

## **SECRETARIAT INSTRUCTIONS**

**Being instructions issued in pursuance of Rule 5(15) of the Rules of Business, 1973 for the disposal of business in the Federal Secretariat.**

1. (a) These Instructions shall be known as the "Secretariat Instructions", 2004.
- (b) They shall come into force with immediate effect and shall supersede all previous instructions and orders relating to office procedures not consistent with the provisions of these Instructions.

2. In these Instructions in addition to the definitions contained in Rule 2 of the Rules of Business, the expressions given below shall have the following meaning unless the context requires otherwise:—

- (i) "Attached Department" means a Department which has direct relation with a Division and has been declared as such by the Federal Government.
- (ii) "Business" means all work done by the Federal Government.
- (iii) "Head of Department" means the officer who has been declared as such by Government under the Fundamental and the Supplementary Rules.
- (iv) "President" means the President of Pakistan.
- (v) "Section" means a basic working unit of a Division.
- (vi) "Section Officer" means an officer who is in direct charge of a Section.
- (vii) "Subordinate Office" means a Federal Government office other than a Ministry, Division or an Attached Department.

### **DISTRIBUTION OF WORK**

3. The Secretary shall be the official head of the Ministry/Division and shall be responsible for its efficient administration and discipline. He shall also be responsible for the proper conduct of business allocated to the Division under Rule 3 of the Rules of Business and for the careful observance of these Instructions in his Division.

4. It shall be the duty of the Secretary in the Ministry/Division to which the subject belongs to ensure that cases submitted to the Minister-in-charge and, where the Rules of Business so provide, to the President, the Prime Minister or the Cabinet are submitted in a complete form.

*Note .—.* For the purpose of these Instructions, the expression “the Ministry/Division to which the subject belongs” has reference to the allocation of subjects among Divisions made under the Rules of Business.

5. (i) The Secretary shall determine the maximum extent of delegation of powers to officers serving under him and issue clear standing orders laying down these powers and also the manner of disposal of cases in the Division and shall ensure that —

- (a) the distribution of work is equitable;
- (b) the channel of submission of cases is vertical and not horizontal; and
- (c) the tiers through which a case has to pass are ordinarily not more than two excluding the Secretary.

(ii) The Secretary shall review the delegation of powers to various officers periodically to ensure maximum delegation of authority for disposal of cases at the initial and middle levels, with an appropriate reporting system to keep him fully informed.

6. An Additional Secretary or a Joint Secretary, unless he is incharge of a Ministry/Division, shall be entrusted with a well-defined sphere of duty. Within this sphere he shall assume full responsibility and shall submit all cases direct to the Minister for orders, such cases being returned to him through the Secretary. The Secretary shall have the power, however, to call for any case for his own consideration and to request that he be consulted in any particular case before it is submitted to the Minister.

7. A Deputy Secretary shall dispose of all cases in which no major question of policy is involved or which under the rules or the standing orders he is competent to dispose of.

8. A Section Officer shall dispose of all cases where there are clear precedents, and no question of deviation from such precedents is involved or which under the rules or standing orders he is competent to dispose of. In case of doubt he may seek verbal instructions from his senior officer.

9. The Section Officer will ordinarily be assisted by an Assistant and a Stenotypist who shall be responsible for the following:

(i) *Assistant*

- (a) putting up previous papers and other references relating to the case under consideration;
- (b) opening of files and keeping a record of movement of files;
- (c) keeping a note of all important orders and decisions;
- (d) recording, indexing and weeding of files;
- (e) watching the necessity of keeping priority or security labels on files. He should bring to the notice of the Section Officer the first opportunity that occurs of removing these labels; and
- (f) other clerical duties assigned to him, including casual typing, maintenance of diary register, preparation of statements and putting up of routine reminders.

(ii) *Stenotypist*

- (a) Taking dictation, rendering transcripts and doing general typing work;
- (b) Attending to receipt and issue work during the absence of the Section Assistant; and
- (c) Any other ancillary function and work that may be assigned by the officer, *e.g.* reproduction of documents, arranging office amenities etc.

10. Naib Qasid attached to the Section will normally perform the following duties:

- (a) Carrying from one place to another within and without office premises official files/papers.
- (b) General arrangement and tidiness of the office, furniture including re-dusting of office furniture, record etc.
- (c) Conducting visitors to the officers.

- (d) Providing drinking water to the officers and staff.
- (e) Carriage of steel boxes containing secret/confidential files from one officer to another.
- (f) Shifting of articles of light furniture *e.g.* chairs, side racks, small side tables etc., from one place to another within office premises.
- (g) Anyother duty that may be assigned to him by his Officer Incharge during working hours.

*Note* .— Dusting of the office furniture is usually done by the "Farash", before and after office hours. If, however, some articles require redusting during office hours, when the Farash is not on duty this could be done by Naib Qasid attached to the officer or Section concerned.

11. The Private Secretaries to the Secretaries/Additional Secretaries to the Government of Pakistan and Personal Assistant/Stenographers working in the Federal Secretariat and its Attached Departments shall normally be responsible for the following:

**Private Secretaries to Secretaries/Additional Secretaries**

1. To attend telephone and to keep record of trunk calls.
2. To screen callers and telephone calls.
3. To arrange engagements and maintain an engagement diary.
4. To prepare papers for meetings and interviews.
5. To see that matters requiring the Secretary's/Additional Secretary's attention are brought to his notice in good time and in complete and proper form.
6. To maintain and index N.G.O. cases.
7. To receive and arrange and, where necessary, register the Secretary's papers and correspondence including secret and top secret papers.
8. To keep record of suspense cases and to see that such cases are put up to Secretary on due dates.
9. To keep reference books up-to-date.
10. To attend to work connected with Secretary's/Additional Secretary's tours etc.
11. To assist the Secretary in such matters as he may direct.

12. To keep proper record of movement of files and other classified documents.
13. To receive and conduct visitors.

#### **Personal Assistants/Stenographers**

1. Taking dictation, rendering transcripts and doing other typing work.
2. To attend telephone and to keep record of trunk calls.
3. To keep proper record and movement of files and other papers.
4. To keep record of suspense cases, where ordered, and their submission on due dates.
5. Handling of classified papers in accordance with general or special orders.
6. To receive and conduct visitors and to maintain officer's engagement diary.
7. To keep reference books upto date.
8. To attend to work connected with the officers' tours etc.
9. Any other routine official duty that may be assigned by the officer, *e.g.* reproduction of documents, arranging petty office amenities, recording of entries in the Staff Car Movement Register, receiving from or delivering important dak at PIA, etc.

#### **Duties and Responsibilities of the Finance and Accounts Officer**

12. There shall be a well trained and experienced Finance and Accounts Officer in each Ministry/Division who shall be the Deputy Secretary or the Section Officer, as may be appropriate, for advising the Principal Accounting Officer on all financial, budgetary and accounting matters. He shall have such sub-ordinate officers and staff as may be necessary and shall concentrate on his work exclusively. He shall perform such other duties and responsibilities as may be prescribed by the Finance Division. He shall work under the Principal Accounting Officer; and if this is not feasible, then under the next higher officer.

#### **Role of Financial Adviser**

13. The aim of Financial Adviser should be to help the Ministry/Division to which he is the Adviser to achieve its goals with due regard to the dictates of economy. He should strive to get a first hand knowledge of the administrative Ministry's working and objectives.

## DISPOSAL OF BUSINESS

14. All business of Government shall be conducted in accordance with the Rules of Business and these Instructions.

15. The following cases shall be submitted to the Secretary of a Division:—

- (a) All cases, summaries and reports requiring submission to the President, the Prime Minister and the Cabinet.
- (b) All cases involving major policy and important administrative issues.
- (c) All cases of appointments or promotions that have to be referred to the President, the Prime Minister, Minister incharge, Establishment Secretary or the Selection Board.
- (d) All cases involving foreign delegations and deputations abroad.
- (e) All important cases relating to development plans, annual budget and foreign exchange requirements.
- (f) All cases of transfers of Heads of Departments and their Deputies.
- (g) Proposals received from Provincial Governments which it is proposed to reject.

*Note.*— The above list may be added to wherever necessary.

This shall not apply to cases which, under Instruction 6, a Joint Secretary or Additional Secretary will submit to the Minister direct.

16. All other cases shall be disposed of by officers in accordance with the relevant rules or the powers delegated under these Instructions. All fresh receipts sent down by the Secretary, Additional Secretary or Joint Secretary shall ordinarily be taken to be sent down "for examination and disposal without reference to him", unless the case has to be shown to him under the provisions of these Instructions or he specifically asks for the case to be shown to him.

17. No officer shall deal with a case relating to his own promotion, transfer, pay or allowances or with a case dealing with his own official conduct.

**Recording of notes and preparation of drafts**

18. As a rule not more than two officers (excluding the Secretary) shall note upon a case before its final disposal except where more than one Section may have to be consulted.

19. When the higher officer agrees with the note or recommendation, he may merely append his signature.

20. In cases which can be disposed of directly by a Section Officer, no elaborate note need be recorded.

21. In case where only a perusal of the paper under consideration is sufficient to enable a higher authority to take a decision there shall be no noting beyond a brief suggestion for action.

22. In cases where a formal note is required, it shall be in the form of a statement of the case showing in detail, according to the importance and stage of the case —

- (i) the question for consideration,
- (ii) the circumstances leading upto it,
- (iii) the rules and precedents bearing upon it, and
- (iv) suggestions for action.

23. The reproduction in a note of verbatim extracts from the paper under consideration or its paraphrasing shall as a rule be avoided. It shall be presumed that the paper under consideration will be read by the officer to whom it is submitted.

24. In complicated or protracted cases, particularly those involving references to other Divisions, the Section Officer may prepare and place in a separate cover a duly referenced summary of the case (in triplicate) which shall be kept up-to-date by incorporating important decisions. The summary shall be signed by the officer who prepares it. The facts of the case shall not then be reproduced in the notes portion of the file. A copy of the summary may, if necessary be retained by another Division, when the case is referred to it.

25. All notes shall be temperately written and shall be free from personal remarks. If apparent errors are to be pointed out and if any opinion is to be criticised it shall be done in respectful language. Proper decorum shall be observed in commenting upon the notes recorded by higher authorities.

26. When it is desired to examine the proposal of another office without showing that office such examination, a 'routine' file may be opened. This procedure should be adopted especially if the proposal is likely to be criticised severely. The routine file shall not be sent out to another office without special orders of the competent authority for treating it as a part of the regular file.

27. To expedite disposal of cases and especially in emergencies, informal discussions between officers of the same Division shall be resorted to. The telephone shall be freely used, provided the subject is not secret. Secretaries and other senior officers shall encourage their subordinate officers to bring up cases for advice, discussion or disposal.

28. A draft of the communication to be issued shall, as a rule, be prepared at the earliest possible stage of the case.

29. All executive actions of the Government shall be expressed to be taken in the name of President.

30. In order to avoid audit objections, financial sanctions shall be expressed to be made by the authority empowered to make them.

#### **Consultation with other Divisions**

31. The provisions of the Rules of Business regarding consultations with other Divisions shall be carefully observed. Such consultations shall be in the following form :-

- (i) By sending a written reference specifying the points on which the advice of the other Division is sought;
- (ii) By personal consultation in the event of a difference of opinion or delay.

Attention shall be paid to special instructions issued by the various Ministries for consultation with them. Wherever possible, the proposal shall be accompanied by a draft.

32. When it is necessary to consult more than one Division on a case, the consultation shall be effected simultaneously except in cases where the multiplication of documents to be sent would involve an excessive expenditure of time and labour.

33. Where simultaneous references have to be made to more than one Division, the file may be sent to the Division most concerned, other Divisions being consulted by means of self-contained office memoranda, un-official notes, or demi-official correspondence except in cases which can be disposed of by verbal consultation.



34. In cases where a reference in the form of a self-contained office memorandum is preferred, the proposal and the point of reference shall be stated as fully and clearly as possible and references to relevant rules, orders, etc., given where necessary.

35. If a case is received from a Division in an incomplete form the Division to which the reference is made may call for the information necessary to complete it.

36. Any case referred to a Division shall either be returned to the officer referring it, *i.e.* to the last officer whose signature appears on it; or if this is not done, it shall, on return to the referring Division, be placed at once without further noting, before that officer. The latter shall ordinarily deal with it himself without any further noting by a junior officer. If he wishes a junior officer to examine the case, he shall indicate on the case the point or points on which he wants examination or information.

37. If a case has to be referred a second time to a Division on the same issue, it shall be sent to the senior most officer of that Division who has already seen it, and that officer shall follow the procedure indicated in Instruction 36 above.

38. When a file has been referred to or returned from another Division and a difference of opinion between the Divisions is disclosed, personal discussion shall as a rule be substituted for further noting. If the difference of opinion is not resolved at the level at which the case was taken up, the level of personal discussion shall be appropriately raised. In any particular case where the two Ministers agree after personal discussion, the Secretaries shall, if necessary meet and record a joint note embodying the decision and there shall be no further noting.

<sup>1</sup>[39. (1) Reference to another Division shall as far as possible be addressed to the officer concerned by name and shall be signed by an officer of the rank at least of Section Officer bearing the full name, designation and telephone number either in type or rubber stamped or legibly hand written in block letters].

(2) A d.o. letter addressed by one Secretary to another should be replied at the same level. If a formal reply is issued by a subordinate officer, it should be ensured that the contents of the reply have been cleared by the Secretary concerned.

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<sup>1</sup>Amended *vide* Management Services Division (PPARC) O.M.No.2-1-89-Manuals dated 15-9-1991.

**References to and from  
authorities outside the  
Secretariat**

40. Notes written in one Division and sent to another shall not be referred to any officer outside the Secretariat without the general or special consent of the Division to which they belong.

41. Where a general consent has been given to the reference of notes to an officer outside the Secretariat, such consent shall not be construed (except when the reference is one by the Ministry of Commerce to the Vice-Chairman, Export Promotion Bureau or by the Cabinet Division to the Director, Intelligence Bureau) to apply to cases in which the papers are marked confidential or secret and in no circumstances to cases in which the officer to whom the notes are referred is personally affected, or in which his official conduct is under consideration.

42. Subject to the conditions laid down in Instruction 41, each Division shall be deemed to have given its general consent to the reference of its notes to the officers mentioned in Appendix 'A' by the Ministries/ Divisions indicated in each case.

43. Subject to the control of the Ministry/Division to which he is subordinate, any officer to whom notes may be referred by any other Division under Instructions 40 – 42 above, may himself make un-official references to that Division, and, subject to the provisions of Instruction 44, the following officers may make such references to any Division, namely:–

- (i) Director, Intelligence Bureau.
- (ii) Director General, Federal Investigation Agency.
- (iii) Auditor General of Pakistan.
- <sup>1</sup>(iv) Director General Post Offices

44. <sup>2</sup>[No Subordinate Office of the Government of Pakistan shall make un-official reference to the Law and Justice Division otherwise than through the Ministry/Division to which it is subordinate. An Attached Department may, however make un-official reference to the Law and Justice Division under intimation to its parent Ministry or Division with the proviso that the latter may withdraw the reference from the Law and Justice Division].

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<sup>1</sup>Added *vide* Cabinet Division's O.M.No.4-8/95-Min.I, dated 11-8-1996.

<sup>2</sup>Subs *vide* O&M Division's O.M. No.1/6/81-Manuals dated 9-6-1981.

45. General, Naval and Air Headquarters, the Pakistan Ordnance Factories Board and Chief Administrative Officer's Organisation may make un-official references to any Ministry/Division of the Government of Pakistan (except the Law and Justice Division) and *vice versa* on all purely departmental questions in which no order of the Government of Pakistan in the Ministry of Defence are required. Such references may include formal or routine enquiries in cases in which the orders of the Government of Pakistan may be required, but which have not reached the stage of an impending proposition.

46. The Attorney-General shall be consulted in accordance with the procedure laid down in the Rules of Business.

47. Reference to the Federal Public Service Commission under the Federal Public Service Commission Ordinance, 1977 (Ordinance XLV of 1977) read with Federal Public Service Commission (Functions) Rules, 1978, and in terms of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, shall be made direct by the Division concerned and, by the Head of the Department, in cases where he has been authorised to make appointments to the posts in Basic Pay Scale 16 in the form of an official letter addressed to Secretary of the Commission and accompanied by the relevant papers or copies of papers. Detailed instructions on the subject are given in Appendix 'B' of these Instructions.

48. References to the Auditor-General of Pakistan shall be made by the Ministry of Finance or any other Division in the form of an official letter or memorandum with which all relevant papers or copies of papers should be sent. The Ministry of Finance may, if necessary, correspond with him un-officially on matters which solely concern the Auditor-General of Pakistan and the Ministry of Finance, *e.g.*, questions relating to the Pakistan Audit and Accounts Service, questions of accounting procedure, etc.

#### **References from Heads of Departments**

49. Proposals from a Head of a Department shall ordinarily be in the form of a self-contained communication stating the facts of the case, the points for decision and his specific recommendations.

50. The Head of a Department shall be responsible for the technical soundness of his proposals which, as a rule, shall not be subjected to any technical examination by the Division concerned.

51. It shall be the duty of the Head of a Department to ensure that only those cases are submitted to the Division on which he is not competent to pass orders himself. If a case which he is himself

competent to dispose of is received in the Division, it shall be returned to him without being subjected to any examination.

52. (1) A case referred to the Ministry/Division over the signature of the Head of a Department shall be placed before the Secretary or the Joint Secretary in the case of major Departments, or the Deputy Secretary in the case of minor Departments where the Head of the Department is of the approximate status of a Deputy Secretary. The officer concerned shall see whether he can pass orders on the reference straight away. If it is considered that previous papers are needed, or examination is required at a lower level, instructions shall be given accordingly, but the language used in examining or criticising such cases shall invariably be polite.

