, dated 12-11-1957 read with O.M. No.1/3/57-ME, dated 9-5-1958].

(ANNEX)

[Copy of Establishment Division O.M. No. 5/3-A/52-ME, dated the 6th January, 1953].

A question arose whether temporary employees who have signed the prescribed undertaking should be allowed to resign if disciplinary proceedings are pending against

them. It has been decided, in consultation with the Ministry of Law, that if such a

government servant gives the prescribed notice of his intention to resign or forfeit his pay to the President in lieu thereof, his continuance in service should not be insisted upon. The person concerned should, therefore, be relieved of his duties but the departmental proceedings against him may be continued if considered necessary and formal orders passed.

10.2 Withdrawal of Resignation by Government Servants

The question whether resignation once tendered by a government servant before completion of 25 years qualifying service may be allowed to be withdrawn before or after its acceptance by the competent authority has been under consideration in the Establishment Division.

2. The following decisions have been taken in consultation with the Ministry of Finance:-

(i) Withdrawal of resignation before acceptance.-In case a government servant withdraws resignation before it is accepted by the competent authority, the resignation should be deemed to have been withdrawn.

(ii) Withdrawal of resignation after its acceptance but before it becomes effective (i.e. before the government servant concerned is relieved)—It should be open to the authority accepting the resignation to allow the government servant concerned to withdraw the resignation on the merits of the case.

[Authority.- Estt. Div.'s O.M. No. 8/13/69-F.1, dated 30-1-1970 read with Estt. Division's O.M.No.6/9/79-D.1., dated 19-6-1979]

10.3 Proposal for Resignation and Original Letter of Resignation

It has been observed that proposals for acceptance of resignation of officers of BPS-17 and above received in the Establishment Division for submission to the competent authority' are not accompanied by the original letter of resignation sent by the officer concerned. This requires a reference back to the Ministries/Divisions for obtaining the letter of resignation. All Ministries/Divisions are, therefore, requested to please ensure that the letter of resignation of the officer in original invariably forwarded alongwith the Summary for acceptance by the competent authority.

2. Besides, the Summary should contain information on the following points:-
(i) | Whether any dues are recoverable from the officer.

(ii) Whether any disciplinary proceedings are pending or are contemplated against him.

"With the delegation of powers of appointment to Secretaries of Ministries/Divisions/Head of Department except those Groups/Service administratively controlled by the Establishment Division in respect of civil servants in BPS 17 & 19, the position has changed. In respect of the resignation of the officers in BPS 17 borne on the Cadres/Groups/Service controlled by the Establishment Division and all the officers in BPS above, the orders are to be followed.

(iii) Whether the officer concerned is required to serve the Government for any specified period in accordance with the terms and conditions of his appointment. If so, whether that period has expired. If it has not expired, whether any money spent on his training etc, are recoverable in accordance with any rule or bond executed by him.

[Authority.- Estt. Division's O.M. No.1/11/80-D.1., dated 13-2-1980].

10.4 Resignation of Temporary Government Servants

Sub-section (3) of section 11 of the Civil Servants Act, 1973 makes the services of a civil servant subject to the provision of sub-section (2) liable to termination on fourteen days' notice or pay in lieu thereof. Cases have come to the notice of the Establishment Division in which a civil servant, who intends to resign from service, gives 14 days' notice or deposits 14 days' pay in lieu thereof. After expiry of the notice period or having deposited 14 days' pay in lieu thereof, and he absents himself from office without waiting for acceptance of his resignation. This is against the rules. There is no provision in the Civil Servants Act, 1973, whereunder a civil servant whether permanent or temporary who wants to terminate his employment is required to give or can give 14 days' notice or forfeit his pay to government in lieu thereof.

2. A civil servant, permanent or temporary, who wishes to terminate his appointment, should, submit his resignation in writing. The resignation shall not become effective unless it is accepted by the competent authority. Till such time the resignation is accepted, the civil servant concerned continues to be in service and cannot absent himself from his duties without proper leave. The position in this regard is already explained in the Establishment Division's O.M. No. 1/34/57-MS, dated the 12" November, 1957, read with O.M. of even number dated the 9" May, 1958.

[Authority.- Estt. Division's O.M.No.6/3/81-RI(DI), dated 26-7-1981].

10.5 Proposals for Resignation to be Self-Contained

Attention is invited to the Establishment Division's O.M. No.1/11/80-D.I, dated the 13th February, 1980. It is stated that inspite of instructions contained therein, the Ministries/Divisions have been sending proposals for acceptance of resignation of officers to the Establishment Division which are not self-contained. The proposals are neither sent in the form of a Summary nor are accompanied by the original letter of resignation of the officer. A number of such references also do not give the information as required in para 2 of the aforesaid O.M. This requires back reference to the Ministry/Division concerned causing delay in the disposal of the case. The Ministries/ Divisions are, therefore, requested to submit, in future, the cases of resignation strictly in accordance with the instructions contained in the Establishment Division's O.M. quoted above and may also keep in view the orders contained in O.M. No. 6/3/81-R.L, dated the 13" February, 1982.

[Authority.- Estt. Division's O.M. No. 15/11/84-R.2, dated 28-5-1984].

10.6 Procedure for Processing of Cases of Resignation of Officers

The Ministries/Divisions have been sending proposals for acceptance of resignation of officers to the Establishment Division after the officers have been relieved of their duties. In most of the cases, it has come to the notice of Establishment Division that government servants usually tender resignation from government service on 14 days' notice or forfeit pay in lieu thereof and absent themselves from duties without waiting for the acceptance of their resignations by the competent authority. If a person has submitted resignation from service he continues to be in service, inspite of his having given 14 days notice, till his resignation is accepted by the competent authority. If he absents himself from duty he is liable to be proceeded against under the "Efficiency and Discipline Rules, 1973 which may also result in dismissal from government service.

2. Ministries/Divisions are, therefore, requested to forward the cases for acceptance of resignation to the Establishment Division well in time and should not relieve the resigning officer from his duties till his resignation from service is accepted by the competent authority.

[Authority.- Estt. Division's O.M. No. 15/6/85-R.2 dated 3-3-1986].

10.7 Absence from Duty Without Leave

Cases have come to notice where government servants have applied for leave, but before the leave was sanctioned, have absented themselves from duty and left their station without permission, while government dues were payable by them on various accounts. In some cases, government servants have proceeded on short leave, and subsequently applied for extension of leave, which was not granted, whereupon they have resigned their appointments without clearing the government dues outstanding against them. Such behaviour on the part of government servants is not only undesirable but also contravenes the provisions of the Pakistan Essential Service (Maintenance) Act, 1952, which makes all employment under government an essential service. If any government servant, without reasonable excuse, abandons his employment or absents himself from work, he is liable to conviction to be punished with imprisonment and fine vide section 5 and 7 of the Act.