(2) In all cases, replies should be shown to the concerned officer before issue, who should normally send the reply under his own signature. In case an officer of a lower status signs the reply the level at which the decision has been taken should invariably be indicated by the addition of the words 'this issues with the approval of Secretary/Joint Secretary/Deputy Secretary' as the case may be. This may not, however, apply to the orders and other instruments made and executed in accordance with the provisions of para 7(2) of the Rules of Business.

Note.— The term approximate status of a Deputy Secretary used in the first paragraph of this Instruction means the officer holding appointments in BPS-19 in the Attached Departments and First Secretary or Consular in the Pakistan Mission abroad.

### **Disposal of references between Federal and Provincial Governments**

53. (1) For scrutiny and disposal of references between the Provincial and Federal Governments, the relative status of the officers concerned as shown below may serve as the guiding principle:—

| <i>Provincial Government</i>             | <i>Federal Government</i> |
|--|---------------------------|
| Joint Secretary or Additional Secretary. | Deputy Secretary.         |
| Secretary/Additional Chief Secretary.    | Joint Secretary.          |
| Chief Secretary.                         | Secretary.                |

(2) References received from the Provincial Governments shall be attended to expeditiously. If a reference has remained undisposed of for

more than a month, it shall be brought to the notice of the Secretary with an explanation of the reasons for delay.

### **Correspondence with Foreign Governments**

54. The channel of correspondence between the Government of Pakistan and foreign governments shall be as prescribed by the Ministry of Foreign Affairs. The existing instructions on the subject are given in Appendix 'C'.

### **Correspondence with members of the public**

55. (1) A mechanism for continuous review and control should be introduced in each Ministry/Division and its Departments/Agencies dealing with matters directly affecting the public, in order to ensure that:

- (i) every letter received from a member of the public is immediately acknowledged, and
- (ii) a final reply is invariably sent after consideration of the case is completed.

(2) The forms and letters addressed to the members of the public should be politely worded and neatly printed or otherwise reproduced on stationery of suitable quality. The salutation "Dear Sir/Sirs" and subscription "Yours truly" should be invariably used while addressing communications to non-officials or group of individuals.

### **Checks on delays**

56. (1) Every Section Officer shall prepare, in the prescribed form a monthly return of arrears and submit it to such higher officer or officers as the Secretary may order.

(2) The following system of reminders shall be adopted as a matter of routine. The first reminder shall be issued after a reasonable lapse of time in the form of an un-official note or office memorandum. It shall be followed, if necessary, by a second reminder which shall be in the form of a demi-official letter from the officer concerned or the Deputy Secretary. If there is still no response, the matter shall be taken up at a higher level by the Joint Secretary, Additional Secretary or the Secretary. Such written reminders shall be supplemented by telephonic reminders. Demi-official reminders shall be replied to by officers of the same rank.

**GENERAL****Inspection**

57. (a) Deputy Secretaries shall inspect the working of their Sections once every six months and senior officers, not below the rank of Joint Secretary to the Government, shall make similar inspection annually. They shall pay special attention to:—

- (i) compliance with the Rules of Business, Secretariat Instructions, standing orders and office directives;
- (ii) security arrangements;
- (iii) general office management; and
- (iv) proper use and care of Government property and equipment.

(b) A guide to inspection is attached at Appendix 'D'.

**Meetings**

58. (a) The Secretary (or Additional/Joint Secretary Incharge) should endeavour to convene meetings of all officers in the Ministry/Division and Heads of Departments once a month and at any rate, once every quarter, to discuss—

- (i) important pending cases;
- (ii) specific problems calling for general expression of views or exchange of ideas; and
- (iii) questions of general interest concerning the Division as a whole.

(b) The Deputy Secretaries should hold periodical meetings with the Section Officers.

59. All meetings shall be business-like. Brief minutes shall be recorded mentioning only the salient points considered and the decisions taken. Individual view points should not be recorded except on request.

**Security arrangements and handling of classified documents**

60. Security instructions shall be strictly adhered to.

61. All documents which are of secret and confidential nature shall be properly classified and treated, in accordance with the instructions contained in the booklet "Security of Classified Matter in Government Departments".

**Security Instructions for use of Fax Machines/Computers in the Government Departments**

62. Fax Machine working in conjunction with tel/radio or any other means of communication without a crypto cover does NOT offer any security to the material being faxed thereon or there-through. To ensure security in relation to the Fax installed in the Government Departments, the following instructions will be followed:—

- (a) Fax will be handled/operated by a designated person approved by the head of the Department and record maintained.
- (b) Fax will always be kept under lock and key of the designated operator.
- (c) Records of all documents transmitted or received on a Fax will be maintained on a register to be checked at suitable intervals under arrangements of Head of the Department.
- (d) Fax will be fed with a code number for gaining access to its functioning and changed frequently.
- (e) Fax will be operated for transmission only after telephonic contact between the two Fax operators has been established.
- (f) In case Fax is used for photocopying the official documents, instructions for use of photocopying machine will be followed.
- (g) No classified document of confidential or above security classification will be transmitted on the Fax which is not provided with the security equipment.

If the Fax link has been provided with cryptocover, the owner/user of the Crypto-cover Fax has to ensure that the cryptocover so used must be on the approved list of NCSB, and that the information being faxed thereon is kept within the confines of Cryptosecurity and security classification domains offered by the cryptosystem.

*(a) Security Instructions for use of Computers in Government Department.*

1. To lock PC/terminal when not in use.
2. To use properly labelled diskettes.
3. To ensure safe custody of diskettes while in possession.
4. To return diskettes to inventory holder at packup time.
5. To maintain a record of data/files stored on computer diskettes.

*(b) Responsibility of Computer Security Officers.*

1. To restrict unauthorised access to computer terminals/ rooms.
2. "Out of Bound" sign be pasted.
3. To administer diskettes according to laid down security instructions.
4. To maintain diskettes in/out register.
5. To maintain printers output register.

**Publication of papers**

63. All papers sent for publication in the Gazette shall be signed by the Secretary, or by an officer authorised by him. Officers authorised to sign papers for publication in the Gazette shall sign under their own designations and not "for Secretary".

64. No papers, except those which it has been the ordinary practice to publish in the Gazette or which are required by law to be so published, shall be published without full consideration and without the approval of the Secretary in the Ministry or Division to which the subject belongs.

65. No communication between Government offices shall, in normal circumstances, be published by the addressing authority until the addressee has received it. When circumstances render earlier publication unavoidable, the addressee shall be informed by telegram, telephone, fax or email.

66. No official shall, in any circumstances, give publicity to documents which might seem to reflect upon a superior authority or give assistance to the press in formulating adverse comments upon the orders or actions of a superior authority.



67. The publication of correspondence between the Government of Pakistan and a provincial Government which indicates a difference of opinion shall be avoided.

68. In personal cases which have formed the subject of correspondence between a Provincial Government and the Government of Pakistan, the deciding authority shall in every case clearly, indicate:—

- (a) whether only the substance of the decision should be communicated to the officer concerned, or
- (b) whether, in addition, a statement of the grounds upon which it is based or portions of the correspondence, and, if so, which portions should be furnished.

69. <sup>1</sup>[GOVERNMENT OF PAKISTAN shall be written above the name of the Ministry/Division/Department/Organization in Public Notices, Advertisements and Notifications issued from Ministries/Divisions/Departments/Organisations required to be published in the press] <sup>2</sup>[and at website].

#### DETAILED OFFICE PROCEDURE

70. In matters of detailed office procedure, the Divisions shall be guided by the directions contained in Appendix 'E' to these Instructions.

#### CONSULTATION WITH LAW AND JUSTICE DIVISION

##### **General**

71. The Law and Justice Division shall be consulted in all matters involving legal questions.

##### **Prosecution**

72. When the Government of Pakistan is concerned with any criminal prosecution, a reference shall be made to the Law and Justice Division.

73. No prosecution shall be instituted without consultation with the Law and Justice Division, and no prosecutions shall be instituted or withdrawn in any manner contrary to the advice of the Law and Justice Division, without reference to the Government in the Division concerned.

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<sup>1</sup> Inserted *vide* Management Services Division O.M. No. 2-1/91 Manuals dated 26-4-1993.

<sup>2</sup> Added *vide* Railways Division's O.M. No.15(1)/2002-E.I, dated 31-10-2002.

**Conduct of cases in Courts**

74. Instructions regarding the conduct of cases of the Federal Government in Courts etc., shall be issued by the Law and Justice Division. The existing instructions on the subject are given in Appendix 'F'.

**Role of Management Services Wing, Establishment Division**

75. <sup>1</sup>[To prevent unnecessary expansion of the Government and to avoid duplication/overlapping of functions allocated to Ministries/ Divisions under Schedule II to the Rules of Business, all the Ministries/ Divisions shall comply with the following directions:-

- (i) Utilize the free consultancy services of Management Services Wing as far as possible and save expenditure on foreign/local consultants.
- (ii) Involve Management Services Wing at the time of expansion also. Expansion in their activities and/or in number of personnel should be got cleared by the Management Services Wing.
- (iii) Give representation to the Management Services Wing on all Commissions/Committees concerned with the reorganisation of government machinery].

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<sup>1</sup>Added *vide* Cabinet Secretary's d.o. letter No. 6-18/91-GC dated 21-1-1992.

**APPENDIX 'A'**  
**(See Instruction 42)**

Each Ministry/Division shall be deemed to have given its general consent to the reference of its notes to the officers mentioned below by the Ministries/Divisions indicated in each case: -

- (1) By any Ministry:
- (i) Officers holding *ex-officio* Secretariat status.
  - (ii) Auditor General of Pakistan.
  - (iii) Accountant General Pakistan Revenues.
  - (iv) Director General, Pakistan Public Works Department.
  - (v) Controller of Patents and Designs.
  - (vi) Director General, Investment Promotion and Supplies.
  - (vii) Director General, Department of Archives.
  - (viii) Director General, Department of Libraries.
  - (ix) Registrar, Central Copyright Office.
  - (x) Director, Intelligence Bureau.
  - (xi) Chairman/Director General, Export Promotion Bureau.
  - (xii) Director General of Food.
  - (xiii) Director General, Press Information Department.
  - (xiv) Surveyor General of Pakistan.
  - (xv) <sup>1</sup>[Director General Pakistan Standard and Quality Control Authority (PSQCA)].
- (2) By the Cabinet Secretariat:
- (a) *Cabinet Division;*
    - (i) Director General, Department of Communications Security.
    - (ii) Controller, Department of Stationery and Forms.
    - (iii) <sup>2</sup>[Director General, National Archives of Pakistan].
  - (b) *Establishment Division;*
    - (i) Chairman or Secretary, FPSC.
    - (ii) Director, Secretariat Training Institute.
    - (iii) Principal, Pakistan Administrative Staff College.
    - (iv) Managing Director, Federal Employees Benevolent and Group Insurance Funds.

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<sup>1</sup>Subs *vide* S&TR Division O.M. No.12(28)/2002-Estt-I, dated 25-10-2002.

<sup>2</sup>Added *vide* Cabinet Division O.M. No.F.4/3/2002-Admn.II, dated 16-10-2002.

(3) By the Ministry of Commerce:

*Commerce Division;*

- (i) Export Promotion Bureau.
- (ii) Controller of Insurance.
- (iii) Chairman/Secretary, Cotton Board.

(4) By the Ministry of Communications:

*Communications Division;*

Pakistan Post Office Department.

(5) By the <sup>1</sup>[Ministry of Culture, Sports and Youth Affairs:

*Culture, Sports and Youth Affairs Division];*

- (i) Director General, Department of Archaeology and Museums.
- (ii) Chairman, Central Board of Film Censors.

(6) By the Ministry of Defence:

(a) *Defence Division;*

- (i) Director General, Pakistan Meteorological Services.
- (ii) Chairman, Joint Chief of the Staff Committee, the Chief of the Army Staff, the Chief of the Naval Staff and the Chief of the Air Staff.
- (iii) Principal Staff Officers at General, Naval and Air Headquarters.
- (iv) Military Secretary, General Headquarters and Naval Secretary, Naval Headquarters.
- (v) Engineer-in-Chief, General Headquarters.
- (vi) Judge Advocate General, Army, Navy and Air Force.
- (vii) Director General, Inter-Services Intelligence.
- (viii) Military Accountant General.
- (ix) Secretary, Pakistan Armed Services Board.
- (x) Surgeon General, General Headquarters.

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<sup>1</sup>Subs *vide* Cabinet Division's Memo.No.4-20/2004-Min.I, dated 2-9-2004.

- (xi) Chief Admn. Officer, General Headquarters.
- (xii) Director General of Military Lands and Cantonments.
- (xiii) Surveyor General of Pakistan.
- (xiv) National Defence College and Joint Services Staff College.
- (xv) Director, Federal Government Educational Institutions (Cantt. Garrison) FGEI (CG).
- (xvi) Director General, Maritime Security Agency.

(7) By the <sup>1</sup>[Ministry of Defence Production]:

*Defence Production Division;*

- (i) Chairman, Pakistan Ordnance Factories Board.
- (ii) Director General, Munitions Production.
- (iii) Director General, Defence Purchase.
- (iv) Chief Scientist and Scientific Adviser, Defence Science and Technology Organisation.
- (v) Project Directors.
- (vi) Director General, Aeronautical Projects.
- (vii) Director General, Heavy Rebuild Factory.

(8) By the <sup>1</sup>[Ministry of Economic Affairs and Statistics]:

*Statistics Division;*

- (i) Director General, Federal Bureau of Statistics.
- (ii) Chief Commissioner, Population Census Organization.
- (iii) Agricultural Census Commissioner, Agriculture Census Organization.
- (iv) Principal, Pakistan Institute of Statistical Training and Research.

(9) By the Ministry of Education:

*Education Division;*

- (i) Director General, Federal Directorate of Education.
- (ii) Registrar, Central Copyright Office.
- (iii) Director General, Department of Libraries.

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<sup>1</sup>Subs *vide* Cabinet Division's Memo.No.4-20/2004-Min.I, dated 2-9-2004.

(10) By the <sup>1</sup>[Ministry of Environment]:

*Environment Division;*

<sup>2</sup>[Chairman, Pakistan Environmental Planning and Architectural Consultants Limited (PEPAC)].

(11) By the <sup>1</sup>[Ministry of Finance and Revenue]:

(a) *Finance Division;*

- (i) Governor, State Bank of Pakistan.
- (ii) Auditor General of Pakistan or any Accountant General including Military Accountant General.
- (iii) Members of the Central Board of Revenues.
- (iv) Chief Director, National Savings.
- (v) <sup>3</sup>[Chairman, Securities Exchange Commission of Pakistan (SECP)].
- (vi) <sup>4</sup>[Chairman, Monopoly Control Authority].

(12) By the Ministry of Health:

*Health Division;*

- (i) Director, Central Health Establishment, Karachi.
- (ii) Executive Director, Pakistan Institute of Medical Sciences (PIMS), Islamabad.
- (iii) Medical Superintendent, Federal Government Services Hospital, Islamabad.
- (iv) Director, Jinnah Postgraduate Medical Centre, Karachi.
- (v) Director, Malaria Control, Islamabad.
- (vi) Director, National Institute of Child Health, (NICH), Karachi.

(13) By the <sup>5</sup>[Ministry of Housing and Works:

*Housing and Works Division;*

- (a) Estate Officer, Estate Office.
- (b) Director General, National Housing Authority].

<sup>1</sup>Subs *vide* Cabinet Division's Memo.No.4-20/2004-Min.I, dated 2-9-2004.

<sup>2</sup>Added *vide* Ministry of Environment, Local Government and Rural Development O.M.No.1-23/2002-Coord, dated 25-2-2003.

<sup>3</sup>Subs *vide* Finance Division O.M. No.F.8(2)Admn-1/2003-642, dated 05-05-2003.

<sup>4</sup>Added *ibid*.

<sup>5</sup>Subs *vide* Ministry of Housing & Works O.M. No.F.6(19)/2002-A1, dated 26-10-2002.

- (14) By the <sup>1</sup>[Ministry of Industries, Production and Special Initiatives:

*Industries, Production and Special Initiatives Division];*

- (i) <sup>2</sup>[Chief Inspector Explosives.
- (ii) Textile Commissioner.
- (iii) Controller, Patents and Designs].

- (15) By the Ministry of Information and <sup>3</sup>[Broadcasting]:

*Information and Broadcasting Division;*

- (i) Director General, Films and Publications.
- (ii) <sup>4</sup>[Director General, Press Information Department].

- (16) By the Ministry of Information Technology:

*Information Technology and Telecommunications Division;*

- (i) Pakistan Computer Bureau (PCB).
- (ii) Electronic Government Directorate (EGD).

- (17) By the Ministry of Interior:

*Interior Division;*

- (i) Director General, Federal Investigation Agency.
- (ii) Director General, Immigration and Passports.

- (18) By the <sup>5</sup>[Ministry of Labour, Manpower and Overseas Pakistanis]:

<sup>1</sup>*[Labour and Manpower Division];*

- (i) Chairman, National Industrial Relations Commission.
- (ii) Chairman, Implementation Tribunal for Newspapers Employees.

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<sup>1</sup>Subs *vide* Cabinet Division's Memo.No.4-20/2004-Min.I, dated 2-9-2004.

<sup>2</sup>Amended *vide* Ministry of Industries and Production O.M. No.9(23)/2002-Admn.I, dated 8-11-2002.

<sup>3</sup>Subs *vide* SRO No.434(1)/2003, dated 20-5-2003.

<sup>4</sup>Amended *vide* Ministry of Information and Media Development U.O.No.4(5)/2003-Coord, dated 23-04-2003.

<sup>5</sup>Subs *vide* Labour, Manpower and Overseas Pakistanis Division O.M.No.6-1/2002-Admn.I, dated 31-10-2002.

- (iii) Director General, Bureau of Emigration and Overseas Employment.
- (iv) Director General, National Training Bureau.
- (v) Director General, Directorate of Trade Union (Workers) Education.
- (vi) Director, Pakistan Manpower Institute].

(19) By the <sup>1</sup>[Ministry of Local Government and Rural Development]:

*Local Government and Rural Development Division;*

- (a) Akhtar Hamed Khan, National Centre for Rural Development, Islamabad.
- (b) Municipal Training and Research Institute, Karachi.

(20) By the Ministry of Petroleum and Natural Resources:

*Petroleum and Natural Resources Division;*

- (a) <sup>2</sup>[Directorate General, Geological Survey of Pakistan.
- (b) Policy Wing consisting of:-
  - (i) Directorate General of Petroleum Concessions.
  - (ii) Directorate General of Oil.
  - (iii) Directorate General of Gas.
  - (iv) Directorate General of Administration/Special Projects.
- (c) Mineral Wing].

(21) By the <sup>3</sup>[Ministry of Social Welfare and Special Education:

*Social Welfare and Special Education Division];*

Directorate General of Special Education.

(22) By the Ministry of Water and Power:

*Water and Power Division;*

- (a) Chief Engineering Adviser/Chairman, Federal Flood Commission.
- (b) Pakistan Commissioner for Indus Water.

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<sup>1</sup>Amended *vide* Ministry of Local Government and Rural Development O.M.No.F.1(14)/2003-Admn, dated 29-6-2004.

<sup>2</sup>Amended *vide* Ministry of Petroleum and Natural Resources O.M.No.8(1)/2000-02.Vol.V, dated 25-10-2002

<sup>3</sup>Subs *vide* Cabinet Division's Memo.No.4-20/2004-Min.I, dated 2-9-2004.



**APPENDIX 'B'**

(See Instruction 47)

**THE FEDERAL PUBLIC SERVICE COMMISSION**

1. Functions of the Federal Public Service Commission in regard to recruitment are laid down in Section 7 of the Federal Public Service Commission Ordinance, 1977 (Annexure-I). Under Section 10 *ibid* which empowers the President to make rules for carrying out the purposes of the Act, the Federal Public Service Commission (Functions) Rules, 1978 (Annexure-II) have been issued. Attention in this connection is also invited to:-

- (a) rule 10 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 regarding initial appointments to posts within the purview of the F.P.S.C. (Annexure-III); and
- (b) the Establishment Division's O.M. No. 11/18/49-SE-II, dated the 17th January, 1951 regarding recruitment from abroad (Annexure IV).

**References to the Federal Public Service Commission and acceptance of its advice**

2. All references shall be made direct to the Commission by the Division/Department in the form of an official letter addressed to the Secretary and with which all relevant papers shall be forwarded, provided that no reference which is not obligatory under the rules and instructions regarding consultation with the Commission shall be made without the previous concurrence of the Establishment Division and, in cases involving financial considerations, of the appropriate authority as well. Before a case is referred to the Establishment Division, the Division/Department shall place in the file the draft of the letter proposed to be submitted to the Commission.

3. The Commission shall in all cases be informed of the action taken on its recommendations. For this purpose, ordinarily endorsement forwarding copies of communications in which orders are conveyed, recommendations are made or other action taken shall suffice.

4. Whenever a difference of opinion arises between the Commission and a Division/Department which cannot be resolved by correspondence, the matter shall be dealt with in accordance with the Establishment Division O.M. No.3/3/59-EVII, dated the 4th June, 1960 (Annexure V) and the case will then be submitted by the Establishment Division to the Prime Minister *vide* item 5(b) of Schedule V-A of the Rules of Business, 1973.

### **Appointment/Recruitment to posts under the Federal Government**

5. (i) Appointments to the various posts in BPS 16 and/or above which fall within the purview of the Commission shall be made in accordance with the recruitment rules framed in consultation with the FPSC and with the concurrence of the Establishment Division.

(ii) Whenever, a post is entrusted to the Commission for recommending a suitable candidate, a requisition on the prescribed form accompanied by a copy of approved recruitment rules and after prescribing regional/provincial quota should be sent to the Commission. Once a requisition has been sent for recruitment and the Post has been advertised by the Commission, the qualification *etc.* should not be revised.

Note.— In the case of posts in BPS-1 to 15 which do not fall within the purview of the Commission, it is not necessary to consult the FPSC regarding the method and source of their recruitment. Recruitment rules should be framed with the concurrence of the Establishment Division.

### **Recruitment by Examination**

6. When any competitive examination is to be held for the purpose of recruitment to posts in BPS 16 and/or above under the Federal Government and consultation with the Commission is required, the Commission shall:—

- (i) advise the President in regard to the regulations prescribing the—
  - (a) conditions of admission to the examination; and
  - (b) syllabus of the examination;
- (ii) announce the number of vacancies to be filled from among the candidates for the examination;
- (iii) make all arrangements for the actual conduct of the examination including *viva voce* and other tests connected with it in Pakistan, and, if necessary, abroad and may for this purpose, depute a Member to go abroad for sitting on the Interview Board; Provided that when the Commission finds it necessary to send more than one Member, it shall obtain prior approval of the President;
- (iv) if considered necessary, request the President to nominate an officer not below the rank of Joint Secretary, to represent the Government at the interviews for Competitive Examinations for recruitment to posts in BPS 16 and 17;

- (v) compile the result of successful candidates so examined and announce the same in conformity with such procedure as may be prescribed by the President from time to time; arrange the qualified candidates in order of merit on the results of the examination; and in conformity with the relevant Rules and the number of vacancies announced and, if the examination be a combined one for recruitment to more than one service/group, determine the suitability of an individual candidate for different services/groups;
- (vi) forward to the president a list of the qualified candidates in accordance with (v) above;
- (vii) conduct the Final Passing Out Examinations of the Probationers; and
- (viii) advise the President on ancillary matters regarding FPO examinations of the probationers.

#### **Recruitment by Selection.**

7. When recruitment to a post is to be made, or a particular post is to be filled, by selection and consultation with the Commission is required, the Commission shall:—

- (i) advise the President in regard to the rules regulating the submission of application;
- (ii) when necessary announce the number of vacancies and invite applications;
- (iii) consider all applications received and if it considers necessary interview such candidates as *prima facie* appear most suitable for appointment. In the case of candidates already in Government service, Commission's recommendations in such cases will be subject to their character rolls being found satisfactory. The Commission can also requisition character rolls of the candidates employed outside Government;
- (iv) Recommend only one candidate for each vacancy and keep some suitable persons, if available, in reserve;
- (v) When there are two or more vacancies to be filled, arrange the candidates recommended in order of merit;
- (vi) Request the President to nominate an officer not below the rank of Joint Secretary to represent the government at the interviews; and

- (vii) When recruitment is made by selection owing to the failure of a competitive examination to yield a sufficient number of qualified candidates or to give adequate representation to a certain province, zone, area, or community, recommend candidates in accordance with such orders as the President may pass in this respect.

### **Recruitment from Abroad**

8. If a Division/Department considers that it is necessary to make recruitment to civil posts from abroad, it shall make a reference to the Commission, asking it to agree to such recruitment and, if it agrees, to proceed without delay to take all the steps necessary to make recruitment. The Commission shall advertise the post or posts abroad and make necessary arrangements for the candidates to be interviewed by special Selection Committees. Thereafter the Commission shall make recommendations for the filling of the post or posts in question. In no case shall the Division/Department itself take steps to advertise the post.

9. In exceptional cases in which the Division/Department concerned is of the view that recruitment from abroad through the 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 interview, the Commission shall be consulted first and its concurrence obtained to recruitment to the post being made abroad. After the Commission has agreed, a reference shall be made to the Establishment Division for obtaining the approval of the Prime Minister. This reference shall be accompanied by a summary for the Prime Minister explaining why it is necessary for recruitment to be made abroad and otherwise than through the Commission and stating what steps the Division/Department has in mind for filling the post or posts in question as prescribed in the Cabinet Secretariat (Establishment Division) Office Memorandum No. 11/18/49-SEII, dated the 17th January, 1951 (Annexure IV).

### ***Ad hoc* and Temporary appointments**

10. When under the Federal Public Service Commission (Functions) Rules, 1978, a post is required to be filled through the Commission and the appointing authority considers it to be in the public interest to fill the post urgently pending nomination of a candidate by the Commission or, if it is a short term vacancy for a period not exceeding 6 months, the appointing authority shall comply with the provisions of rules 18, 19 and/or 20 of the Civil Servants (appointment, Promotion and Transfer) Rules, 1973:

Provided that the *ad hoc* appointment, beyond the prescribed period of six months may be extended in accordance with the procedure laid down in rule 3 of the FPSC (Functions) Rules, 1978; and

Provided further that all conditions regarding qualifications, age, experience, regional/provincial quota *etc.*, prescribed for regular appointment to a post shall be observed for making *ad hoc* appointment to that post and no relaxation allowed.

**Annexure-I**

(See Appendix B - Para - 1)

FEDERAL PUBLIC SERVICE COMMISSION  
ORDINANCE, 1977

**No F. 24(I)/77-Pub.**— The following Ordinance made by the President on the 17th December, 1977, is hereby published for general information:—

ORDINANCE NO. XLV OF 1977

AN

ORDINANCE

*to repeal and, with certain modifications, re-enact the Federal  
Public Service Commission Act, 1973*

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) <sup>1</sup>[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:

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 qualification and experience as the Federal Government may by rules prescribe].

<sup>2</sup>[(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.–** <sup>3</sup>[(1) A member of the Commission shall hold office for a term of five years from the date on which he enters upon office and shall not be eligible for re-appointment]:

(2) A member may resign his office by writing under his hand addressed to the President.

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<sup>1</sup>Subs *vide* FPSC (Amendment) Ordinance No.LVI of 2000, dated 17-11-2000.

<sup>2</sup>Amended *vide* Federal Public Service Commission Ordinance No. LI/1980 dated 1-10-1980.

<sup>3</sup>Subs. and Added *vide* Federal Public Service Commission Ordinance No.LVI of 2000, dated 17-11-2000.

<sup>1</sup>[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. <sup>1</sup>[**Ineligibility for further employment.**—On ceasing to hold office a member shall not be eligible for further employment in the service of Pakistan].

5A. <sup>1</sup>[**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.

<sup>2</sup>[7. **Functions of the Commission.**—(1) The functions of the Commission shall be—

- (a) <sup>3</sup>[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 scale 16 and above or equivalent]; and
- (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 appointments to the services and posts referred to in clause (a) and in making appointments by promotion to posts in BS 18 and above and transfer from one service or occupational group to another; and
  - (iii) On any other matter which the President may refer to the Commission; <sup>4</sup>[and]
- <sup>4</sup>[(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].

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<sup>1</sup>Subs. and Added *vide* Federal Public Service Commission Ordinance No.LVI of 2000, dated 17-11-2000.

<sup>2</sup>Subs *vide* Federal Public Service Commission (Amendment) Ordinance No.LVI of 2000 dated 17-11-2000.

<sup>3</sup>Subs *vide* Federal Public Service Commission (Amendment) Ordinance III of 2003 promulgated on 20-5-2003

<sup>4</sup>Subs and added *vide* Ordinance No.XLIX of 2002 dated 3-9-2002.



*Explanation.*—In this section, “recruitment” means initial appointment other than by promotion or transfer.

(2) Recruitment to the following posts shall be outside the purview of the Commission: –

- (i) In the President’s Secretariat and Directorate General of ISI;
- (ii) Filled by appointing a person on contract for a specified period not exceeding two years;
- (iii) Filled on *ad hoc* basis for a period of six months or less provided that—
  - (1) No *ad hoc* appointment shall be made before placing a requisition with the Commission for regular appointment; and
  - (2) Before filling the post on *ad hoc* basis, prior approval shall be obtained from the Commission;
- (iv) Filled by re-employing a retired officer, provided that the re-employment is made for a specified period not exceeding two years in a post not higher than the post in which the person was employed on regular basis before retirement; and
- (v) Filled by the employment or re-employment of persons on the recommendations of the High Powered Selection Board constituted by the President who are, or have been, Officers of the Armed Forces and hold, or have held, such posts therein as are declared by the President to be equivalent to the posts to be so filled].

<sup>1</sup>[(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.

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<sup>1</sup>Added *vide* Federal Public Service Commission (Amendment) Ordinance No.XVI of 2001, dated 27-3-2001.

(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].

<sup>1</sup>[7-A. **Conduct of business of Commission, etc.**—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].

<sup>2</sup>[**Validation.**—All appointments of persons who are or have been, officers of the Armed Forces of Pakistan, made on or after the fifth day of July, 1977 but before the twenty-fifth day of June, 1980, without reference to the Federal Public Service Commission shall be deemed to have been validly made].

**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 matters, if any, on which the Commission ought to have been consulted but was not consulted and the reasons thereof.

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<sup>1</sup>Added *vide* Federal Public Service Commission (Amendment) Ordinance No.XXV of 1978, dated 24-5-1978

<sup>2</sup>Added *vide* Federal Public Service Commission (Amendment) Ordinance No.LI of 1980.

10. **Rules.**— The Federal Government may, by notification in the official Gazette, make rules, for carrying out the purposes of this Ordinance.

11. <sup>1</sup>Omitted.

<sup>2</sup>[SCHEDULE

[(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)].

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<sup>1</sup>Omitted *vide* Federal Public Service Commission Ordinance. No. XLV of 1977, dated 17-12-1977.

<sup>2</sup>Added *vide* Federal Public Service Commission (Amendment) Ordinance No. LVI of 2000.

**Annexure-II**

(See Appendix B – para 1)

FEDERAL PUBLIC SERVICE COMMISSION  
(FUNCTIONS) RULES, 1978

NOTIFICATION

*Rawalpindi, the 18th November, 1978*

**S.R.O. 1316(I)/78.**– 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 a person nominated by the Commission;
- (b) "civil servant" means a person who is, or has been, a civil servant within the meaning of the Civil Servants Act, 1973 (LXVI of 1973);
- (c) <sup>1</sup>Omitted.
- (d) "regular basis" when used with reference to an appointment, means appointment other than on *ad hoc* basis, or on contract, or on a temporary basis, for a specified period;
- (e) "retired officer" includes a retired officer of the Armed Forces; and
- (f) "test" includes written examination, interview and *viva voce*.

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<sup>1</sup>Omitted *vide* Establishment Division's Notification S.R.O. No.147(I)/84, dated 9-2-1984.

3. <sup>1</sup>[(1) The Commission shall conduct tests and examinations for recruitment to all posts—

(i) in connection with the affairs of the Federation in basic pay scales 16 and above or equivalent; and

<sup>2</sup>[(ii) in basic pay scales 11 to 15 or equivalent in—

- (1) the Federal Secretariat;
- (2) the Central Board of Revenue;
- (3) the Federal Investigation Agency;
- (4) the Anti-Narcotics Force;
- (5) the Pakistan Railways;
- (6) the Directorate General of Immigration and Passports;
- (7) the Export Promotion Bureau;
- (8) the Islamabad Capital Territory Administration;
- (9) the Bureau of Immigration and Overseas Employment;
- (10) the Estate Office;
- (11) the Organizations, except autonomous bodies, under the Ministry of Health and Ministry of Education], 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 the Commission for regular appointment; and

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<sup>1</sup>Subs *vide* Establishment Division's Notification S.R.O. No.415(I)/2000, dated 19-6-2000.

<sup>2</sup>Powers withdrawn/subs *vide* Federal Public Service Commission (Amendment) Ordinance III of 2003 promulgated on 20-5-2003.

- (ii) before filling the post on *ad hoc* basis, prior approval shall be obtained from the Commission;
- (d) filled by re-employing a retired officer provided that re-employment is made for a period not exceeding two years in a post not higher than the post in which the person was employed on regular basis before retirement; and
- (e) filled by the employment, other than posts in pay scale 17 filled by serving armed forces officers on the recommendations of FPSC, or re-employment of persons who are, or have been officers of the armed forces of Pakistan and held, or have held such posts therein as are declared by the President to be equivalent to the posts to be so filled; and

(2) For removal of doubts it is clarified that the process already initiated for recruitment to posts in BPS 11 to 15 shall be completed in accordance with the provisions of these rules existing immediately before the provisions of sub-rule (1) if the advertisement for recruitment had already appeared in the newspapers];

4. The Commission shall test civil servants appointed at any time between the first day of January, 1972 and the fifth day of July, 1977, or promoted to a higher post during the said period whose cases may be referred to the Commission by the President, and make a report to the President whether they are fit to hold the post to which they were appointed or promoted, as the case may be, and, if not, whether they are fit to hold any other civil post <sup>1</sup>[equivalent or lower, as the case may be] compatible with their qualifications and experience.

<sup>2</sup>[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].

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<sup>1</sup>Subs *vide* Establishment Division's Notification S.R.O. No. 147(I)/84 dated 9-2-1984.

<sup>2</sup>Added *vide* Establishment Division's Notification S.R.O. No.848(I)/2002, dated 27-11-2002.