2. Itis, therefore, requested that the attention of all government servants may kindly be drawn to the provisions of the Act and they may be warned that any contravention of the Act renders them liable to prosecution. A number of prosecutions have already been instituted in the court and others are in contemplation.

[Authority.- Estt. Division's O.M. No. 11/1/60 E.V., dated 22-10-1960].

* Now Civil Servants (Efficiency and Discipline) Rules, 2020.

IV. DIRECTORY RETIREMENT
SI.No.11

*[Civil Servants (Directory Retirement from Service) Rules,2020

S.R.O. 320 (1)/2020.— In exercise of the powers conferred by sub-section (1) of Section 25 of the Civil Servants Act,1973 (LXXI of 1973) read with Notification No. S.R.O. 120(1)/98 dated the 27" February, 1998, the Prime Minister is pleased to make the following rules, namely:—

1. Short title and commencement.— (1) These rules shall be called the Civil Servants (Directory Retirement from Service) Rules, 2020.

(2) These rules shall come into force at once.

2. Definitions—{1) _In these rules, unless there is anything repugnant in the subject or context,—

(a) “Act” means the Civil Servants Act,1973 (LXXI of 1973);

(b) “competent authority” means the appointing authority in terms of Rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules,1973;

(c) “conduct unbecoming” means the conduct on the part of a civil servant that is contrary to public interests or which harms his standing or the standing of the civil service in the eyes of the public or is contrary to any prescribed law/rules/procedures/instructions and includes inefficiency on his part necessitating his directory retirement under these rules;

(d) “directory retirement” means retirement under clause (i) of sub-section (1) of section 13 of the Act read with sub-section (2) thereof;

(e) “retirement board” means a Board constituted under these rules for review of cases for the purpose of directory retirement in respect of civil servants in BPS-20 and above; and

(f) “retirement committee” means a committee constituted under these rules for review of cases for the purpose of directory retirement in respect of civil servants in BPS-19 and below.

(2) All other words and expressions used but not defined in these rules shall, unless the context otherwise requires, have the same meanings as assigned thereto in the Act and rules made thereunder.

3. Composition of retirement board.— There shall be a retirement board to recommend to the competent authority directory retirement from service in respect of civil servants in BPS-20 and above and shall consist of—

(a) | Chairman, Federal Public Service Commission Chairperson
(b) | Secretary, Cabinet Division Member
(c) | Secretary, Establishment Division Member

“Civil Servants (Directory Retirement from Service) Rules, 2020 has been repealed from ab-initio vide

Notification S.R.O No. 698(1)/2022 dated 30-05-2022.

(d) | Secretary, Finance Division Member
(e) | Secretary, Law and Justice Division Member
(f) | Secretary or head of the Division concerned, service Member
group or cadre administrator
(g) | Additional Secretary-II, Establishment Division Secretary

4. Composition of retirement committee—(1)

There shall be various

retirement committees in each Division or Department or office to recommend to the competent authority directory retirement from service in respect of civil servants in BPS-19 and below.

(2) The retirement committee for civil servants in BPS-

17 to 19 shall consist of—

Additional Secretary or in his absence Senior Joint Chairperson

(a) | Secretary or Joint Secretary of the Division concerned

(b) | Representative of Establishment Division not below BPS- Member
20

(c) | Representative of Finance Division not below BPS-20 Member

(d) | Representative of Law and Justice Division not below Member
BPS-20

(e) | Head of the Department or office concerned, other than a Member
Division “[or his nominee not below BPS-20]

(f) | Deputy Secretary of the Division concerned Secretary

(3) The retirement committee for civil servants in BPS-16 and below shall consist of —

(a) | Senior Joint Secretary or Joint Secretary of the Division Chairperson
concerned

(b) | Representative of Establishment Division not below BPS- Member
19

(c) | Representative of Finance Division not below BPS-19 Member

(d) | Representative of Law and Justice Division not Below Member
BPS-19

(e) | Head of the Department or office concerned, other than a Member
Division *[or his nominee not below BPS-19]

(f) | Deputy Secretary of the Division concerned Secretary

“Inserted & added vide Establishment Division’s S.R.O No. 1264(1)/2020 dated 23-11-2020.

“[4. The Retirement Committees of Department or Organization or office not related to any Ministry/Division, and having post with different nomenclature as mentioned in Sub-Rule (2) and (3) above shall consist of member(s) of equivalent rank(s) approved, on case to case basis, by the Establishment Division.]

5. Grounds for retirement.— (1) No civil servant shall be recommended for directory retirement under these rules, unless any one or more of the following conditions is/are fulfilled in his/her case—

(a) has earned average performance evaluation reports (PERs) or adverse remarks have been recorded in three or more PERs from three different officers, for a period not less than six months and have attained-finality after appeal thereagainst if any;

(b) has been twice recommended for supersession by the Central Selection Board (CSB), Departmental Selection Board (DSB) or Departmental Promotion Committee (DPC), as the case may be, or twice not recommended for promotion by the High Powered Selection Board and such recommendations have been approved by the appointing authority and the matter has attained finality;

(c) has been found guilty of corruption or has entered into plea bargain or voluntary return with National Accountability Bureau or any other investigating agency;

(d) _ has been on more than one occasion placed in category ‘C’ by the CSB, DSB or, as the case may be, DPC under the Civil Servants Promotion (BPS-18 to BPS-21) Rules, 2019; or

(e) has conduct unbecoming.

6. Procedure for directory retirement—(1) Each Division, Department or office shall maintain a list of civil servants who have completed service specified in clause (i) of sub-section (1) of section 13 of the Act alongwith complete service record.

(2) A review of the performance of all civil servants by the respective retirement board and retirement committees shall be conducted upon completion of service specified in sub-rule (1).

(3) Subsequent to the mandatory review upon completion of service under sub-rule (1) and prior to retirement at the age of superannuation or exercising the option of premature retirement, cases of civil servants shall be referred by the Secretary or Cadre Administrator concerned to the relevant retirement board or retirement committees, as the case may be, if it is determined that grounds for directory retirement as specified in rule 5 have become applicable.

(4) While referring cases to the retirement board or retirement committees either for mandatory review after service specified in sub-rule (1) or any subsequent review the Secretary or Cadre Administrator concerned shall ensure provision of relevant record,

* Inserted vide Establishment Division’s S.R.O No. 1264(1)/2020 dated 23-11-2020.

including complete facts, supporting documentary evidence, if any, duly authenticated service record, as well as such other record as may be considered relevant.

(5) The retirement board or retirement committees shall examine the referred cases and may recommend to the competent authority, giving specific reasons, directory retirement of a civil servant.

(6) If the competent authority, after examining the recommendations of the retirement board or retirement committees and other record placed before it, agrees with the recommendations for directory retirement of a civil servant, he shall issue a show cause notice to the civil servant concerned informing him of the grounds on which it is proposed to make the direction for directory retirement and shall provide him the opportunity of personal hearing if so requested by the civil servant concerned:

Provided that in cases where “[the President or] the Prime Minister is the competent authority, he may designate *[BS-22 officer(s) to issue show cause notice and also designated BS-22 officer(s) to grant] personal hearing to the civil servant(s) on his behalf.

(7) On receipt of reply of the civil servant and after giving him the opportunity of personal hearing, if any, where the competent authority is satisfied that further retention in service of the civil servant is not in the public interest, the competent authority shall pass order for directory retirement.

7. Retiring pension.— A civil servant against whom an order for directory retirement is passed by the competent authority shall be eligible for pension or other retirement benefits as the competent authority may, in public interest, directs.

8. Right of appeal or review.— A civil servant against whom an order for directory retirement is passed by the competent authority shall have the right of appeal or, as the case may be, review in accordance with the Civil Servants (Appeal) Rules, 1977.]

[Authority:— Establishment Division’s S.R.O No. 320(1)/2020 dated 15" April,2020]

“Ins. & Subs. vide Establishment Division’s Notification S.R.O No. 89(1)/2022 dated 10-01-2022.

CHAPTER 10

APPEALS, PETITIONS AND REPRESENTATIONS

(945 — 946)

Sl.
No(s).

CHAPTER 10
APPEALS, PETITIONS AND REPRESENTATIONS

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CHAPTER 10

APPEALS, PETITIONS AND REPRESENTATIONS

I. Appeals, Petitions and Representations

1.1 Civil Servants (Appeal) Rules, 1977

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

1. (1) These rules may be called the Civil Servants (Appeal) Rules, 1977.
(2) They shall come into force at once.
2. Inthese rules unless there is anything repugnant in the subject or context,—

“[(a) Appellate authority means.—
(1) _ in cases relating to discipline —

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

(ii) @[where the order is made by the officer, designated as authority under the rules specified in paragraph (1), the officer or authority next above the authority; and].

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

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

(b) *L]

(c) “penalty” means a penalty provided for in the ***Government Servants (Efficiency and Discipline) Rules, 1973.

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

i Subs. and omitted vide Establishment Division Notification S.R.O.No.178(1)/99, dated 24-3-1999.
The role of authorized officer has not been incorporated in Civil Servants (Efficiency & Discipline) Rules,2020, therefore, it may be presumed as Authority in the meaning of Rule 2 (c) Civil Servants aa Efficiency & Discipline) Rules,2020.
Now Civil Servants (Efficiency & Discipline) Rules,2020.
Note:— Since Government Servants (Efficiency & Discipline) Rules,1973 have been repealed vide Rule 2 of Civil Servants (Efficiency & Discipline) Rules,2020. Therefore, the reference Government Servants (Efficiency & Discipline) Rules,1973 wherever occurs, it may be construed as Civil Servants (Efficiency & : Discipline) Rules,2020.
@ Subs. vide Establishment Division Notification SRO No.335(1)/2000, dated 14-6-2000.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) Every appeal shall be submitted within a period of thirty days of the

*

BPS.

“all Pakistan Services (Change in Nomenclature)Rules,1973, notified vide SRO 1307(D/73 dated 14-09-1973, have been repealed vide SRO 89(1)/2014 dated 14-02-2014, whereby all notifications and instructions issued on the subject from time to time were mutatis mutandis amended.

communication of the order appealed against.

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

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

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

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

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

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

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

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

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

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

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

“[(e) _ it is a repetition of a previous appeal and is made to the same appellate

authority by which such appeal has been decided, and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case]:

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

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

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

“Added vide Establishment Division Notification S.R.O. No.582 (1)/93, dated 26-6-1993.
m Added vide Establishment Division Notification No. 5/1/81-R.1., dated 26-12-1981.

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

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

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

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

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

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

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

[Authority.—Establishment Division's Notification S.R.O. No. 54(1)/77, dated 17-1-1977].

1.2 Guidelines for Submission of Appeals/
Representations to the Chief Executive/President

It has been observed that Ministries/Divisions/Departments generally do not forward to the Establishment Division complete/comprehensive references on the appeals /representations filed by the aggrieved civil servants before the Chief "Executive/ "President, for orders in the capacity of the appellate authority. It results in back-referencing and inordinate delay in processing/finalization of such cases.

2. In order to facilitate objective analysis and speedy disposal, the appeals/ representations preferred by the civil servants under the Civil Servants (Appeal) Rules, 1977, or section 9 of the "Removal from Service (Special Powers) Ordinance, 2000, as the case may

* Now Prime Minister.
"a dd/Substitute 'Prime Minister', as the case may be.

"Removal from Service (Special Powers) Ordinance,2000 has been repealed vide Establishment Division O.M. No.3/10/2010-R.II dated 17-03-2010.

be, should invariably be submitted in the form of self contained Summary supported by copies of the following essential documents as annexures:—

(i) _ charge sheet;

(ii) reply of the accused to the charge sheet;

(iii) inquiry report;

(iv) Show Cause Notice;

(v) _ reply of the accused to the Show Cause Notice;

(vi) recommendations/order of the "['Authorized Officer' or] the 'Authority', as the case may be, regarding the imposition of penalty upon the accused;

(vii) notification of the penalty;

(viii) appeal/representation (in original) alongwith its enclosures; and

(ix) detailed parawise comments of the Ministry / Division / Department concerned on the appeal/representation, in juxtaposition as per prescribed format, annexed herewith.

2. All Ministries/Divisions/Departments and Provincial Governments are requested to bring these guidelines to the notice of all concerned for guidance/ compliance.

[Authority.Establishment Division's O.M.No.5/4/94/Rev/D.3 dated 19-9-2001].

(Annex)
(Prescribed Format)

PARAWISE COMMENTS ON THE APPEAL SUBMITTED

(NAME, DESIGNATION, OFFICE, BPS), AGAINST MINOR/MAJOR PENALTY

(0) Cre

Sl. No.	Contention of the Accused (Relevant paras in Appeal to be Reproduced	Comments of the Ministry/Division/ Department	Comments to be Offered by Establishment Division
1.3	Forwarding of Advance Copies of the Appeals/Representations/Petitions etc.		

Civil servants are not to send advance copies of their appeals/ representations / petitions etc. direct to the higher authorities without going through proper channel which is a clear violation of the government instructions on the subject.

2. Ministries/Divisions/Departments are, therefore, to instruct their staff to refrain from sending advance copies of their appeals/petitions/ representations direct to the higher authorities.

[Authority: Estab. Div.'s O.M. No. 4/3/95-D-3, dated 26" July, 2002]

* The role of authorized has not been incorporated in Civil Servants (E&D) —Rules,2020.