<sup>1</sup>[SCHEDULE

[See rule 3 (a)]

## POSTS EXCLUDED FROM THE PURVIEW OF THE COMMISSION

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| Ministry, Division or Organization.             | Name of post |
|---|--------------|
| President's Secretariat<br>(Personal or Public) | All posts].  |

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<sup>1</sup>Amended *vide* Establishment Division's Notification S.R.O. No.415/2000 dated 19-6-2000.

**Annexure-III**

[See Appendix B - Para-1]

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) <sup>1</sup>["selection board" means a Board constituted by the Federal Government, 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 by Government from time to time].
- (c) "commission" means the Federal Public Service Commission;
- (d) <sup>1</sup>["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) <sup>1</sup>["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]

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<sup>1</sup>Subs *vide* Establishment Division's Notification S.R.O. No.430(I)/2000, dated 26-6-2000.



(f) <sup>1</sup>[Omitted].

3. (1) Appointments to posts shall be made by any of the following methods, namely:—

- (a) <sup>2</sup>[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.

<sup>3</sup>[(3) "Notwithstanding anything contained in sub-rule(I), 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 Government decision 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"].

<sup>4</sup>[(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.

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<sup>1</sup>Omitted clause (f) *vide* Establishment Division's Notification S.R.O. No. 146(I)/84, dated 9-2-1984.

<sup>2</sup>Subs *vide* Establishment Division's Notification S.R.O. No.742(I)/2002, dated 28-10-2002.

<sup>3</sup>Added *vide* Establishment Division's Notification S.R.O. No. 57(1)/93, dated 25-1-1993.

<sup>4</sup>Added *vide* Establishment Division's Notification S.R.O. No. 961(1)/99, dated 25-8-1999.

(2) Each such Committee shall consist of at least three members one of whom shall be appointed Chairman.

5. Where an appointing authority for <sup>1</sup>[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.

<sup>2</sup>[6. <sup>3</sup>[(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   |
|-------|---|--|
| 1     | 2   | 3  |
| (1)   | Posts in basic pay scales 20 and above or equivalent. | <sup>4</sup> [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]. |

<sup>5</sup>[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].

<sup>1</sup>Added *vide* Establishment Division's Notification S.R.O. No.961(I)/99, dated 25-8-1999.

<sup>2</sup>Subs. *vide* Establishment Division's Notification S.R.O.No.276(I)/2000, dated 25-5-2000.

<sup>3</sup>Renumbered *vide* Establishment Division's Notification S.R.O. No.829(I)/2000, dated 16-11-2000.

<sup>4</sup>Subs *vide* Establishment Division's Notification S.R.O.No.1(I)/2003,dated 1-1-2003 *w.e.f.* 23-11-2002.

<sup>5</sup>Added *vide* Establishment Division's Notification S.R.O.No.607(I)/2002, dated 10-9-2002.

<sup>1</sup>[(2) 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.

TABLE

| Sl. No.          | Name of Department  | Basic Pay Scale of posts  | Appointing Authority   |
|------------------|---|---|--|
| 1                | 2   | 3   | 4  |
| 1.               | Pakistan Audit Department and Officers of Inter-Departmental Cadre of Pakistan Audit & Accounts Group | (i) 17 to 19 or equivalent.<br>(ii) 16 or equivalent.<br>(iii) 3 to 15 or equivalent.<br>(iv) 1 to 2 or equivalent. | Auditor-General of Pakistan.<br>An officer notified by the Auditor-General of Pakistan.<br>An officer notified by the Auditor-General of Pakistan.<br>An officer notified by the Auditor-General of Pakistan]. |
| <sup>2</sup> [2. | Intelligence Bureau   | (i) 17-19 or equivalent<br>(ii) 1-16 or equivalent  | Director-General Intelligence Bureau.<br>Officer(s) notified by the Director General, Intelligence Bureau].  |

#### PART II — APPOINTMENTS BY PROMOTION OR TRANSFER

7. <sup>3</sup>[Promotions and transfer to posts in basic pay scales 2 to 18 and equivalent shall be made on the recommendation of the appropriate Departmental 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].

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.

<sup>4</sup>[8-A. No promotion on regular basis shall be made to posts in basic pay scales <sup>5</sup>[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].

<sup>1</sup>Added *vide* Establishment Division's Notification S.R.O. No.829(I)/2000, dated 16-11-2000.

<sup>2</sup>Added *vide* Establishment Division's Notification S.R.O. No.891(I)/2000, dated 14-12-2000.

<sup>3</sup>Subs *vide* Establishment Division's Notification S.R.O. No.430(I)/2000, dated 26-6-2000.

<sup>4</sup>Subs *vide* Establishment Division's Notification S.R.O. No.850(I)/98, dated 25-7-1998.

<sup>5</sup>Amended *vide* Establishment Division's Notification S.R.O. No.835(I)/2000, dated 17-11-2000.

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) <sup>1</sup>[Omitted]

(3) In the case of a post in <sup>2</sup>[basic 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 <sup>2</sup>[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.

(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, same in the case of <sup>2</sup>[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 <sup>2</sup>[posts in the same basic pay scale or equivalent to or identical with the posts to be filled].

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<sup>1</sup>Omitted *vide* Establishment Division's Notification S.R.O No.269(I)/2000, dated 19-5-2000.

<sup>2</sup>Subs *vide* Establishment Division's Notification S.R.O. No.146(I)/84, dated 9-2-1984.

## PART III – INITIAL APPOINTMENT

10. <sup>1</sup>[Initial appointment to posts in the All-Pakistan Services, the Civil Services of the Federation and all posts in connection with the affairs of the Federation in basic pay scales 16 and above or equivalent and the posts in basic pay scales 11 to 15 or equivalent, in –

- (1) The Federal Secretariat;
- (2) The Central Board of Revenues;
- (3) The Federal Investigation Agency;
- (4) The Anti-Narcotics Force;
- (5) The Pakistan Railways;
- (6) The Directorate General of Immigration and Passports;
- (7) The Export Promotion Bureau;
- (8) The Islamabad Capital Territory Administration;
- (9) The Bureau of Immigration and Overseas Employment;
- (10) The Estate Office;
- (11) The organizations, except autonomous bodies, under the Ministry of Health and the Ministry of Education;

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].

11. <sup>1</sup>[Initial appointments to posts in basic pay scales 1 to 15 and equivalent, other than those mentioned in rule 10 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 <sup>2</sup>[ ]:

<sup>2</sup>[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].

<sup>3</sup>[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].

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<sup>1</sup>Subs *vide* Establishment Division's Notification S.R.O. No. 520(I)/2000, dated 31-7-2000.

<sup>2</sup>Omitted and added *vide* Establishment Division's Notification S.R.O. No. 970(I)/98, dated 9-9-1998.

<sup>3</sup>Ins. *vide* Establishment Division's Notification S.R.O. No. 521(I)/2000, dated 31-7-2000.

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.

14. Vacancies in the undermentioned posts shall be filled on All-Pakistan basis in accordance with the merit and provincial or regional quotas prescribed by Government from time to time:

- (i) All posts in <sup>1</sup>[basic pay scales 16 and above and equivalent].
- (ii) Posts in <sup>1</sup>[basic pay scales 3 to 15 and equivalent] in offices, which serve the whole of Pakistan <sup>2</sup>[:]

<sup>2</sup>[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 suitable candidate, it shall advise the appointing authority, for the extension in the contract].

15. Vacancies in posts in <sup>1</sup>[basic pay scales 3 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.

16. Vacancies in posts in <sup>1</sup>[basic pay scales 1 and 2 and equivalent] shall ordinarily be filled on local basis.

17. 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.

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<sup>1</sup>Subs. *vide* Establishment Division's Notification S.R.O. No. 146(I)/84, dated 9-2-1984.

<sup>2</sup>Subs. and added *vide* Establishment Division's Notification S.R.O. No. 784(I)/2002, dated 7-11-2002.

PART IV. — *AD HOC* AND TEMPORARY APPOINTMENTS

18. <sup>1</sup>[When under the Federal Public Service Commission (Functions) Rules, 1978, a post is required to be filled through the Commission, the appointing authority 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 than through the Commission on a purely temporary basis after advertising the vacancy.

<sup>2</sup>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.

(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-rule (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

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<sup>1</sup>Subs *vide* Establishment Division's S.R.O. No.122(I)/2000, dated 15-3-2000.

<sup>2</sup>Added *vide* Establishment Division's Notification S.R.O. No. 968(I)/82, dated 21-9-1982.

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* .– Establishment Division's Notification S.R.O.No.1498(I)/73, dated 20-10-1973].



Annexure-IV

GOVERNMENT OF PAKISTAN, CABINET SECRETARIAT  
(ESTABLISHMENT BRANCH) O.M. NO. 11/18/49-SE II,  
DATED THE 17TH JANUARY, 1951

SUBJECT.— *Procedure regarding recruitment from abroad in civil posts under Central Government.*

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 Cabinet Secretariat for some time. It may be mentioned that the procedure followed before Partition in connection with such recruitment was that, after the Federal Public Service Commission had agreed, under Regulation 4(a) of the Federal Public Service Commission (Consultation by the Governor-General) Regulations, to a particular post being filled by recruitment from abroad, the Department concerned took steps to recruit from abroad after obtaining the agreement of the Home Department of the undivided Government of India to such recruitment. This procedure has, however, not been followed in Pakistan after partition. In some cases, the Pakistan Public Service Commission have taken the necessary steps to recruit from abroad, while in a few others, Ministries themselves have advertised abroad. With the object of establishing a uniform procedure, 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 Pakistan 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 Pakistan Public Service Commission will themselves advertise the post or posts abroad and make the necessary arrangements for the candidates to be interviewed by Special Selection Committees. Thereafter, the Pakistan Public Service Commission will make recommendations for filling of the post or posts in question. In no case should the Ministry itself take steps to advertise the posts.

3. There may, however, be exceptional cases in which the Ministries concerned are of the view that recruitment from abroad through the Pakistan 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 Honourable Prime Minister will be necessary for recruitment to be made by the Ministry concerned without the assistance of the Pakistan Public Service Commission. The procedure to be adopted in such cases will be that the matter should be referred to Cabinet Secretariat (Establishment Branch) so that the orders of the Honourable the Prime Minister can be obtained. Such reference to the Cabinet Secretariat should be made only after the Pakistan 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 Honourable the Prime Minister, explaining why it is necessary for recruitment to be made otherwise than through the Pakistan Public Service Commission and showing what steps the Ministry have in mind for filling the post or posts in question.

**Annexure-V**

No. 3/359-EVII

GOVERNMENT OF PAKISTAN

**PRESIDENT'S SECRETARIAT**

**(Establishment Division)**

*Karachi, the 4th June, 1960*

**OFFICE MEMORANDUM**

SUBJECT.— *Acceptance of the advice of the Federal Public Service Commission.*

In supersession of the Cabinet Secretariat (Establishment Branch) Office Memorandum No. 10/3/50-SEII, dated the 13th June, 1950, on the subject of the Convention regarding acceptance of the advice of the Federal Public Service Commission, the undersigned is directed to say that 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.

J.D. HARDY,  
*Establishment Secretary.*

All Ministries/Divisions.

Copy forwarded to:—

1. F.P.S.C., Karachi
2. Provincial Governments.

J. ALI,  
*Section Officer*

**APPENDIX C**

(See Instruction 54)

**PRESCRIBED CHANNEL OF CORRESPONDENCE WITH THE GOVERNMENT OF A FOREIGN COUNTRY, A PAKISTAN DIPLOMATIC MISSION ABROAD OR A FOREIGN MISSION IN PAKISTAN.****Channel of Communication between the Government of Pakistan and foreign governments**

All correspondence initiated by the Government of Pakistan shall normally be conducted by the Ministry of Foreign Affairs through the Pakistan Diplomatic Mission abroad and further correspondence on the subject will be continued through the same channel. The Foreign Mission of the country concerned in Pakistan will be kept informed on the subject, if considered necessary, by the Ministry of Foreign Affairs. If there is no Pakistan Diplomatic Mission in a particular country but that country has a Diplomatic Mission in Pakistan, correspondence shall be conducted through the latter. If no diplomatic Missions have been exchanged at all, the correspondence may be either routed through a Pakistan Diplomatic Mission at a station where the country concerned also has a Mission or addressed direct by the Ministry of Foreign Affairs to the Foreign Ministry of the country concerned. Correspondence initiated by Foreign Governments shall normally be conducted by Foreign Diplomatic Mission in Pakistan with the Ministry of Foreign Affairs and further correspondence on the same subject shall be through the same channel.

2. In matters of purely routine or technical nature the following exceptions to the above channel of communication are permissible:—

(a) In respect of the United Kingdom:

- (i) The <sup>1</sup>[Ministry of Labour, Manpower and Overseas Pakistanis] may correspond direct with the Ministry of Pensions, London, and *vice versa* in connection with the grant of awards to dependents of deceased seamen of *ex-British* registered ships killed by enemy action during the last war.
- (ii) Naval Headquarters may correspond direct with Commonwealth Relations Office of Her Majesty's Government and *vice versa*, on routine matters concerning pay, accounts, etc. of officers and rating of Pakistan Navy serving in the United Kingdom.

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<sup>1</sup>Subs *vide* Cabinet Division's Memo.No.4-20/2004-Min.I, dated 2-9-2004.

- (b) In respect of India:
- (i) Direct correspondence may be conducted between the Services Headquarters, the Military Accounts Offices and the Regimental Centres on purely routine matter relating to records, accounts etc.
  - (ii) Direct correspondence may be conducted between the Ministries and subordinate organisations concerned of the two Governments on all such matters as may be agreed upon by the two Governments. Copies of important communications thus exchanged shall be sent to the Ambassador for Pakistan in India.
  - (iii) Direct correspondence may be conducted between the Provincial Governments in India and Pakistan on matters specially agreed to by the two Central Governments. Copies of important communications thus exchanged shall be sent to the Ambassador for Pakistan in India.
- (c) In respect of all countries:
- (i) Heads of scientific and technical departments of Federal or Provincial Governments in Pakistan may correspond direct with their counterparts under other Government and *vice versa*, on purely technical matters which do not involve or are unlikely eventually to involve any question of policy.
  - (ii) It is very desirable that Pakistan Diplomatic Missions in foreign countries shall be kept fully informed of all matters which the officials of Pakistan Government wish to transact with officials of foreign Governments. Copies of all communications, except those of exclusively, academic interest shall be endorsed to the Pakistan Diplomatic Mission, if any, in the country concerned. In all cases of doubt the Ministries/ Provincial Governments shall consult the Ministry of Foreign Affairs if at any stage the correspondence involves or is likely to involve a question of policy or tend to have political repercussions, and further correspondence shall be conducted through it unless it agrees otherwise.
  - (iii) The opposite numbers in a foreign Government shall in no case be addressed not even on a matter of routine, unless permitted by the Ministry of Foreign Affairs.

**Channel of Communication between the Government  
of Pakistan and International Organisations**

3. Direct correspondence may be conducted between the International Organisations and the Ministry concerned, provided that in matters of policy the Ministry of Foreign Affairs shall be consulted. All correspondence regarding admission to or withdrawal from the membership of an international organization shall, however, be conducted through the Ministry of Foreign Affairs.

**Channel of Communication between the Government of Pakistan  
and Pakistan Diplomatic Missions abroad**

4. All correspondence shall normally be conducted between the Ministry of Foreign Affairs and the Heads of the Missions but the following exceptions are permissible:—

- (i) Ministries/Provincial Governments may correspond with the Missions direct in matters pertaining to them provided that no question of policy is involved. Apart from matters involving questions of policy, copies of correspondence need not be endorsed to the Ministry of Foreign Affairs as a matter of course, but the administrative Ministry shall use its own discretion in forwarding copies in cases where it is considered that the Ministry of Foreign Affairs should be kept in touch. Diplomatic Mission may, in any particular case, make a reference to the Ministry of Foreign Affairs, if it considers that necessary.
- (ii) The Auditor General of Pakistan and his Subordinate Offices may correspond direct with the Pakistan Missions abroad on matters relating to audit, accounts and payments etc.
- (iii) Technical Officers on the staff of Pakistan Diplomatic Missions, such as Educational Attaches, Press Attaches, Commercial Attaches, Military , Naval and Air Force Attaches and Advisers, may correspond direct with their parent Ministries on all matters provided that:—
  - (a) the Head of the Mission shall have the right to see all such correspondence, if he so wishes or to depute one of the diplomatic officers on his staff to see it; and
  - (b) all correspondence involving important questions of policy or likely to have political repercussion shall pass through the Head of the Mission and the Ministry of Foreign Affairs if emanating from abroad

and through the Ministry and the Head of the Mission if emanating from any other Ministry of the Government of Pakistan. Copies of the correspondence may simultaneously be sent to the Ministry concerned.

**Channel of Communication between the Government of Pakistan  
and Foreign Diplomatic Missions in Pakistan**

5. (1) All correspondence with foreign diplomatic missions in Pakistan shall ordinarily be conducted through the Ministry of Foreign Affairs. However, the Ministries/Divisions listed below may contact the Diplomatic Missions in Pakistan, where necessary, in relation to matters indicated against each sending a copy of the Communication (in and outward) to the Ministry of Foreign Affairs Islamabad:—

I. *Commerce Division:*

Trade and Commerce with other countries including:—

- (a) treaties, conventions and agreements with other countries bearing on trade and commerce;
- (b) promotion of foreign trade, including trade delegations to and from abroad and overseas trade exhibitions.

II. *Defence Division:*

- (a) Defence matters pertaining to treaties and agreements with other Governments;
- (b) International aspects of Pakistan International Air Lines Corporation.