21 Bar Against Making Joint Representations

According to the existing instructions a petition, memorial or a representation should be submitted by a government servant in his own behalf only. An implication of these instructions is that joint representations cannot be made to the government. It has been observed that some government servants have submitted representations in contravention of the spirit of these instructions in that they have individually signed opies of petitions containing the same text. Government is of the view that although hese petitions are signed and sent separately, they are, in effect, tantamount to joint epresentations. No action can, therefore, be taken on such representations.

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

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

[Authority.- Estt. Division’s O.M.No.3/1/67-D.1I, dated 18-2-1967].

2.2 Appeals/Petitions/Representations by the Civil Servants Addressed to the Prime Minister

The Prime Minister's Secretariat have pointed out that disciplinary action has been initiated and explanations have been called for in respect of officials whose applications were forwarded by that Secretariat to different Ministries and agencies for consideration and redressal. While this may well be within the existing rules, it is not in harmony with demands of a democratic order as it infringes upon the privilege of Prime Minister's Secretariat to forward grievances and requests to the quarters concerned for action and redressal under the directives of the Prime Minister as, indeed, it takes away, from the civil servants an opportunity of access to the Chief Executive of the country through the quickest means possible.

2. It is, therefore, advised that steps may please be taken whereby officials whose cases are referred for redressal by Prime Minister's Secretariat are not victimized and harassed on that account.

[Authority.- Estt. Division’s O.M.No.6/3/89-D.3, dated 12-10-1989].

2.3 Withholding of Appeals Under the Civil Servants (Appeal) Rules, 1977

Appeals which do not lie under rule 7 of the Civil Servants (Appeal) Rules, 1977 and the same are not to be transmitted to the Prime Minister under rule 8 of these rules

with the recommendations of the authority to reject the appeal.

2. As per provisions of rule 8(I) of the Civil Servants (Appeal) Rules, 1977, an appeal which is not withheld under rule 7, is required to be forwarded to the appellate authority with an expression of opinion by the authority in the form of a speaking order foregoing his prerogative to withhold the appeal. Moreover, it would not be fair and proper to submit such cases to the appellate authority for rejection which could have been withheld by the authority. An appeal which is not entertainable, if transmitted to and rejected by the appellate authority, would clearly mean that the appeal has been entertained.

3. All Ministries/Divisions are to exercise greatest care while transmitting appeals to the appellate authority under rule 3 of the Civil Servants (Appeal) Rules, 1977. The appellant should be informed accordingly where appeal is withheld under rule 7 of the Civil Servants (Appeal) Rules, 1977.

[Authority:- Estab. Div.'s OM No. 8/13/2003-D.3, dated 9" September, 2004]

SI.No.3

Consideration of Cases of Government Servants Who Have Filed Civil Suits

In some cases government servants file civil suits in courts of law against government for the redress of their grievances. It has been noticed that the Ministries/ Divisions etc. do not deal with such cases on the plea that the government servants have filed suits and the matter is 'subjudice'.

2. A civil suit or a civil petition by a government servant does not preclude redress for the aggrieved government servant. It has, therefore, been decided that the Ministries/Divisions should not refrain from considering the cases of government servants who have filed civil suits against government for redress of their grievances. Cases of such government servants should continue to be considered by the Ministries/Divisions and the grievances of the government servants removed if the merits of their cases so warrant.

[Authority.- Estt. Division's O.M. No. 2/24/72-D.I dated 28-10-1972].

IL SERVICE TRIBUNALS
SI. No. 4

The Service Tribunals Act, 1973 (Act No. LXX of 1973)

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

WHEREAS it is expedient to provide for the establishment of Administrative Tribunals, to be called Service Tribunals, to exercise exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, and for matters connected therewith or ancillary thereto.

It is hereby enacted as follows:—

1. Short title, commencement and application—(1) This Act may be called the Service Tribunals Act, 1973.

(2) It shall come into force at once.
(3) It applies to all civil servants wherever they may be.

2. Definitions.—-In this Act, unless there is anything repugnant in the subject or context, —

“[(a) “civil servant” means a person who is, or has been, a civil servant within the meaning of the Civil Servants Act, 1973 (LXXI of 1973);] “[and shall include a person declared to be a civil servant under section 2(a); and]

(b) “Tribunal” means a Service Tribunal established under section 3.
OLA [eer]

3. Tribunals—°[(1) The President may, by notification in the official Gazette, establish one or more Service Tribunals as hereinafter provided and, where there are established more than one Tribunal, the President shall specify in the notification the territorial limits within which, or the class or classes or cases in respect of which, each such Tribunal shall exercise jurisdiction under this Act].

(2) A Tribunal shall have exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, including disciplinary matters.

@((3) A Tribunal shall consist of-

* Subs. vide Service Tribunals (Amendment) Act XXXI of 1974, dated 6-5-1974.
nnfdded vide Service Tribunals (Amendment) Act XVII of 1997, dated 10-6-1997.

Section “2A” which was previously added vide Service Tribunals (Amdt.) Act XVII of 1997, dated 10-6-
@ 1997 has been deleted vide F.23(4)/2010 Service Tribunals (Amdt.) Act No.II of 2010 dated 06-03-201
“Subs. vide Service Tribunals (Amdt.) Act, 2014 Notification No.F.22(23) /2013-Legis dated 17-06-2014.

(a) a Chairman, being a person who has been, or is qualified to be judge of a High Court;

(b) such number of members not less than three, each of whom is or has been—

(i) a District Judge; or

(ii) a person who for a period of not less than two years has held a post in BS-21 or above or equivalent under the Federal Government or a Provincial Government with adequate quasi-judicial or legal experience, preference being given to a person having background of dealing with service matters; or

(iii) an Advocate qualified for appointment as Judge of a High Court].

“((4) The Chairman and members of a Tribunal shall be appointed by the President for non-extendable term of three years on such other terms and conditions as the President may determine:

Provided that where a serving District Judge or a civil servant is appointed as a member he shall hold office for a term of three years or till the date of superannuation, whichever is earlier].

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the President.

(6) The Chairman or a member of a Tribunal shall not hold any other office of profit in the service of Pakistan if his remuneration is thereby increased.

“[(7) At any time when—

(i) the Chairman of a Tribunal is absent or is unable to perform the functions of his office due to any cause; or

(ii) office of the Chairman is vacant, the most senior of the other members of a Tribunal shall act as Chairman till the Chairman resumes his office or the regular Chairman is appointed, as the case may be].

“13-A. Benches of the Tribunal.—(1) The powers and functions of a Tribunal may be exercised or performed by Benches consisting of not less than two members of Tribunal, including the Chairman, constituted by the Chairman.

(2) Ifthe members of a bench differ in opinion as to the decision to be given on any point,—

(a) _ the point shall be decided according to the opinion of the majority;

*Subs.vide Service Tribunals (Amendment) Act, 2014 Notification No.F.22(23) /2013-Legis dt.17-06-2014
“added vide Ordinance No. IX of 1978, dated 18-3-1978.

(b) if the members are equally divided and the Chairman of the Tribunal is not himself a member of the bench, the case shall be referred to the Chairman and the decision of the Tribunal shall be expressed in terms of the opinion

of the Chairman; and

(c) if the members are equally divided and the Chairman of the Tribunal is

himself a member of the bench, the opinion of the Chairman shall prevail

and the decision of the Tribunal shall be expressed in terms of the opinion of the Chairman].

4. Appeals to Tribunals.—-(1) Any civil servant aggrieved by any "[ ] order, whether original or appellate, made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him, “for within six months of the establishment of the appropriate Tribunal, whichever is later, prefer an appeal to the Tribunal]:

Provided that—

(a) where an appeal, review or representation to a departmental authority is provided under the Civil Servants Ordinance, 1973, or any rule against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was so preferred; “"[ ]

(b) no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining the fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher

grade; [and]

[(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the Ist July, 1969].

(2) Where the appeal is against an order or decision of a departmental authority imposing a departmental punishment or penalty on a civil servant, the appeal shall be preferred—

(a) in the case of a penalty of dismissal from service, removal from service, compulsory retirement or reduction to a lower post or time-scale or to a lower stage in a time-scale, to a Tribunal referred to in sub-section (3) of section 3 ;and

(b) in any other case, to a Tribunal referred to in sub-section (7) of that section.

Explanation.— In this section, “departmental authority” means any authority

* Omitted vide Service Tribunals (Amendment) Act No. XVII of 1997, dated 10-6-1997.

** Subs. vide Service Tribunals (Amendment) Act No. XXXI of 1974, dated 6-5-1974.

“* The word "and" Omitted vide Service Tribunals (Amendment) Act XXXI of 1974 dated 6.5.1974.
© Subs. vide Service Tribunals (Amendment) Act No. XXXI of 1974, dated 6-5-1974.

°C Added vide ibid..

other than a Tribunal, which is competent to make an order in respect of any of the terms and conditions of civil servants.

“[4A. Review (1) A Tribunal shall have the power to review its final order on a review petition filed by an aggrieved party within thirty days of the order on the following grounds, namely:—

(i) _ discovery of new and important matter or evidence which, after exercise of due diligence, was not within knowledge of the petitioner or could not be produced by him at the time when the order was passed;

(ii) on account of some mistake or error apparent on the face of record; or

(iii) for any other sufficient cause.
(2) The Tribunal shall decide the review petition within thirty days.

(3) The Tribunal may confirm, set aside, vary or modify the judgment or order under review].

5. Powers of Tribunals.—(1) A Tribunal may, on appeal, confirm, set aside, vary or modify the order appealed against.

(2) A Tribunal shall, for the purpose of deciding any appeal, be deemed to be a civil court and shall have the same powers as are vested in such court under the Code of Civil Procedure, 1908 (Act V of 1908), including the powers of—

(a) enforcing the attendance of any person and examining him on oath;
(b) compelling the production of documents; and
(c) issuing commission for the examination of witnesses and documents.

“(3) A Tribunal shall have the power to execute its decisions in accordance with the procedure as may be prescribed.

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5A. Financial powers of a Tribunal—(1) The Registrar of the Tribunal shall be the Principal Accounting Officer of a Tribunal.

(2) The Chairman of Tribunal may authorize re-appropriation of funds from one head of account to another head of account and sanction expenditure on any item from within the allocated budget in accordance with the prescribed procedure without reference to Ministry of Finance].

6. Abatement of suit and other proceedings.—All suits, appeals or applications regarding any matter within the jurisdiction of a Tribunal pending in any court immediately before the commencement of this Act shall abate forthwith:

Provided that any party to such a suit, appeal or application may, within ninety days of the “[establishment of the appropriate Tribunal, prefer an appeal to it] in respect

* Inserted vide Service Tribunals (Amendment) Act,2014 Notification No.F.22(23) /2013-Legis dated 17-0

wedded vide Service Tribunals(Amdt.)Act,2014 Notification No.F.22(23)/2013-Legis dated 17-06-2014.

Inserted vide ibid.

® Subs. vide Service Tribunals (Amendment) Act, XXXI of 1974, dated 06-05-1974.

of any such matter which is in issue in such suit, appeal or application.
7. Limitation—The provisions of sections 5 and 12 of the Limitation Act, 1908 (IX of 1908), shall apply to appeals under this Act.

8. Rules—(1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely:—

(a) requirements as to the number of members of the Tribunal necessary for hearings before, or order or decision by, a Tribunal “[or a Bench thereof] “[+];

(b) _ filling for a specified period any vacancy in the office of the Chairman or a member of the Tribunal caused by the absence on leave or other-wise of the Chairman or, as the case may be, a member “*"[; and]

@[(c) execution of decision of a Tribunal].

9. Repeal.— The Service Tribunals Ordinance, 1973 (XV of 1973), is hereby repealed.

[Authority: The Act received assent of the President on 26-9-1973 and was published in the Gazette of Pakistan Extraordinary Part-I, dated 29-9-1973].

5.1 The Service Tribunals (Procedure) Rules, 1974

In exercise of the powers conferred by section 8 of the Service Tribunals Act, 1973 (LXX of 1973), the Federal Government is pleased to make the following rules, namely:—

THE SERVICE TRIBUNALS (PROCEDURE) RULES, 1974
1. These rules may be called the Service Tribunals (Procedure) Rules, 1974.

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

(a) “Act” means the Service Tribunals Act, 1973 (LXX of 1973).

(b) “Chairman” means the Chairman of a Tribunal.

(c) “Member” means a member of a Tribunal and includes the Chairman; and

(d) “Registrar” means the Registrar of a Tribunal and includes any other person authorised by the Tribunal to perform the functions of the Registrar

“subs. vide Service Tribunals (Amendment) Act, XXXI of 1974, dated 06-05-1974.

en Omitted vide Service Tribunals (Amdt.) Act, 2014 Notification No.F.22(23) /2013-Legis dated 17-06-20
Subs. vide ibid.

® Added vide Service Tribunals (Amdt.) Act,2014 Notification No.F.22(23) /2013-Legis dated 17-06-2014

under these rules.

(2) Words and expressions used but not defined in these rules shall have the same meaning as are assigned to them in the Act.

3. (1) The permanent seat of a Tribunal shall be at a place which the Federal Government may, by notification in the official Gazette, appoint.

(2) A Tribunal shall ordinarily hold its sittings at its permanent seat but it may hold its sittings at any other place within its jurisdiction if in its opinion the holding of sittings at such other place will be convenient to the parties to the proceedings before it.