III. <sup>1</sup>*Economic Affairs Division:*

- (a) Assessment of requirements, programming and negotiations for external economic assistance from foreign governments and organisations and oversee its timely utilization in Pakistan.
- (b) Matters relating to IDA, ADB and IBRD.
- (c) Economic matters pertaining to the Economic and Social Council of United Nations, Governing Council of UNDP, ESCAP, Colombo Plan and OECD.

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<sup>1</sup>Amended *vide* Economic Affairs Division's letter No.16(49)/EA/SOA.I/2002, dated 30-10-2002.

- (d) Negotiations and coordination activities etc. pertaining to economic cooperation with other countries (excluding RCD and IPECC).
- (e) Assessment of requirements, programming and negotiation for securing technical assistance of Pakistan from foreign governments and organizations including nominations for EDI Courses and oversee timely utilization in Pakistan.
- (f) Matters relating to technical assistance to foreign countries.
- (g) Review and appraisal of international and regional economic trends and their impact on the national economy. Proposal pertaining changes in International Economic Order.
- (h) External debt management, including authorization of remittances for all external debt service, compilation and accounting and analysis of economic assistance from all foreign governments and organizations.
- (i) Matters relating to transfer of technology under UNDP assistance.
- (j) Matters relating to the Islamic Development Bank].

IV. *Finance Division:*

- (a) Foreign Loans.
- (b) Matters pertaining to IMF, IBRD, IFC and IDA.

V. *Food, Agriculture and Livestock Division:*

- (a) Procurement of food grains, including sugar from abroad.
- (b) Food and Agriculture Organization of the United Nations.
- (c) Food and Agricultural Organization of the United Nations and its Agencies (matters relating to livestock, fisheries and its by-products).
- (d) World Bank for bilateral aid and technical assistance in the field of livestock and fisheries.
- (e) Matters relating to exchange of information/material regarding livestock/fisheries diseases, veterinary medicines, vaccines and drugs.
- (f) Exchange of information on veterinary Quarantine Laws.



VI. *Housing and Works Division:*

Aid and technical assistance from abroad for housing, water supply and sewerage schemes, etc.

VII. <sup>1</sup>[*Industries, Production and Special Initiatives Division*]:

- (a) Promotion of foreign investments in industrial enterprises; international investment problems.
- (b) Dealings and agreements with other countries and international organisations for technical assistance aid, etc., in the field of Industries.

VIII. <sup>1</sup>[*Ministry of Labour, Manpower and Overseas Pakistanis*]:

Dealings and agreements with international organisations in the field of labour and social welfare.

IX. *Law, Justice and Human Rights Division:*

Dealings and agreements with other countries and international organisations in judicial matters and national and international law.

X. *Planning and Development Division:*

Contacts with representatives of IPEC and SAARC countries related to the subject of planning.

XI. <sup>2</sup>[*Railways Division*]:

Dealings and agreements with other countries and International Organizations for technical assistance, aid etc. in the field of Railways.

XII. *Scientific and Technological Research Division:*

- (a) Bilateral agreements with foreign countries concluded at the Government level of co-operation in the field of science and technology.
- (b) Placement of scientists and technologists for training abroad under bilateral agreements and other approved technical assistance programmes.
- (c) Obtaining scientific know-how from foreign countries.

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<sup>1</sup>Subs vide Cabinet Division's Memo.No.4-20/2004-Min.I, dated 2-9-2004.

<sup>2</sup>Added vide Railways Division's O.M.No.15(1)/2002-E.I, dated 31-10-2002.

5. (2) Diplomatic Missions at Islamabad may contact the Provincial Governments only through the Ministry of Foreign Affairs.

The Consular and Trade Offices of Diplomatic Missions may establish direct contact for the conduct of Consular/Commercial work with Provincial Governments within whose jurisdiction their consular/trade Districts lie. Contacts with other Provincial Governments by such offices should be through the Ministry of Foreign Affairs.

5. (3) Services Attaches may contact the Ministry of Defence Inter-Services Intelligence Directorate directly. Similarly, Press Attaches and foreign journalists may contact the Ministry of Information and Broadcasting directly.

<sup>1</sup>5. (4) Offers of scholarships, training facilities, donations and invitations for visits abroad etc. from Diplomatic Missions excepting those relating to technical assistance to Pakistan from foreign Governments Organisations and *vice versa* and covered under item 3 of sub-para 5(I), should however, be addressed to the Ministry of Foreign Affairs and not directly, whether to individuals or to Provincial Governments or to other Ministries of the Federal Government.

#### MODE OF CORRESPONDENCE

5. (5) The communication intended to be addressed to the Foreign Missions direct by the Ministries/Divisions etc. should be in the form of letter beginning with the words 'Dear Sir' and ending with 'Yours faithfully' irrespective of the form *i.e.* Note Verbale, Diplomatic Note or any other form used by the Missions concerned.

#### *Explanatory Note:*

A broad description of the forms of communications used for diplomatic work by the Ministry of Foreign Affairs is as under:—

- (i) *Diplomatic Note.*— A Diplomatic Note is a mode of communication in third person form and is exchanged between the Ministry of Foreign Affairs and Foreign Diplomatic Mission and *vice versa* or between the Ministries of Foreign Affairs of any two countries, whenever necessary. The note is invariably stamped and initialled. Initials of the issuing officer should appear inside the stamp.

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<sup>1</sup>Subs *vide* Establishment Division O.M. No. 1/5/75-Manuals, dated 24-5-1976.

- (ii) *Note verbale.*— This form of communication is also used between the Diplomatic Missions and the Ministry of Foreign Affairs. This is written in the third person and is neither addressed nor signed. It should, however, end with an expression of courtesy. It is often used for a record of conversation or in order to put a question.
- (iii) *Aide Memoire.*—This is often a detailed statement of facts and of arguments based thereon, not differing essentially from a note, except that it does not begin and end with an expression of courtesy and need not be signed. It may be delivered by a short covering note or presented personally.

**Channel of Communication between the Government of Pakistan  
and private institutions or individuals in foreign countries**

6. Such correspondence shall ordinarily be conducted by the Ministries/Provincial Governments through the Pakistan Diplomatic Mission in that country. In case the correspondence is conducted directly with an institution or individual, copies shall be endorsed to the Mission concerned.

**APPENDIX 'D'**

(See Instruction 57)

**INSPECTION IN THE SECRETARIAT**

Desultory or casual inspection are of little value if they lack purpose or if the inspecting officer has not settled in his mind what he is going to look for. For inspection to be useful tool of supervision, it is necessary to lay down a list of specific points to which attention should be directed. A list of points which should be kept in view by an inspecting officer, while carrying out inspections in the Secretariat is given below:—

**I. Performance**

- (1) Is the distribution of work equitable and according to ability and temperament? Does each functionary know the precise nature of his duties and responsibilities?
- (2) Is the output of work of various categories of staff reasonably satisfactory? Does it conform to the accepted yard-sticks?

While evaluating the rate of disposal of work a random check of cases disposed of should be made to see the contributions made at different levels before the submission of the cases to the competent authority for decision.

- (3) Is the rate of disposal of work satisfactory? Do actual pending papers or cases tally with arrears or suspense statements?

Arrears statements should be very carefully scrutinized at the time of inspection to make sure that the figures of 'disposals' indeed represent substantive action and not merely movement of files within the Ministry or the issue of reminders and similar routine action.

- (4) Is there any indication of unnecessary accumulation of files at any point?

*Delays.*— Procedural as well as those occurring due to sheer lethargy and indifference. Sometimes these may also be unhealthily motivated.

- (5) Are actionable files being kept in suspense unnecessarily?
- (6) Is there any evidence of files being passed unnecessarily from one section to another in an attempt to shift responsibility?
- (7) Are standing orders regarding the delegation of powers to officers observed in practice?
- (8) Is there any indication that the Rules of Business or the Secretariat Instructions are not being properly complied with?
- (9) Is the register of important decisions maintained properly and kept upto date?
- (10) Are "please speak" cases attended to promptly? Is the number of such cases excessive?
- (11) Is the procedure for categorisation, recording and indexing properly and intelligently observed? What is the proportion of un-categorised files? Is weeding and destruction of unnecessary files and papers carried out regularly?
- (12) Is the procedure for issuing reminders effective? Is it followed regularly?
- (13) Are periodical reports and returns sent out to the authorities concerned regularly? Is a list of such reports and returns maintained? (For this purpose, all items of work that could easily be quantified, should be taken into account).

## **II. Use of Government Property.**

- (14) Is there any indication of wastage or misuse of stationery, electricity, telephones, furniture equipment, vehicles, etc.?
- (15) Is the procedure for the receipt, custody and issue of stationery efficient? (A check of the actual stock of some of the items with the quantity shown in the stationery register will give a good indication).
- (16) Are stock registers for furniture and office equipment maintained properly?
- (17) Are the furniture and equipment kept in good repair? Are unserviceable items stocked unnecessarily?

- (18) Are the log books of staff cars, and other vehicles complete and up-to-date? Are cars and vehicles maintained in good condition?

### **III. Working Conditions:**

- (19) Are the working conditions satisfactory?
- (20) Is the office lay-out convenient? Are tables, chairs and other equipment properly arranged?
- (21) Are the office premises kept clean and tidy?
- (22) Are the necessary reference books, codes, manuals, prescribed forms of reports and returns (Required in connection with the work of the office) readily available?
- (23) Do the staff have the necessary office equipment, material aids, furniture, stationery, etc.
- (24) Do the staff have necessary amenities (Transport facilities, canteens, fans, drinking water, etc.)?
- (25) Are personal claims or grievances of staff regarding increments, pay, allowances and advances, etc., attended to promptly?
- (26) Are the service records, leave account, seniority lists, etc., properly maintained?

### **IV. Security and Discipline:**

- (27) Are security arrangements satisfactory and in accordance with the prescribed instructions?
- (28) Have the character and antecedents of each functionary been verified?
- (29) Is the staff sufficiently security-minded? Are Instructions regarding security classification followed properly?
- (30) Are there any unauthorised visits of outsiders or by staff?

- (31) What is the degree of punctuality of staff? Is there any indication of habitual late attendance?
- (32) Does the staff pay undivided attention to work during office hours?

**V. Cash and Accounts:**

- (33) Are the arrangements for the custody and handling of cash satisfactory?
- (34) Are the cash books, contingent register, bills and cheques register neatly and properly written up-to-date? Does the cash in hand tally with the balance in the cash book?
- (35) Is the accounting of receipts and expenditure up-to-date? Are accounts reconciled with the accounts of the Accountant General in time?
- (36) Are the voucher relating to contingent expenditure and acquittance rolls kept safely?
- (36A) Have the audit objections pertaining to the Ministry, Attached Departments and subordinate offices during the inspection year been attended to and disposed of promptly?

**VI. Receipt and Despatch:**

- (37) Is the procedure for the receipt and distribution of papers efficient? Is there any avoidable delay between the receipt of dak in the R&I Section and its delivery to the officer concerned?
- (38) Has the R & I Section a comprehensive and up-to-date list of subject dealt with by the respective Sections and officers?
- (39) Are diary registers and movement registers kept according to the prescribed procedure? Purely routine papers should not be diarized to inflate the number of receipts?
- (40) Are the arrangements for the despatch or distribution of mail satisfactory? Are dak books duly initialled by recipient of papers?

(41) Is the register of postage stamps maintained properly?

2. This list is by no means exhaustive and it should not therefore prevent an inspecting officer from looking into other aspects which in his opinion, need attention for improving the efficiency of the organization. For example, lowering standards of discipline amongst public servants may rightly be considered as the major factor in today's deteriorating standards of efficiency in Government offices, causing serious inconvenience to public. At the same time it is not necessary for the inspecting officer to examine in detail all the points given in this list during a single inspection. He should, however, cover as far as possible the entire field so that he is in a position to judge whether his Organization is functioning efficiently. Inspections as a rule have generally a salutary effect, but useful results can only be achieved if the inspecting officer is thorough and searching in his observation and gives constructive and helpful advice to his subordinates for rectifying obvious shortcomings and defects.

3. To ensure that the system of inspection yields the desired result and does not deteriorate into a routine formality the inspecting officer should submit proper inspection report to the next higher officer. Inspection reports by a Deputy Secretary should be submitted to the Joint Secretary concerned and by the Joint Secretary to the Head of the Ministry or Division.

In the case of annual inspections, the report must be submitted to the Secretary or the Additional Secretary Incharge, as the case may be. The Heads of Attached Departments should also be directed to draw up annual inspection reports on the lines provided for inspection in the Federal Secretariat with suitable modification. Attention is also invited to the Government instructions reproduced at Annexures-I & II.

4. The inspection reports should be brief, precise and to the point, and should give a clear picture of the working of the particular sector of the organisation on which the report is submitted. It should simply enumerate the defects noticed and give constructive suggestions for improvement. The report should particularly highlight such aspects which have an important bearing on efficiency and need special attention of senior officers.

5. After the inspection report has been seen and returned by the officer concerned, it should be the duty of the inspecting officer to ensure that all corrective action is taken. This process should not involve unnecessary noting. As far as possible, problems arising from inspections should be settled and resolved by discussion. It will be desirable to file



the inspection reports in a chronological order to facilitate the progressive evaluation of the results of inspection.

6. During inspections the inspecting officers may often discover procedural defects or other problems which cannot be solved readily without a detailed investigation. Such problems should be referred to the Management Services Wing, Establishment Division for advice.

**Annexure - I**

(See Appendix D - Para 3)

GOVERNMENT OF PAKISTAN

**CABINET SECRETARIAT**

**(O & M Division)**

PUBLIC ADMINISTRATION RESEARCH CENTRE

No. 11/2/81-Manuals.

*Islamabad, the 15th August, 1981.*

OFFICE MEMORANDUM

SUBJECT:— *Institutional arrangements for more effective Inspection and supervision of the Working of Secretariat and Attached Departments/Subordinate offices.*

The undersigned is directed to enclose an extract (Annexure) from the recommendations made by the Secretaries Sub-Committee on Simplification of Forms and Procedure and to state that the Cabinet has taken the following decisions:—

"44. All Secretaries incharge of Ministries/Divisions should be required to ensure strict observance of instructions about inspection as embodied in the Secretariat Instructions. Joint Secretary (Admn.) in each Ministry/Division should be made responsible for this".

"45. The proformae for inspection should be simplified so as to include only selected items to be covered by each inspecting officer. The responsibility for inspection and supervision at different levels should be very clear and precise".

2. The Ministries/Divisions are requested kindly to take necessary action to implement the above decisions of the Cabinet under intimation to this Division.

3. Regarding inspections in the Federal Secretariat as laid down in para 57 of the Secretariat Instructions, it is clarified that it is no longer

necessary to send copies of inspection reports to the President's Representative on Administrative Inspection as that organisation has since been abolished.

Sd/-

M.J.R. KHAN,  
*Director General (PARC).*

All Ministries/Divisions,  
(Joint Secretaries In-charge of Admin.)  
Rawalpindi/Islamabad/Karachi.

Copy to:-

The Chief Secretary,  
Government of Punjab/Sindh/NWFP/Balochistan,  
Lahore, Karachi, Peshawar and Quetta for  
information and necessary action.

Sd/-

M.J.R. KHAN,  
*Director General (PARC).*

**Enclosure****RECOMMENDATIONS MADE BY THE  
SUB-COMMITTEE****Item No. 5.**

The Sub-Committee considered this issue and felt that detailed instructions for carrying out regular and systematic inspections by Deputy Secretary and Joint Secretary already existed in the Secretariat Instructions. Similar instructions to carry out inspections in Attached Departments were circulated by the Establishment Division to all Ministries/Divisions. It was, however, noted that in actual practice inspections were not carried out at regular intervals.

2. Views expressed by two Provincial Governments also confirmed that inspections were not being regularly carried out in various organizations in the Provinces. This was primarily due to the reason that most of the time of the officers responsible for carrying out inspections was being consumed daily in solving matters like enforcing the price level of essential commodities, protocol, checking of vehicles etc. In certain cases, the Senior Officers who did find time for inspection, deputed their subordinates to carry out inspection on their behalf. Moreover, the multiplicity of institutional arrangements to carry inspection *e.g.*, Governor's Inspection Team, the Provincial Vigilance Commission, Divisional Vigilance Committees, and District Vigilance Committees etc., may create confusion with consequential blurring of the responsibility of each institution.

3. The Committee was also informed of the cumbersome procedures for inspection, which usually rendered inspections more difficult and time consuming.

4. After discussion the Sub-Committee decided to make the following recommendations:—

- (i) All Secretaries incharge of the Ministries/Divisions should be requested to ensure that instructions about inspection, as embodied in the Secretariat Instructions were strictly followed. For this purpose the Joint Secretary (Admn.) in each Ministry/Division should be made responsible to ensure compliance of the provisions of the Secretariat Instructions.

- (ii) The need to reduce the number of inspecting agencies to make the system more effective and economical may be considered.
- (iii) The proformae for inspection should be simplified so as to include only selected items to be inspected by each inspecting officer.
- (iv) The line and sphere of responsibility for inspection and supervision should be very clear and precise.

**Annexure-II**

(See Appendix D - Para 3)

GOVERNMENT OF PAKISTAN  
**CABINET SECRETARIAT**  
**(Establishment Division)**

Mr. Maqbul Ahmed Sheikh,  
Joint Secretary  
Phone: 68270.

D.O. No. 98/DS(C)/82,

*November 4, 1982.*

*SUBJECT:- Inspections.*

My dear Secretary,

There is a prescribed system of internal inspections by departmental officers for the Ministries/Divisions/Attached Departments etc. Detailed instructions are laid down in the Secretariat Instructions and other departmental manuals for internal inspections by the senior officers. However, presently the internal inspections are either not conducted or have been reduced to a mere formality.