4. (1) A Tribunal shall ordinarily observe the same hours as are observed by the offices of the Federal Government.

(2) A Tribunal shall observe the holidays notified by the Federal Government.

5. (1) An appeal to a Tribunal may be sent to the Registrar by registered post acknowledgement due or presented to him during office hours either by the appellant personally or through his advocate.

(2) Appeals presented to or received by any member shall be deemed to be properly presented or received under this rule.

6. | Every memorandum of appeal shall —

*[(1)](a) _ be legibly, correctly and concisely written, type-written or printed;

(b) be divided into paragraphs, numbered consecutively, each paragraph containing, as nearly as may be, a separate assertion or averment;

(c) contain the full name, official designation and place of posting of

each party;
(d) clearly set out the relief claimed;
(e) be accompanied by —

(i) a copy of the final order, whether original or appellate, and any other order of the competent authority in respect of any of the terms and conditions of service of the appellant against which the appeal is preferred; and

(ii) copies of rules, orders and other documents on which the appellant proposes to rely in support of his claim;

(f) be signed or thumb impressed by the appellant; and

(g) be accompanied by three spare copies of the memorandum of appeal and as many other copies thereof, duly signed or thumb-impressed

“ Renumbered vide Estt. Division’s Notification No. SRO 1100(1)/83, dated 23-11-1983.

by the appellant and accompanied by the documents referred to in clause (e), as there are respondents:

Provided that where a Tribunal is satisfied that it is not possible for any appellant to produce any document referred to in clause (e) it may waive the provisions of the clause.

“[(2) If malice, fraudulent intention, knowledge or other condition of mind, including legal or factual malafide, is alleged in an appeal, the memorandum of appeal shall state clearly the facts constituting such malice, fraudulent intention, knowledge or other condition of mind or, as the case may be legal or factual malafide, and be accompanied, besides the documents specified in clause (e) of sub-rule (1), by a summary of the documentary or oral evidence which the appellant proposes to produce in proof of the allegation and an affidavit in support of the contents of the summary].

7. In every memorandum of appeal, the competent authority against whose orders the appeal is preferred and any other party to the dispute shall be shown as respondents.

8. | Where an appeal is presented after the period of limitation prescribed in the Act, it shall be accompanied by a petition supported by an affidavit setting forth the cause of delay.

9. No court-fee shall be payable for preferring an appeal to, or filing, exhibiting or recording any document with a Tribunal.

10. (1) The Registrar shall scrutinize every memorandum of appeal received by him, and shall —

(i) if it is drawn up in accordance with the provisions of rule 6, cause it to be registered in the register of appeals*", to be maintained in form appended to these rules and shall, with the approval of the Chairman, fix a date for its preliminary hearing before the Tribunal; and

(ii) if it is not drawn up in accordance with the provisions of rule 6, return it to the appellant for amendment, within a time to be specified in an order to be recorded by him on the memorandum of appeal, which shall in no case be less than fourteen days, pointing out the deficiency.

(2) If the memorandum of appeal is not resubmitted within the period specified under clause (ii) of sub-rule (1), the appeal shall stand dismissed.

11. (1) A Tribunal may, after hearing the appellant or his advocate dismiss the

appeal in limine™™’.

* Added vide Estt. Division’s Notification No. SRO 1100(1)/81, dated 23-11-1983.
See Form A (attached to the rules).
“"L?~ on the threshold.

(2) Ifthe appeal is not dismissed in limine, notice of admission of appeal and of the day fixed for its hearing shall, subject to the provisions of sub-rule (3), be served on the appellant, the respondents and on such other persons as the Tribunal may deem proper.

(3) The appellant shall, within one week of the receipt of the notice of admission of his appeal, or within such extended period as may be allowed by the Registrar, deposit with the Registrar:-

(a) cash security for costs in the sum of Rs. 100; and
(b) cost of service of notice on the respondents.

(4) If the appellant does not comply with the provisions of sub-rule (3), his appeal may be dismissed by the Tribunal.

12. (1) A notice under sub-rule (2) of rule 11 shall be in such form as may be laid down by a Tribunal and may be served by registered post or in any other manner, including publication in one or more daily newspapers, as the Tribunal may direct:

Provided that a notice shall not be issued for publication in a newspaper until the costs of such publication are deposited by the appellant.

(2) The notice to a respondent shall, except where it is published in a newspaper, be accompanied by a copy of the memorandum of appeal and of the documents appended thereto.

(3) Service of notice in accordance with the provisions of this rule shall be deemed to be due notice, and it shall not be necessary to prove that a party has actually received the notice.

13. (1) A respondent on whom a notice of appeal has been served under rule 12, may send his objections to the appeal by registered post acknowledgement due to the Registrar so as to reach him, or deliver the same to the Registrar either personally or through his advocate not later than seven days before the date specified in the notice for hearing of the appeal or within such extended period as may be allowed by the Registrar.

(2) The objection shall be legibly, correctly and concisely written, type-written or printed, shall be signed by the respondent or by a person authorised by him in that behalf and shall be accompanied by a copy of every document on which the respondent wishes to rely in support of his objections.

(3) The written objections shall be accompanied by four spare copies thereof, complete in all respects, for use of the members of the Tribunal and the appellant.

(4) In case objections are not received or delivered within the time allowed under sub-rule (1), the respondent may be proceeded against ex-parte.

14. Questions arising for determination by a Tribunal shall be decided ordinarily upon affidavits and documents proved by affidavits, but the Tribunal may direct that such questions as it may consider necessary shall be decided on such other evidence and in such manner as it may deem fit.

15. (1) An application for summoning witnesses before a Tribunal shall be made as soon as possible after the issue of notice of admission of appeal under rule 11 and shall state:—

(a) the names, designations and addresses of the witnesses to be summoned; and

(b) a brief resume of the evidence which each witness is expected to give.

(2) If the Tribunal is of the opinion that the evidence of any witness specified in the list of witnesses given under sub-rule (1) may be of material assistance in the disposal of an appeal before it, it shall direct him to be summoned on a date to be fixed by the Tribunal, and direct that the daily allowance and travelling charges of such witness should be deposited by the person calling him within seven days of the date of the order.

(3) The Tribunal may, by general or special order, prescribe the rates of daily allowance and travelling charges to be paid to witnesses summoned by it.

(4) Ifa person applying for the summoning of a witness fails to deposit the requisite costs of the witness within the period specified in sub-rule (2), or within such extended period as may be allowed by the Tribunal, the application for summoning of witnesses, so far as it relates to such witness, shall be deemed to have been rejected.

(5) If the Tribunal is of the opinion that the evidence of any witness is necessary for the disposal of an appeal before it, it may direct him to be summoned.