2. The matter has been considered in a meeting recently held under the Chairmanship of the COS to the President and it has been decided that:-

- (a) The Secretaries of the Ministries/Divisions and the Heads of the Departments/Corporations etc., should ensure that existing instructions regarding internal inspections by the departmental officers are faithfully observed/implemented by all concerned; and
- (b) The departments/corporations/autonomous bodies, where internal inspections are not already prescribed, should devise elaborate system/procedures of such inspections. The Heads of departments/corporations/autonomous bodies should ensure compliance of instructions/ procedures so prescribed.

3. I am, therefore, to request that the above decisions may be brought home to all concerned for strict implementation.

With regards.

Yours sincerely,

Sd/-

(MAQBUL AHMED SHEIKH)

All Secretaries/Additional Secretaries,  
(Incharge) of the Ministries/Divisions,  
Rawalpindi/Islamabad, (By name).

**APPENDIX 'E'**

(See Instruction No. 70)

**DETAILED DIRECTIONS ON OFFICE PROCEDURE****RECEIPT AND DISTRIBUTION OF PAPERS IN THE  
DIVISION**

All communications shall be received in a separate Section known as the Central Registry. This unit of the office should, if possible, be centrally located and shall be responsible for:

- (a) the receipt and distribution of all fresh receipts; and
- (b) the despatch of outward mail.

2. Receipts addressed to an officer by name shall be sent to him unopened by the Central Registry. If the officer is absent, on tour or on leave, such receipts should be sent to the officer who is looking after his work.

3. Receipts addressed to an officer by name should be received by the officer himself or by his Private Secretary, Personal Assistant, Stenographer/Stenotypist or Assistant. Receipts addressed to a Minister should be received, on his behalf, by a member of his personal staff.

4. Receipts addressed to an officer by name should be opened by him or, in his presence, by a member of his personal staff.

5. Receipts marked 'Top Secret', or 'Secret' or 'Confidential' shall be handled in accordance with the instructions contained in the booklet "Security of Classified Matters in Government Departments".

6. However, the following routine shall be observed by all concerned for receipt and transmission of classified matter:—

(i) *General:*

- (a) The recipient should check the accuracy of the contents, before signing the receipt and the sender should do the same on return of the classified/ accountable material.
- (b) The classified matter which is allowed to be sent by post should have a receipt in the inner cover to be signed and returned by the recipient.



(ii) *Receipt and Diarisation:*

- (a) When any classified matter is received in an office it should be immediately diarised in a separate register as provided in clause (b) below.
- (b) Separate registers should be maintained for diarising Top Secret, Secret and Accountable Matter.

(iii) *Subsequent Movement/Transfer of Custody:*

- (a) Subsequent movement of such matter at all stages should be properly recorded in the diary register so that its exact location is traceable at any time.
- (b) The movement/transfer of custody of classified matter particularly of Top Secret, Secret and Accountable Matter even with a Department, an Organisation etc. should also be covered by a receipt. The Dak Book or a receipt slip accompanying such matter should indicate the office of origin, date and time of despatch, full signatures and the name and designation of the recipient indicating the date and time of receipt. A rubber stamp about the name and designation of the recipient should be affixed.
- (c) Same principle should be followed about the movement of classified matter even from a sub-ordinate to his senior and *vice-versa*.

7. All other covers should be opened in the Central Registry and sorted out Section-wise. To facilitate allocation of receipts, the Central Registry should always be kept supplied with an up-to-date statement showing the subjects dealt with in each Section.

8. Reminders should be separated and submitted to the Deputy Secretary concerned in a pad marked 'Reminders'. The Section to which the reminders relate should be indicated on the receipt by the Central Registry.

9. All receipts should be stamped in the Central Registry with a rubber stamp showing the name of the Division and the date of receipt. The Section Diary number for which provision should be made in the Central Registry stamp, should be filled in by the Section Assistant subsequently when the receipt is diarised by him. No receipt shall be diarised in the Central Registry.

10. All receipts shall be passed on by the Central Registry to officers concerned at regular intervals twice or thrice during the day. Ordinary receipts received after office hours may be held over for distribution on the next working day.

**Use of Labels.**

11. (1) There shall be three priority labels namely, "Residence", "Immediate" and "Priority", which shall be used according to the following instructions:-

- (i) "Residence" labels will be used for files or papers which it is necessary to send to an officer's residence after office hours. No file or papers should however be sent to Ministers or Officers at their residences between 11 p.m. and 7 a.m. except in an emergency. This will, however not apply to Cypher Telegrams which may be sent to the residences of the Ministers and the officers concerned by the Duty Cypher Officer, Crypto Centre, Ministry of Foreign Affairs if the urgency of the matter demands it. Before doing so, the Duty Cypher Officer will contact the addressee on telephone to confirm that they are available at the residences to receive such Cypher Telegrams.
- (ii) "Immediate" labels will be attached to the cases requiring instant attention and in any event final disposal within 24 hours.
- (iii) "Priority" labels will be used for cases which should be disposed of within 3 days.

(2) The use of 'Residence' and 'Immediate' Labels should be made most sparingly.

12. Receipts wrongly marked to a Section should be transferred promptly to the Section concerned or returned to the Central Registry. Such receipts should not be diarised in the Section to which they do not relate.

**PROCEDURE FOR DIARISING AND DISPOSAL OF PAPERS**

13. The Section Officer shall, on receiving fresh receipts:

- (a) go through them carefully and dispose of all cases which are not required to be submitted by him under the rules or orders to higher officers and where reference to previous papers is not necessary;

- (b) record specific instructions on receipts requiring previous references or consultation with other Sections concerned; and
- (c) submit to the Deputy Secretary or higher officers receipts which in his opinion, are important enough to be seen by them before action is initiated.

14. The Deputy Secretary may, in his discretion, submit to his superior officer any receipts which he thinks should be brought to the latter's notice or on which he desires instructions at that stage.

15. The Deputy Secretary or any other officer to whom receipts are submitted should give instructions, wherever necessary, as to the action which should be taken. If he proposes to deal with a receipt himself, he should ask for the file to be put up to him with the relevant papers.

16. Fresh receipts should be seen and returned to the Section concerned promptly.

#### **Diarising of Receipts.**

17. After fresh receipts have been seen by the Section Officer, and other officers where necessary, the Assistant shall diarise *i.e.* enter in the Section Diary Register (specimen of the form given in Annexure 'I') particulars of all receipts except those specified in paragraph 18 below. He should, at this stage, complete only columns 1 – 5 of the Register and simultaneously enter the diary number on the receipt.

18. The following types of receipts shall not be diarised:–

- (a) copies of tour programmes;
- (b) miscellaneous routine circulars, *e.g.* those relating to office hours, telephone lists, changes in addresses of officers, notices on holidays etc., except in the Section in which they are originally received;
- (c) post copies of telegrams and routine acknowledgements;
- (d) press cuttings which are for information only;
- (e) unsigned or anonymous communications or advance copies of representations on which no instructions have been recorded by officers and on which no action is therefore to be taken;

- (f) identical representations from individuals or groups of individuals except one copy *viz.*, that received first;
- (g) applications for casual leave;
- (h) requisitions for stationery and other miscellaneous articles;
- (i) publications on which no specific action is to be taken.

19. A file referred to or received back from another office unofficially (u/o) should be diarised each time it is received back.

20. After receipts have been diarised by the Assistant, he should classify them into the following four categories —

- (a) Files received from other offices;
- (b) Receipts relating to files already existing;
- (c) Papers of ephemeral or routine nature for which no file has to be opened; and
- (d) Receipts for which new files are to be opened, and deal with them in the following manner:—
  - (i) Receipts in category (a) should be dealt with according to the instructions given by the Section Officer.
  - (ii) Receipts in category (b) should be placed on the appropriate file and submitted to the Section Officer alongwith any other connected papers, previous decisions, documents, *e.g.*, copies of relevant Acts, rules, regulations, etc.
  - (iii) Receipts in category (c) should be placed on appropriate files, if any, and should be submitted to the Section Officer, if he has so directed, or otherwise disposed of according to his instructions.
  - (iv) For receipts in category (d) fresh files should be opened which should be put up with other relevant references and precedents, if any.

21. If an Assistant is unable to put up a receipt at least by the next working day, due to the non-availability of previous files or references,

he should bring the fact to the notice of the Section Officer who will then, if the matter is of some urgency and importance, either —

- (a) dispose of the case in the absence of previous papers, or
- (b) submit the case to his senior officer for orders, if he feels that it is beyond his competence to deal with it.

22. If a Section Officer is unable for any reason to dispose of a receipt within three working days, he shall take it personally to his superior officer and obtain instructions.

23. If a Deputy Secretary is unable for any reason to dispose of any work pending with him for three working days, he shall bring it personally to the notice of his superior officer and obtain instructions.

24. Every letter received from a member of the public should be immediately acknowledged and a final reply invariably sent after consideration of the case is completed.

#### **Opening of new files.**

25. All new files should be given a file number by the Assistant in consultation with the Section Officer. The file number shall be allotted to each file according to the file headings maintained by the section for the subjects dealt in it. For example, if an Administration Section in a Ministry has —

- 1. "Leave and Transfer".
- 2. "Recruitment of Staff".
- 3. "Purchase of furniture and stationery".

as file headings, all files relating to 'Recruitment of staff' should be entered under 2. Each file opened under the file heading will be given a separate serial number, *e.g.* file dealing with "Recruitment of Assistants" may be given serial No. 1 under the file heading 2 and the file dealing with "Recruitment of Naib Qasids" as Serial No. 2 under the same heading, and so on. To the file number should be affixed a distinguishing letter or letters denoting the Section to which the file belongs. The year in which the file is started should also be indicated. Thus '2-3/60 Admin.', would mean that the file is the third in the series opened by the Administration Section in the year 1960 under the file heading "2".

26. A suitable subject heading should be given to the file by the Assistant in consultation with the Section Officer according to the

contents of the receipts for which a new file is opened. For example, if a communication is received from the Establishment Division nominating Section Officers selected by the FPSC, the file should bear the following heading:—

"Recruitment of Section Officers: Nomination of candidates selected by FPSC".

27. (i) While submitting summaries for the Prime Minister a special type of file cover (Form S-204-E) shall be used. For all other work, *i.e.*, notes, correspondence and routine, file cover bearing Form No.S-204-(R) shall be used; this file cover shall bear the words Government of Pakistan printed in prominent and bold letters in blue ink and the name of each Ministry/Division etc., shall be written thereunder; alongwith border strips on all four sides. The file cover will be made of strong pulp board of blue colour.

(ii) Special type of file cover (Form-S-204-E) mentioned in clause (i) above, will also be made of strong pulp board paper of white colour. The name of each Ministry/Division will be printed thereon in prominent and bold letters, in blue ink, alongwith border strips on all four sides. A sticker in orange shade about 1" wide and 4" across, with the word 'Secret' printed thereon, in black ink, will be pasted across the top right hand corner of the file cover. The cover will have a pocket in the middle with a blank removable slip in orange shade inserted thereon for writing or typing the subject matter of the case. Below the pocket, the words 'Summary for the Prime Minister' will be printed in bold letters in blue ink.

28. The list of the file headings should be pasted on the opening pages of the File Register, which shall have columns as in Annexure 'II' (Revised).

29. The serial numbers of files should run from 1st January to 31st December each year. A new series should be started each year but the main file heading allotted to particular subjects should as far as possible be retained.

30. The file number allotted to a receipt of file should be noted in column 6 of the Diary Register.

31. An <sup>1</sup>index card should be prepared for each file. Both the Assistant and Stenotypist attached to a Section Officer shall be jointly responsible for the custody of the files of the Section.

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<sup>1</sup>Index Card may be prepared on the pattern of Index Slip, Specimens of which may please be *seen* in Annexure IV(a) of Appendix E (Specimens 3-5).

32. No file should be opened unnecessarily. The opening of a part file should also be avoided as far as possible. A part file may, however be opened when the main file is not likely to be available for some time and action cannot be held up in the meanwhile. When more than one part file is opened, each of them should be given a distinct number, *e.g.*, “1-2/60 (Part File I)-Admin” “1-2/60 (Part File II)-Admin”. etc.

33. The part file or files should be amalgamated with the main file as soon as the latter becomes available. When a part file is amalgamated with the main file, the chronological order of notes and correspondence should be preserved as far as possible.

### **Referencing.**

34. No fresh receipt or case shall be submitted to an officer without previous papers to which references are made in fresh receipts or in the notes.

35. All previous papers, rules and regulations etc., to which reference is made in fresh receipts or in notes should be indicated by giving the number of the page in the margin in pencil and, where necessary, by flagging with alphabetical slips. The slip should be pinned neatly under the pages. When a large number of references are to be flagged, the slips should be so spaced as to be easily visible. If references are flagged with alphabetical slips the pages of the relevant document should also be indicated in the margin, so that if the slips are lost or removed at later stage, the references can still be traced. If the document put up for reference is a report, periodical or other publication, its full title etc., should also be given in the margin in ink unless it is clearly mentioned in the note by name. In case of a file, its number must be given in ink.

36. Reference books, normally available with the officers, should not be put up with a file; but relevant pages to which attention is to be drawn should be indicated in the margin.

37. Linking of files on which action is in progress should, as far as possible, be avoided. As a general rule this practice should be resorted to only when the files are inter-connected and orders have to be passed on them simultaneously. If a reference has to be made to papers in another current file, relevant extracts should be taken if the matter involved is not too lengthy.

**Movement of files.**

38. The movement of files should be noted by the Assistant under the direction and supervision of the Section Officer in the File Register. These entries should be crossed out in pencil on return of the file.

39. The movement of file which has not been allotted a file number should be shown in the Section Diary.

**NOTING ON FILES**

40. No elaborate note shall be recorded by a Section Officer —

- (i) on a receipt which he is competent to dispose of himself in the light of clear precedent or practice or under the standing order delegating specific powers to him to dispose of such cases;
- (ii) in a case where a line of action has been indicated by a senior officer and he is required to put up a draft, unless something important has to be pointed out.

41. A note should be recorded on a file only in a case which is to be put up to a higher officer for orders. In such a case the Section Officer should present the following in a systematic form:—

- (a) the facts of the case (The Section Officer should point out any mistake or error or mis-statement of facts in the paper under consideration or in notes of other Ministries and Divisions);
- (b) the statutory or customary procedure to be adopted in dealing with the case;
- (c) any rules and regulations having a bearing on the case;
- (d) any other related facts or figures;
- (e) the points for decision; and
- (f) the suggested course of action.

42. In complicated or protracted cases, particularly those involving references to other Divisions, the Section Officer may prepare and place in a separate cover a duly referenced summary of the case (in triplicate) which shall be kept up-to-date by incorporating important decisions. The summary shall be signed by the officer who prepares it. The facts of the case shall not then be reproduced in the notes portion of the file. A copy of the summary may, if necessary, be retained by another Division, when the case is referred to it.



43. All notes should be written on note sheets. No note should be written on the receipt itself. If a higher officer has already made any remarks on a receipt, they should be copied out on the note sheet before subsequent notes are recorded. The officer recording the note should affix his signature on the right side of the note sheet at the end of the note. His name, designation and telephone number should be typed or rubber stamped below his signature.

44. With a view to having uniformity of approach in the use of abbreviations, only standardised abbreviations should be used. The use of under mentioned approved abbreviations is permissible in notings:—

|     |        |                            |
|-----|--------|----------------------------|
| 1.  | P.U.C. | Paper under consideration. |
| 2.  | F.R.   | Fresh Receipt.             |
| 3.  | Corr.  | Correspondence.            |
| 4.  | u.o.   | Un-official.               |
| 5.  | d.o.   | Demi-official/officially.  |
| 6.  | S.N.   | Serial Number.             |
| 7.  | KW.    | Keep with (file).          |
| 8.  | L.F.   | Linked file.               |
| 9.  | D.F.A. | Draft for approval.        |
| 10. | Memo.  | Memorandum.                |
| 11. | O.M.   | Office Memorandum.         |
| 12. | P.P.   | Previous papers.           |
| 13. | O.O.   | Office Order.              |
| 14. | C.R.   | Character Roll.            |
| 15. | Endt.  | Endorsement.               |
| 16. | O/c    | Office copy.               |

45. When a case is submitted to the Minister, a summary should be put up if the last note on the file itself is not self-contained.

46. A summary for the Cabinet prepared in accordance with rule 18 of the Rules of Business shall be printed and 55 copies furnished to the Cabinet Division. The date on which it is submitted should be indicated at the end of the summary which should not normally exceed two printed pages.

47. On files referred unofficially from one office to another, notes should ordinarily begin immediately below the note recorded by the office referring the case. The name of the office where the note is recorded should be clearly typed or stamped with a rubber stamp at the beginning of the note.

48. The following procedure should be observed by the Section Officer before submitting a file to senior officers:—

- (a) All files shall be placed in file boards or bands. The subject and the number of the file shall be written on the file cover or typed on a slip and pasted on it.
- (b) Page numbers shall be entered consecutively on all pages of correspondence in black or red ink-near enough to the corner of each page for them to be read quickly without turning pages over completely and far enough from the corner for them not to be torn off or obliterated. Reference to correspondence shall only be "Pp. 13-14/C".
- (c) Paragraphs of notes shall be numbered continuously from the beginning onwards. References to notes shall be "para 19/N". However, where a summary to the Prime Minister/President is incorporated in the notes, para numbers should not be amended but the entire summary should be given one number and paras of the summary should become sub-paras *e.g.* 20.1, 20.2, 20.3 and so on.
- (d) Two or three blank sheets shall be added to the notes for the convenience of higher officers.
- (e) All previous papers (recorded collections) put-up with a case should be chronologically arranged, the oldest being at the bottom of the file.
- (f) Above the previous papers shall be placed the file cover containing the current correspondence and notes. The draft (if any) pinned with a 'Draft for approval' slip shall be placed inside that cover on top of "Correspondence".
- (g) If any reference books have to be put up, they should, if of the same size as the file board or the file cover, be placed at the bottom; and if of a smaller size at the top.
- (h) Where a file which is required to be put up for information or for reference has been printed, a printed copy and not the original copy should be submitted.

49. The following instructions shall be observed when a file/case is submitted to the Prime Minister:—

- (i) It shall include a self-contained, concise and objective summary stating the relevant facts and points for decision. The summary, which shall include the specific recommendations of the Minister-in-Charge, and signed by the Secretary, shall be accompanied by a draft communication wherever appropriate.
- (ii) Where in cases enumerated in Schedule V-B to the Rules of Business, 1973 an order is required to be made by the President, the Division concerned shall incorporate a paragraph to this effect in the Summary for the Prime Minister. The Prime Minister shall tender his advice and submit the case to the President. After the President has seen and approved the case, the Secretary to the President shall return it to the Prime Minister.
- (iii) Where in cases enumerated in Schedule VI to the Rules of Business, 1973 any order has to be issued by the President in his discretion, the Division concerned shall submit the case to the President through the Prime Minister including a self contained, concise and objective Summary entitled as summary for the “President” stating the relevant facts and points for decision prepared on the same lines as prescribed in these Rules for a Summary for the Cabinet, except that only one copy will be required which may not be printed. This procedure will not, however, be applicable where the case is initiated by the President himself decided in consultation with the Prime Minister.
- (iv) The summary should be placed inside the special file cover (Form No. S. 204-E), as prescribed under para 27, properly tagged. If the space left at the end of summary is less than one third of the page, a spare sheet should be added for recording other notes and/or orders.
- (v) Where character rolls, reports or other documents accompany a summary, they would be in ordinary file covers [Form No. S. 204(R)] tagged or where too bulky for file covers they should be placed in envelope (s) of suitable size.
- (vi) Even where a file to be submitted to the Prime Minister consists of one or few sheets only it should invariably be placed in a file cover properly tagged and placed on a file

board or a band. The notes should be closed like the correspondence portion. All other files and papers which are of no relevance to the matter under consideration should be detached.

- (vii) Only such cases which must receive immediate attention should bear "Immediate" slip and only those flags which are actually referred to in the summary or the notes should be allowed to stand and others removed.

#### PREPARATION OF DRAFTS

50. In a case to be submitted to a higher officer wherever a communication is to issue, a draft shall be prepared and put up with the note by the Section Officer. A higher officer may himself prepare a draft and authorise its issue or submit it to the next higher officer for approval as the case may be.

51. A draft should convey the exact intention of the orders passed. The language should be clear, concise and incapable of misconstruction. Lengthy sentences, abruptness, redundancy, superlatives and repetitions, whether of words, expression or ideas, should be avoided. In communications of some length or complexity, the main points should be summarised in the concluding paragraph.

52. The following instructions should be observed while preparing a draft:—

- (i) A draft should be written or typed in double space on both sides of the paper. A sufficiently wide margin should be left for corrections and additions.
- (ii) All drafts should bear the relevant diary number or file number and the subject. The reference number of the addressee's letter if available, should always be given in subsequent correspondence. When two or more letters, notifications etc, are to issue under the same file number on the same date to the same addressee, a serial number should also be given in addition to the file number to avoid confusion, *e. g.*, "1-2(i)/60-Admn.", "1-2(ii)/60-Admn."
- (iii) A draft should show clearly the enclosures which are to accompany the fair copy. To draw the attention of the typist to the enclosures, a diagonal stroke should be made in the

margin. The number of enclosures should also be indicated at the end of the draft on the left-hand corner of the page.

- (iv) If copies of enclosures referred to in the draft are available and are not to be typed, the fact should be clearly stated in the margin of the draft for the guidance of the typist.
- (v) When it is known that the office to which the letter or memorandum is to be sent will require extra copies, the number of copies likely to be required should be indicated on the draft.
- (vi) The officer over whose signature the communication is to issue should initial and date the draft in token of his approval. His designation should invariably be indicated on the draft.
- (vii) A clean carbon copy of the letter issued should be placed on the file. This should be referenced immediately before any other action is taken on the file.
- (viii) The appropriate priority marking *i.e.*, "Residence", "Immediate" or "Priority" should be indicated on the draft. If any papers are to be despatched by special messenger or issued under registered post or under postal certificate, as Express Delivery, U.M.S. or by Air Mail, necessary instructions should be given on the draft for the guidance of the despatcher.

### **Forms of Communications**

53. Written communications shall be in one or the other of the following forms:—

- (a) Letter.
- (b) Memorandum.
- (c) Office Memorandum.
- (d) Demi-official letter.
- (e) Un-official Note.
- (f) Endorsement.
- (g) Notification.

- (h) Resolution.
- (i) Press communiqué/Note.
- (j) Telegrams, Teleprinter, Fax and Email messages.
- (k) Office Order.

54. **Letter.**– An official letter purporting to convey the views or orders of the Government of Pakistan must specifically be expressed to have been written under the direction of the Government. It shall be used for all formal sanctions and communications to Provincial Governments, public bodies and individuals. This form may also be used for communicating formal sanctions of Government to Attached Departments and subordinate offices, but shall not be used for correspondence between different Divisions of the Government of Pakistan.

A letter should be composed of the following:–

- (a) letter head bearing the words Government of Pakistan and the name of the Division;
- (b) number and date;
- (c) name (with titles if any) and designation of the sender;
- (d) designation and address of the addressee;
- (e) subject;
- (f) salutation;
- (g) main text of the letter;
- (h) subscription; and
- (i) signature and designation of the sender with his telephone number.

Letters addressed to official authorities should begin with the salutation <sup>1</sup>'Dear Sir' and end with <sup>1</sup>"Yours faithfully". Letters addressed to non-officials or groups of individuals should begin with "Dear Sir/Sirs" and should end with the subscription 'Yours truly' followed by the signature and designation of the person signing the letter.

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<sup>1</sup>Amended *vide* PPARC, M.S. Wing, Establishment Division letter No.2(1)/2001-Manuals, dated 18.3.2002.

Official letters not purporting to issue under directions from Government should begin with the words "I have the honour to" and not "I am directed to".

55. **Office Memorandum.**— This form should be used:

- (a) for correspondence between various Divisions;
- (b) for conveying information not amounting to an order of Government to Attached Departments and subordinate authorities.

It should be written in the third person and should bear no salutations except the signature and designation of the officer signing it. The name of the Division or Attached Department (including, if necessary, the name of the officer) should appear at the bottom on the left hand corner of the page. The Office Memorandum purporting to issue under directions from Government should begin with the words "The undersigned is directed to.....".

56. **Memorandum.**— This form should be used:—

- (a) for correspondence between the Divisions and Attached Departments and their subordinate offices;
- (b) in replying to petitions, applications for appointments etc.

It should be written in the third person and should bear no salutations or subscriptions except the signature and designation of the officer signing it. The name of the addressee should appear on the left hand corner of the page. The Memorandum should begin with the words "Reference application/petition/letter No. .... dated....., from.....".

<sup>1</sup>57. **Demi-official Letter.**— This form should be used in correspondence between Government officers when it is desired that a matter should receive the personal attention of the individual addressed.

A demi-official communication should be addressed to an officer by name. It should be written in the first person singular with the salutation "My dear-----" or "Dear Mr.-----" and end with "Yours sincerely". The expression 'My dear' should normally be used for an officer of the same status or an officer one step

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<sup>1</sup>Please see also clarification issued *vide* O&M Division's O.M.No.1/2/79-Manuals, dated 21st April, 1979 regarding reply to d.o. letters addressed by one Secretary to another.

higher in status and "Dear Mr." if the officer to be addressed is two or more steps higher in status. The name and designation of the sender with titles, if any, should also be typed under the crest on the first page. The telephone number of the officer sending the communication shall invariably be indicated.

58. **Un-official note.**— An un-official (u.o.) note should be made by sending a note on the file itself. This method of consultation should be generally employed between Divisions and a Division and Attached Department where so authorised.

59. **Endorsement.**— This form should be used when a copy of a communication is to be forwarded to others in addition to the original addressee. The endorsement may take one of the following forms:—

“A copy (with a copy of the letter replied to) is forwarded to .....for information/for information and guidance/for necessary action/for compliance”.

60. **Notification.**— This form should be used for notifying in the *Gazette of Pakistan* Ordinances, rules and orders, appointments, leave and transfer of gazetted officers and other matters which are required to be published in the *Gazette of Pakistan*.

61. **Resolution.**— This form should be used for making public announcements in the Gazette of decisions of Government on important matters of policy, appointments of committees or commissions of enquiry and of the results of the review of important reports of such bodies.

62. **Press Communique or Press Note.**— A press communique or press note should be issued when it is sought to give publicity to a decision of Government. It should ordinarily be prepared in consultation with and issued through the Press Information Department.

62-A. **Telegrams and Teleprinter Messages.**— A telegram should be issued only on occasions of urgency. As fast airmail services exist, no telegram should be sent if a letter with an appropriate priority marking can serve the purpose. Where teleprinter service exists, the greatest possible use should be made of it in preference to telegrams and telephones.

The text of a telegram or teleprinter message should be brief and clear but clarity should not be sacrificed for brevity. Where groups of figures are necessary in a message, these should be typed in words in the copy to be issued *e.g.*, 19365 should be typed "Nineteen thousand three hundred and sixty five". If further precaution is necessary, the words "the



double of which is thirty-eight thousand seven hundred and thirty" may be added.

The priority of the messages is as follows:– 'Ordinary', 'Express', 'Important', 'Immediate', or 'Most Immediate'. It should be clearly indicated on the typed copy. Immediate and Most Immediate, telegrams should be sent only on the authority of a Secretary/Additional Secretary/Joint Secretary.

In all cases (except cypher telegrams) post copies of telegram should be sent to addressees.

<sup>1</sup>[When a telegram is to be sent in cypher, the message should be drafted in normal and not in telegraphic English; needless verbiage should, however, be avoided. Cypher messages should be transmitted through the Pakistan Crypto Centre, Ministry of Foreign Affairs, Islamabad. The prepared message required to be issued in Cypher should be in a sealed cover addressed to Cypher Officer on Duty, Crypto Centre, Ministry of Foreign Affairs, Islamabad. Cypher, being the classified channel, may be used if the contents really merit their issuance in this system.

#### **Copies of Cypher Telegrams**

- (i) It is strictly prohibited to make the copies of Cypher Telegrams (photo copies or typed). In case a copy is required then the Cypher Officer (on duty), Ministry of Foreign Affairs may be requested in writing for the same.
- (ii) Making an unauthorized copy of a Cypher telegram is a serious breach of Cypher Security which endangers the communication Security.
- (iii) Giving reference number and date of a Cypher Telegram, both at the same time, in an enclaire Communication compromises its Security, which should be avoided.
- (iv) A Cypher Telegram once issued should not be passed enclaire on fax or by any other electronic means, as it requires Security protection].

**62-B. Email and Fax Messages.**– For quick disposal of official business urgent messages may be transmitted through Email or Fax.

**63. Office Order.**– This form should be used for conveying instructions to be followed in office and notifying appointment, promotion, leave, etc., of the non-gazetted staff.

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<sup>1</sup>Subs & added *vide* Ministry of Foreign Affairs letter No.CSS-2(3)/2002, dated 6.3.2004.

### PRINTING OF POSTAL CODES ON THE LETTER HEADS

<sup>1</sup>64. All Ministries/Divisions should ensure that this respective postal codes are invariably printed on their letter heads, as well as, written on all such communications which are issued by them besides ensuring implementation of the similar instructions from their Attached Departments/Subordinate Offices and Autonomous Bodies working under them.

### TYPING AND DESPATCH

65. When the issue of a draft has been authorised, the typing of the fair copy shall be done by the Private Secretary, Personal Assistant, Stenographer or Steno-typist attached to the Officer over whose signature the letter is to issue.

65-A. When more than twelve copies are required, a stencil should be cut and copies produced on a duplicating machine.

66. The fair copy with enclosures, and the typed office copy together with approved draft, should be put up in a signature pad to the officer concerned for his signature.

67. **Despatch.**— All papers and files to be despatched to other offices shall be sent to the Central Registry which shall follow the despatch procedure outlined in Annexure-III.

68. All communications should bear the date on which they are actually issued. They should *not* be double-dated.

69. (i) The documents to be sent out should be placed in covers and the name and address of the addressees should be neatly and correctly written or typed on an economy slip which should be used for all covers containing ordinary (*i.e.* unclassified) communications except when the contents are bulky or when it is proposed to send the cover by insured post. Economy slips should not be used for covers addressed to foreign countries. The covers/envelops of the communication should bear complete postal/residential address. The envelope/cover should carry the stamp and signature of the sender.

(ii) After a communication has been despatched, the office copy should be rubber stamped "Issued" and returned to the Section concerned.

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<sup>1</sup>Inserted *vide* Cabinet Division's d.o. letter No.1/12/90-General, dated 29-9-1990.

### ACTION AFTER DESPATCH

70. The Assistant should place the office copy on the file in chronological order and give it a page number.

71. If a reply to the communication is awaited or further action is to be resumed at a later date, the Assistant should mark the file 'reminder' or 'suspense', as the case may be, and note the date on which the file is to be resubmitted.

72. If the communication issued constitutes final disposal and no other action has to be taken on the file, it should be marked 'record'.

73. The Assistant should maintain a record of suspense cases on an ordinary calendar diary. He should enter date-wise:--

- (a) cases placed in suspense with instructions for resubmission on a particular date;
- (b) cases on which reminders are to be issued on specified dates; and
- (c) cases which have been referred un-officially to other Ministries and the return of which is awaited.

74. The Assistant should consult this diary every morning and should submit to the Section Officer for disposal all files required to be put up to him on that date. The Section Officer should check the diary periodically to ensure that the procedure outlined above is being observed by the Assistant.

### <sup>1</sup>MANAGEMENT OF RECORDS

75. (1) The disposal and management of non-current records is to be governed in accordance with the principles envisaged in the National Archives Act 1993.

Record management is a process of keeping records properly for the purpose of their use and retrieval, which includes opening of file, its recording, indexing, weeding, appraisal and disposal. File remains active till the completion of the specific action/purpose for which it was opened, where as it becomes non current on the date of final letter received or issued or notes recorded thereon.

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<sup>1</sup>Sections 75-87 Subs/modified *vide* National Archives of Pakistan (NAP) U.O. Note No.F.2-4/2004-DD(PRD) dated 10-11-2004

## **Definitions.**

(2) In these instructions:

“*Non Current Records*” are those, declared closed, on the completion of particular reference dealt there in.

“*Disposal Schedule*” means the rules regarding life cycle of a record fixed by the Ministry/Division in consultation with the National Archives of Pakistan.

“*Disposal*” means decision about retention period of a file or group of files, by the review committee appointed by the Government under National Archives Act, 1993 or permission granted by the Director General NAP for destruction, on the request of disposal made by the creating agency or by the custodian department if the records relate to a defunct department.

“*Historical Significance*” is the information about the political, social economic and cultural issues or those records, which brace work of enduring value or carry evidential value or contain precedence about matters special to the creating agency dealing the case.

“*Creating Agency*” means the Ministry/Division/Department/Commission/Committee, which opened and closed a file or produced a report or published a book/booklet through financial resources of the Government.

“*Recording*” means the process of closing a file after completion of action on all issues considered therein.

“*Surrender*” means the emergent transfer of a public record to NAP when asked by the Director General pending routine transfers.

“*Weeding*” means destruction of unnecessary papers of a file as asked by the Review Committee after review.

“*Retention Schedule*” means categorization of files into various categories depending on the “period” for which day should be preserved by the creating agency.

“*Classification*” means classification of files into “Secret” or “Confidential” files.

“*Indexing*” means preparation of index slips for each file and ultimately an Annual INDEX of the files of the Ministry/Division/Department.

### **Retention schedules**

(3) The Ministries/Divisions shall prepare the retention schedules of their records in consultation with the NAP.

The Non Current Record are to be divided in four categories as given below:—

(i) *Category A - Permanent Records.*— This category shall include vital records of permanent value, which are irreplaceable and have to be preserved with the utmost care. As a general rule, the following types of non-current record shall be classified under this category and transferred to NAP for preservation, after completing five years of their life in the Ministry/Division:—

- (a) Files containing discussions or orders on important matters of policy, legislation, rules and regulations.
- (b) Files embracing minutes.
- (c) State documents such as treaties and agreements with foreign countries.
- (d) Files containing orders establishing important precedents that are likely to be required frequently for reference over a long period.
- (e) Files relating to individuals whose importance warrant retention of their cases permanently.
- (f) The files, embracing data about economy, population, trade, education, manpower, agricultures, *etc.*
- (g) File giving information about politics, law, land, science, economy and foreign relation *etc.*
- (h) Files embracing surveys.
- (i) Files about Commissions, Committees and projects.
- (j) Files giving information about establishment expansions or ligament of an organization and progress reports of its activities.
- (k) Files, which constitute history of the country.
- (l) Files bearing research value.
- (m) One copy of each publication produced by any public office.

(ii) *Category B -- Records to be retained for 10 or more years.*—This category shall include all those files which are not important enough to be preserved permanently but are important enough to be retained for a period of ten or more years depending upon the extent of their utility. Service records of the Government servants should be classified under this category. These files should be transferred to the Record Room of the Division after having been kept in the Section concerned for 3 years.