(6) Where the Tribunal summons a witness under the provisions of sub-rule (5):—

(a) if such witness is a Government servant, his travelling and daily allowances, if any, shall be payable by the Government; and

(b) if such witness is a private person, his travelling and daily allowance shall be payable by such party and to such extent as may be determined by the Tribunal.

16. (1) A process for service on a witness of high rank shall be sent in the form of a letter.

(2) Except in urgent cases or as may otherwise be ordered by a Tribunal, a summon to a Government servant shall be served through the head of his office.

17. (1) A Daily Cause List shall be prepared under the orders of the Registrar which shall be affixed on the notice board of the Court room of the Tribunal.

(2) Except as otherwise directed by the Tribunal, cases shall be set down in the Cause List in the order of the date of admission.

18. (1) A Tribunal may, if it considers necessary, appoint an officer of the Tribunal to record evidence of a witness for and on behalf of the Tribunal.

(2) Evidence of a witness examined by or on behalf of a Tribunal shall be taken ordinarily in the form of a narrative, and shall be signed by the recording officer and countersigned by the members and shall form part of the record.

(3) The parties or their advocates may suggest any questions to be put to a witness and a member may, besides such questions, put any other questions to the witness.

(4) A Tribunal may, in the interest of justice, close the evidence of any party if, in its opinion, the production or continuation of such evidence would involve inordinate delay or unnecessary expenses.

19. (1) If, on the date fixed for the hearing of an appeal, or on any other subsequent date to which the hearing may have been adjourned, the appellant or his advocate is not present before a Tribunal, the Tribunal may dismiss the appeal or, if it thinks fit, may proceed to hear the other party and decide the appeal.

(2) If, on the date fixed for the hearing of an appeal, or on any subsequent date to which the hearing may have been adjourned, the respondent or any one or more of the respondents, in case there are more than one respondents, or his or their advocates are not present before the Tribunal, the Tribunal may hear the appeal ex-parte against all or any of the respondents who, and whose advocates are so absent.

(3) When an appeal has been dismissed under sub-rule (1) or ex-parte proceedings have been taken under sub-rule (2), the Tribunal may, on such order as to costs as it may deem fit, restore the appeal or, as the case may be, set aside the ex-parte order or allow the defaulting party to rejoin the proceedings.

20. (1) A Tribunal may make such order as to costs of proceedings before it as it may deem fit and such costs shall be paid out of the cash security deposited under clause (a) of sub-rule (3) or rule 11.

(2) If, after deduction of the costs of proceedings under sub-rule (1), any amount deposited under clause (a) of sub-rule (3) of rule 11 remains unutilized, it shall be returned to the appellant.

“21. (1) The Tribunal shall, after the order is signed cause certified copies thereof to be sent under registered cover to the parties concerned and shall deliver a copy to the Secretary, Establishment Division, “[and the Solicitor, Law Division].

(2) Any party to the appeal may obtain additional copies of the order on payment of such legal fees, as the Tribunal may from time to time fix.

22. Clerical or arithmetical mistakes arising in an order of final adjudication from any accidental slip or omission may at any time, be corrected by a Tribunal either on

its own motion or on an application made by any of the parties:

Provided that every such application shall be duly supported by an affidavit.

23. Ifa Tribunal is unable to arrive at a unanimous decision, its decision shall be expressed in terms of the view of the majority.
“"[23A. Where a party to an appeal decided by a Tribunal desires execution of the decision it may make application to Tribunal which may pass order in accordance with the provisions of the Act].

24. If any member of a Tribunal is, for any reason, unable to take part in the proceedings of the Tribunal, the other members may hear or continue to hear the appeal but the decision of the Tribunal shall be shown to the absentee member and, if such member has any view to express, the same may be recorded and the decision of the Tribunal shall be expressed in terms of the view of the majority.

25. A casual vacancy in the office of the Chairman or a member of a Tribunal caused by the absence on leave or otherwise of the Chairman or, as the case may be, a member may be filled by the President for a specified period by appointment of a person who is qualified to be the Chairman or, as the case may be, a member of a Tribunal.

26. The language of a Tribunal shall be English, but use may be made of the

National or any one of the regional languages subject to the prior permission of the Tribunal.

27. A Tribunal may issue instructions in regard to supply of copies to, and inspection of record by parties to proceedings before it.

[Authority — Estt. Division’s Notification No. S.R.O. 1199(1)/74, dated 14-9-1974].

* Subs. vide Estt. Division’s Notification No. SRO 1111(1)/75, dated 6-11-1975.
* Subs. vide Est. Division’s Notification No. $.R.O. 427(1)79, dated 20-5-1979.
Inserted vide Establishment Division’s $.R.O No. 743(1)/2019 dated 4" July,2019.

FORM ‘A’
REGISTER OF APPEALS
Sl. Date of Name and Name and Date of Whether Amount of cash Date of Brief substance Date on which
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5.2 Placement of Members in MP-I Scale

In terms of Section 3(4) of the Service Tribunal Act,1973, competent authority is pleased to approve following terms and conditions in respect of various categories of members of Federal Service Tribunal (FST) with effect from 1* July,2018:—

i) All such members who were in any executive cadre of government service in BS-21 or BS-22 shall be placed in the MP-I Scale, as amended by the Finance Division from time to time; and:

ii) All such members who remained judicial officers will be entitled to draw pay and allowances equivalent to the last pay drawn as judicial officers.

[Authority:— Establishment Division's Notification No. 21/3/2017-E-I dated 30-05-2018].

5.3. Placement of Retired Judicial Officers in MP-I Scale

In partial notification of Establishment Division's notification No.21/3/ 2017-E-I dated 30-05-2018, the competent authority is pleased to approve that retired judicial officers (District and Session Judges) and Advocates qualified to be a judge of High Court, appointed as Members Judicial, Federal Service Tribunal, are,placed in the MP-I Scale, to allow them to draw pay and package similar to Executive Members, as amended by the Finance Division from time to time.

[Authority:— Establishment Division's Notification No. 21/3/2017-E-I dated 16-10-2019].

5.4 Permanent Seat of the Service Tribunal

In exercise of the powers conferred by sub-rule (1) of rule 3 of the Service Tribunals (Procedure) Rules, 1974, the Federal Government is pleased to appoint Islamabad to be the place at which the Service Tribunal established under the Establishment Division Notification No. S.R.O. 242(1)/74, dated the 22nd February, 1974, shall have its permanent seat.

[Authority.- Estt. Division's Notification No. 15/l/73-CV., dated 29-10-1974].

6.1 Defence of Cases in the Tribunal and Law Courts

The following guidelines and instructions are to be observed by the Ministries/Divisions/Attached Departments in regard to Appeals/Writ Petitions/ Suits preferred by the aggrieved civil servants before Service Tribunals, High Courts and civil law courts against final orders affecting the terms and conditions of service, including cases where penalty has been awarded under the "Government Servants (Efficiency and Discipline) Rules, 1973:-

(i) _ After the promulgation of the Service Tribunals Act, 1973, the jurisdiction in all matters pertaining to the terms and conditions of the Civil Servants,

"Now Civil Servants (Efficiency & Discipline) Rules,2020.

(i)

(iii)

including orders passed under Government Servants (Efficiency and Discipline) Rules 1973 rest with the Tribunal and to that extent, the jurisdiction of the High Courts and the Civil Courts has been ousted. In cases where Writ Petitions/Civil Suits are filed, they should be contested on the point of jurisdiction.

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

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

“[(iii-a) The government departments should assure that no case goes

(iv)

(vy)

“Tvi)

unrepresented before any court/tribunal. A responsible officer well conversant with the case, alongwith government counsel should always be deputed to represent the government and assist the court/tribunal on the basis of departmental record and the policy stand taken in the case.]

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

The Ministries/Divisions are also required to examine those cases which are decided against the government by the Service Tribunal in their capacity as the main respondent, with a view to filing an appeal before the Supreme Court in consultation with the Law Division directly. Such cases

need not to be referred to this Division for examination.

In case it is decided, in consultation with the Law and Justice Division, that an order passed by the Tribunal does not involve any substantial question of law of public importance for moving a CPSLA before the

* Inserted vide per Establishment Division's O.M No. 1/1/95-Lit.2/Misc. dated 30-08-1995 read with O.M No. 2/19/93-Lit.3, dated 28-05-1994 and O.M No. 1/23/94-Lit.2, dated 03-11-1994. These instructions were re-emphasized vide Establishment Division's U.O No. 2/6/2019-Lit-I, dated 16-08-2019.

"Inserted vide Establishment Division's O.M No. F.10/14/92-Lit.I, dated 04-05-1993. These instructions were re-emphasized vide Establishment Division's U.O No. 2/6/2019-Lit-I, dated 16-08-2019.

Supreme Court of Pakistan, the order should be implemented forthwith under intimation to the Registrar, Federal Service Tribunal, Islamabad.

"[(vii) Instances have come to the notice where Federal Service Tribunal or High Courts passed orders against the Government and no CPLAs were filed in the Supreme Court of Pakistan; resultantly, such orders became precedents and cause of multiple litigations. The Prime Minster has desired that all legal remedies be exhausted in cases of service matter litigations as any interim decision becomes precedent for all future cases.

[Authority.- Estt. Division's O.M. No. 14/5/80-Lit. Misc., dated 7-3-1982].

Note.- For detailed instructions regarding the conduct of cases of the Federal Government in courts (including service appeals before the Service Tribunal), see Appendix 'F' of the Secretariat Instructions (2004 Edition Pages 119-129).

6.2 Letter of Attorney General of Pakistan Regarding Implementation of Orders of the Federal Service Tribunal and High Courts Appealed Against in Supreme Court of Pakistan

It has been observed that orders passed in service matters by the Federal Service Tribunal decided against the government are not implemented as per directions given in the respective orders. The government departments postpone the implementation of the orders of the Federal Service Tribunal on the grounds that CPLA is preferred against the order and wait for the disposal of the matter by the Honorable Supreme Court of Pakistan. The government departments are hereby informed that unless the order of FST is suspended specifically by an order of the Supreme Court, the same must be implemented forthwith. However, a clause may be added in the implementation orders that it shall be subject to the final decision of the matter by the Honorable Supreme Court of Pakistan. This eventuality of informing the government departments has arisen because recently the Honorable Supreme Court of Pakistan has started taking a very serious note of this fact and in some of the cases, heavy costs up to Rs. 50,000/- has been imposed by the Honorable Supreme Court of Pakistan simply for the reason that the government department has not implemented the orders during the pendency of the CPLA, without there being any order of suspension of the orders appealed against. The matter must be attended to urgently in order to avoid any further financial loss to the national exchequer. Thus all the matters which are decided by the FST or which are pending in the Honorable Supreme Court of Pakistan or which may be instituted before the Honorable Supreme Court of Pakistan against any order passed by the FST, directing the reinstatement or granting some other relief to a civil servant, be complied with forthwith, unless the order appealed against is specifically suspended by the Honorable Supreme Court of Pakistan.

2. The Secretary Establishment is further requested to convey this message to all the departments concerned of the government in respect of which the service matters crop up before the FST or before the Honorable Supreme Court of Pakistan for necessary action.

[Authority:- Office of the Attorney General for Pakistan's DO No. 1(5)2006-AGP, dated 2-3-2006]

* Inserted vide Establishment Division's O.M No. F.2/9/2016-Lit.I, dated 24-05-2016.

6.3 Letter of Chairman FST Making Suggestions to Reduce Pending Litigation

The worthy Chairman, Federal Service Tribunal vide his d.o letter dated 26" July,2019 (Copy not reproduced) has invited attention of Secretary Establishment Division to the following:—

e Decisions on appeal are delayed for want of parawise comments from Ministries/Divisions;

e Government departments are not represented at appropriate higher level;

e Implementation of judgments/Decisions is subjected to unreasonable delay by Ministries/Divisions.

2. The worthy Chairman has, therefore, suggested that a 'Special Cell' may be created in all Ministries/Divisions at the appropriate level to keep the Establishment Division informed on regular basis about pendency or disposal of the appeals in the Tribunal.

3. Instructions of the Establishment Division are already available in ESTACODE 2015 at pages 1047 to 1051, emphasizing timely submission of parawise comments, projection of the Government viewpoint through responsible officers and implementation of the judgments that attained finality or not suspended/set aside by the Supreme Court. These instructions are in addition to Appendix-F to Secretariat Instructions.

4. Ministries/Divisions are requested to strictly observe the instructions already holding the field and may also strengthen their own mechanisms to watch progress of Court cases in the light of Paragraph 12 of Appendix-F to Secretariat Instructions which inter alia provides that,—

"Tt is, therefore, imperative that in each Division/Department, a Section, hereinafter referred to as the Litigation Section, should be earmarked for dealing with or co-ordinating the litigation cases. This Section should receive all summons/notices from courts, maintain a nominal index of litigation cases in the following form, in a Register, and keep a watch over their progress.

Name of parties [Nature of cases| Subject Court Counsel _| File No. Result
ABC vs Pakistan | Civil suit or | Service matter, | High Court, AG., - Dismissed
appeal arbitration Peshawar | Peshawar

[Authority:— Establishment Division's U.O No. 2/6/2019-Lit-I dated 16-08-2019].

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ii). The above publications are available at the Sales Depot of PPARC at Ground Floor Local Government & Rural Development Complex, Sector G-5/2, Islamabad to be deposited in NBP Main Bran Melody or State Bank of Pakistan.