(iii) *Category C -- Records to be retained for 3 to 9 years.*— This category shall include files which have limited utility and which may be required for only a few years. These files will also be transferred to the Record Room of the Division after having been kept in the Section concerned for 3 years.

(iv) *Category D -- Records to be retained for less than 3 years.*— This category shall include papers of routine or ephemeral nature, which are not likely to be required beyond a period of three years. The files/record marked category "D" when decided for destruction on a reference by the creating agency will be transferred to the National Archives of Pakistan. The files/records due to destruction will be reviewed by a committee headed by Director General NAP and one representative, not below the level of Deputy Secretary of concerned Ministry/ Division. Those files, which have some historical value, will be retained and preserved by the Department of Archives and the concerned Ministries/Divisions will be apprised of the particulars of such files. Custodial authority will destroy the remaining files.

#### **Procedure for transfer**

76. The Ministries/Divisions shall transfer their all records, permanent or destroyable, to NAP after five years of their becoming non-current. The Ministries/Divisions shall indicate the above values of records on the occasion of their becoming non-current.

- i) Each Section of Ministries/Divisions shall prepare a list of non-current files in the month of January each year and send it to NAP in the month of March each year so that NAP may prepare a schedule of acquisition of the said files. The NAP will communicate the schedule to the relevant Divisions/ Departments.

- ii) The Ministries/Divisions shall transfer the Records in corrugated boxes as provided at appendix along with list of contents of each box.
- iii) Ministries/Divisions shall send a copy of annual Index of their files to NAP in the month of March each year.

### **Preservation and Weeding of various registers**

77. The various registers used in Federal Secretariat should be categorized as under and preserved/retained for the period indicated against each:-

- |   |                |           |
|---|----------------|-----------|
| (a) File register                             | – Category 'A' | Permanent |
| (b) Register of files<br>due for destruction. | – Category 'A' | Permanent |
| (c) Register for disposal<br>of record.       | – Category 'A' | Permanent |
| (d) Section Diary<br>Register.                | – Category 'C' | 5 years.  |
| (e) Dak Book.                                 | – Category 'D' | 1 year    |

*Note:* The Ministries shall themselves destroy the (d) and (e) above whereas the (b) and (c) may be kept in the appropriate place and ultimately transferred to the NAP.

### **Recording of Files.**

78. Within one month of the completion of action on each file the Section Officer concerned will-

- (i) Give final subject heading to a file and under-line the major (with double line) and minor keywords (with single line) therein. The subject should reflect the final outcome on the file, so that in many cases the subject heading originally given on the file cover a well as in the file register will need to be modified. An example of a typical subject is given below:-

*Appointment of Mr. Abdul Karim as Senior Research Officer in Planning Division on contract basis.*

- (ii) Indicate the category (A,B, C or D) of the file as laid down in instruction (3) of para 75 above.

- (iii) Indicate the year in which the file is to be destroyed (in the case of files of category B, C and D).

79. The Assistant of the Section shall then proceed to take the following action:-

- (i) Enter the category and classification of the file as prescribed by the Section Officer and the month and year in which the file is recorded in the File Register as under:-  

“B, November, 1995”.
- (ii) Note the numbers of connected files or previous references on the file cover of the file being recorded and also on the covers of files under reference.
- (iii) Note on the relevant page of the Register of Files due for Destruction (Annexure IV), the number of the file. This Register should contain at least one page for each calendar year, on which shall be noted the number of all the files to be destroyed in the particular year.
- (iv) Check that all pages of the file are complete, and remove all unnecessary routine papers from it.
- (v) Have all torn pages mended and twisted pages straightened.
- (vi) See that all marginal references both in the Notes and Correspondence are either available on the file or in Appendix at the end of the file or are duly referenced so as to make them readily traceable. (In this process flags shall be clearly identified with or replaced by the names of relevant documents, numbers of files, page numbers, para numbers *etc.*).
- (vii) Write or type the full names of officers (who dealt with the file) with correct spellings and their designations below signatures where signature of officers is not legible.
- (viii) Having completed the above action stamp the file “Recorded” in the margin of the last page of Notes, initial it and mark the file to the Record Room.
- (ix) Record Room will keep the file (B,C,D) for a period of five years and then will transfer the record to NAP along with the three copies of the lists.



### Indexing of Files

80. The Record Room will be responsible for the following action:-

- (1) Getting the file cover replaced if the existing one is worn out, and have the following particulars typed, pasted or stamped on it.
  - (a) File No.
  - (b) Month and year in which the file is recorded
  - (c) Permanent  
(or) Destroy in Year.
  - (d) Category and classification of the file, and name of the Ministry/Division and the Section concerned (to be stamped).
  - (e) Subject.
  - (f) Previous and later references.
- (2) Placing foolscap sheet stamped CORRESPONDENCE and APPENDIX immediately before the correspondence and appendix portions of the file and having the file (including its Notes portion) stitched securely with double thread. (Stitching should be done at a distance of about  $\frac{3}{4}$ " from the edge of the file cover).
- (3) Having the INDEX SLIPS typed on a paper of size 17×10.5 mm, in respect of files of categories A, B and C specimens of which may be seen at Annexure IV (a). *An example* of a file of category 'B' is given below:-
  - (a) Abdul Karim ----- Appointment of ----- as Senior Research Officer on contract basis.  
File-----B, November, 1985.
  - (b) Senior Research Officer-----*See* Abdul Karim  
File-----B, November, 1985
  - (c) Appointment-----*See* Abdul Karim  
File-----B, November, 1985.
  - (d) Contract-----*See* Abdul Karim  
File-----B, November, 1985.

These index slips will be kept in a steel almirah with pigeonholes as illustrated in Annexure IV (b).

### **Annual Index of the Division's Proceedings.**

81. Immediately upon the close of the year, the Record Room will arrange the Index Slips from each pigeonhole in alphabetical order and get them typed in a continuous form. The typed material will be sent out for printing by the end of February with instructions for completion of the work of printing of an INDEX for the Division concerned by the end of June.

### **Review, Re-categorization and destruction of Record.**

82. (1) The Section Assistant will prepare register of non current files including files due for destruction. In January each year after completion of five years in the Ministry/Division the non-current records are to be transferred to the NAP. The Section will go through the files to see if a particular file should be retained further; and, if so change the relevant entry on the file cover and initial it and affix his rubber stamp below his initials. The Assistant will strike off the old entry in the Register of Files Due for destruction make a fresh entry on the relevant page and return the file to the Record room.

(2) Files, which have outlived their utility and are no longer required, may be disposed as per envisaged in Clause 7 of the National Archives Act 1993. All confidential and Secret files and papers decided for destruction shall be destroyed in accordance with the instructions contained in the booklet 'Security of Classified Matters in the Civil Departments. All non-confidential files and papers shall be destroyed in the presence of a responsible official after the approval of DG National Archives of Pakistan. Newspapers, magazines and press cuttings, no longer required for use, should be disposed of as per standing instructions regarding sale of waste material, again in consultation with the National Archives of Pakistan.

(3) Destruction of Record is purview of NAP, no Ministry/Division may destroy any file on their own.

### **Quarterly Return about Recording and Indexing of Files**

83. A quarterly return about the recording and indexing of files on which action has been completed and the weeding out of old records shall be sent to the Management Services Wing PPARC (Statistical Cell) in the form in Annexure V. These reports will be consolidated by the Management Services Wing and sent to the Cabinet Secretary for watching overall progress of work.

### **Transfer of Files to the Record Room and requisitioning thereof.**

84. (1) Normally recorded files will be kept in the Section concerned for 3 years from the date of recording. In the month of January following the year in which the 3 years' period expires, the Section Assistant shall prepare a list (*in duplicate*) of files to be transferred to the Record Room. He shall transfer the files to the Record Room and obtain the signature of the Officer Incharge on one copy of the list in token of having received the files.

(2) No files kept in the Record Room shall be allowed to be removed from it except against proper requisition slips signed with date by the officer requisitioning the file. The requisition slip shall contain the following particulars:—

- |  |   |               |
|--|---|---------------|
| <ul style="list-style-type: none"> <li>(1) File No.</li> <li>(2) Category, Month and Year of record</li> <li>(3) The number of the file or papers with which it is to be put up.</li> <li>(4) The requisition slip shall be placed in the shelf at the place from where the relevant file has been taken out.</li> </ul> | } | Annexure-V(a) |
|--|---|---------------|

### **Preservation of Records**

85. The files categorised 'A' shall be sent to the National Archives of Pakistan under the Cabinet Division.

86. (1) The Record Room shall have sufficient almirahs, steel shelves and other equipment for proper storage and preservation of files and records.

(2) The Record Room shall be kept free of rats, dirt, dust and direct sunlight and shall be sprayed periodically with insecticide.

<sup>1</sup>Files which are less than 3 years old and are kept in the Section concerned, should also be disinfected at least once in 3 years.

87. State documents, treaties, agreements with foreign countries and original copies of all laws authenticated by the President, shall also be sent to the NAP for preservation unless otherwise agreed to by the Cabinet Division.

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<sup>1</sup>Please also see O&M Wing Memorandum No.124/3/6-O&M, dated the 28<sup>th</sup> March, 1967 regarding disinfection of records .

**Annexure-A.****SPECIFICATION OF CORRUGATED BOX**

|        |       |
|--------|-------|
| Length | 39 cm |
| Height | 26 cm |
| Width  | 17 cm |

*Note:*— Sample of the box can be obtained from the National Archives of Pakistan on request.

### Record Room Personnel

88. Normally, the Record Room will have the following staff:--

| <i>S. No.</i> | <i>Designation</i>             | <i>No. of Posts</i> | <i>Functions</i>  |
|---------------|--------------------------------|---------------------|---|
| 1             | 2                              | 3                   | 4   |
| 1.            | Record Superintendent (BPS-16) | 1                   | To hold overall charge of the Record Room. He will be under the supervision of the Section Officer concerned with Admn. or Miscellaneous duties.  |
| 2.            | Assistants                     | 2                   | To prepare the files for stitching, get the file covers completed and to arrange the files stitched.<br><br>To receive the files for safe-custody in the Record Room and to issue the files against requisition slips, etc. |
| 3.            | Typists                        | 3                   | Typing of entries on/for file covers, typing of index slips, Annual Index and other typing work.  |
| 4.            | Record Sorter.                 | 1                   | Taking out files against requisition slips or placing of files in appropriate shelves, bundles year-wise upon receipt from the Sections.  |
| 5.            | Daftries                       | 2                   | Pasting of typed entries on file covers, stitching of files.  |
| 6.            | Naib Qasid.                    | 1                   | Usual duties.   |

Large Ministries like Foreign Affairs, Finance, etc., may have larger complement of staff according to their actual needs.

### CHECKS ON DELAYS

89. On receipt of a third reminder, the recipient should, wherever possible, secure the pending file himself and dispose of the case as expeditiously as possible or arrange for its quick disposal by the officer concerned.

90. (i) On the first working day of each month a return shall be prepared in the prescribed form (specimen of form at Annexure VI) showing the particulars of all cases not finally disposed of within one month of the date of their receipt in the Division. This return shall be submitted for scrutiny of the Secretary/Additional Secretary/Joint Secretary-Incharge through the Deputy Secretary concerned.

(ii) The overall state of work (both intake and disposal) in the Division should be charted graphically and displayed in the office of the Head of the Division.

## MISCELLANEOUS

### **Attendance Register**

91. An attendance register in the prescribed form shall be maintained in all Sections. It shall be initialled by the Section Officer at ten minutes after the time fixed for arrival. Any member of the staff arriving after the period of grace shall have to explain his late arrival.

### **Submission of periodical statements on due dates**

92. To ensure that all reports and returns due for submission are sent on the prescribed date, Control Charts should be maintained in the form prescribed in 'Annexure VII'. These charts should be maintained separately for fortnightly, monthly, quarterly or yearly returns and prominently displayed in the room of Section Officer/Deputy Secretary concerned. The Section Officer should examine these charts at least once a year and should initiate action for discontinuing any report/return which has ceased to be necessary.

### **Circulation of decisions of general application**

93. Decision of general application taken in a Division which may form precedents in other cases, should be listed by the Section Officer concerned in the form at Annexure VIII, and sent through the Deputy Secretary concerned to the Deputy Secretary dealing with coordination and general administration who should have it circulated in the Division.

### **Use of red and blue-black inks**

94. For ordinary work (noting, drafting and signing of official papers) blue-black or similar ink should be used and red ink is to be employed only for special purposes laid in certain rules or instructions.

*Note.*— A few examples of rules/instructions enjoining the use of red ink may be found in Annexure IX.

### **Duties to be performed by the Ministerial Staff of the Federal Secretariat**

95. The Ministerial Staff of the Federal Secretariat perform such duties/functions as are assigned to them by the competent authority. A broad framework of duties/responsibilities of the Superintendents, Council Assistants, Upper Division Clerks and Lower Division Clerks is given below:—

(i) *Superintendent*

- (1) Supervising the work of Assistants, Clerks etc. working in the Branch/Section;

- (2) Submission of cases to higher officers in proper and complete form;
- (3) To see that discipline and tidiness is maintained in the Branch/Section.

(ii) *Council Assistant*

- (1) To keep an up-to-date record of Assembly Questions, Resolutions, Cut Motions, etc. and the dates on which they are to be answered/discussed;
- (2) To co-ordinate the work relating to Assembly Questions, official and non-official Resolutions, Cut Motions on the Demands for Grant and any other Motions which a Ministry has to undertake under the provisions of different Acts of Legislature;
- (3) To keep a watch on the movement of files dealing with Assembly Questions, etc.;
- (4) To prepare fair replies for the Minister and the parliamentary Secretary of the Ministry/Division concerned;
- (5) To attend Assembly Session and to keep notes of supplementaries or any other development concerning the Division;
- (6) Any other work which may be assigned to him in connection with the Assembly Questions, Resolutions, Cut Motions, etc.

(iii) *Upper Division Clerks*

- (1) Recording and Indexing;
- (2) Supervision of the Receipts, Issue and General Branches, wherever a clerk is appointed to hold charge of these Branches;
- (3) Night Duty;
- (4) Preparation of pay bills etc; and
- (5) Cashier's duties.

(iv) *Lower Division Clerks*

Lower Division Clerks are expected to deal with routine type of work, *e.g.*, typing, receipts, despatch, diarising etc.

**Annexure-I**

(See Appendix E-Para 17)

**SECTION DIARY REGISTER**

| S.No. | No. and date of document |      | From whom received | Brief Subject | File No. | Record of movement | Date of disposal |
|-------|--------------------------|------|--------------------|---------------|----------|--------------------|------------------|
|       | No.                      | Date |                    |               |          |                    |                  |
| 1     | 2                        | 3    | 4                  | 5             | 6        | 7                  | 8                |
|       |                          |      |                    |               |          |                    |                  |

*Note.*— The date of receipt in the Section is to be written across the centre of the page at the beginning of each day's receipt.  
Amended *vide* O&M Division's O.M. No. 1/2/83-Manuals, dated 19.11.1983.

S.31(New)



**Annexure II (Revised)**

S-92  
(See Appendix E-Paras 25,28 & 38)

NUMBER OF  
MAIN HEADING -----  
-----

**FILE REGISTER**

YEAR-----

MAIN HEADING-----  
-----

|  |          |
|--|----------|
| Serial No. -----<br>File No. -----<br>Subject: -----<br>-----<br>Date of Recording -----<br>Category -----<br>Classification ----- | MOVEMENT |
| Serial No. -----<br>File No. -----<br>Subject: -----<br>-----<br>Date of Recording -----<br>Category -----<br>Classification ----- | MOVEMENT |

**Annexure-III**  
(See Appendix E - para 67)

CHART SHOWING PROCEDURE FOR DESPATCH

**Despatcher**

- Receives papers for despatch.
- Checks the enclosures, if any.
- Separates fair copy from the office copy and records date of despatch on both copies.
- Affixes rubber <sup>1</sup>stamp "issued" on the office copy and puts his dated initial under it.
- Returns office copy to the Section concerned.
- Places fair copies in the relevant compartments of the sorting rack.
- Clears compartments of sorting rack one by one and arranges letters office-wise, separating communications for local despatch from those to be despatched by post.
- Enters communications for local despatch in Dak Books.
- Passes communications and Dak Books to Naib Qasid for delivery.
- Prepares covers where necessary and writes addresses on covers or economy slip, as the case may be, for communications to be despatched by post (cyclostyled address slips shall be used for addresses frequently addressed).
- Passes covers to Daftry.

**Daftry**

- Closes covers.
- Weighs and notes value of stamps required.
- Franks covers with necessary stamps.
- Returns covers to the Despatcher.

**Despatcher**

- Makes necessary entries in the Register of Issues and Stamps Account and Despatch Register, specimen of which is given in Annexure III(a).
- Passes cover to Naib Qasid for posting.

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<sup>1</sup>Corrected *vide* O &M Division O.M. No.1/8/81-Manuals, dated 22.7.1981.

**Annexure III (a)**  
(See Appendix E - Para 67)

**DESPATCH REGISTER**

| S.No. | Number and date | No. of enclosures | Addressee's particulars | D.R./Ordinary/<br>Registered dak | Stamp value |     |
|-------|-----------------|-------------------|-------------------------|----------------------------------|-------------|-----|
|       |                 |                   |                         |                                  | Rs.         | Ps. |
| 1.    | 2               | 3                 | 4                       | 5                                | 6           |     |
|       |                 |                   |                         |                                  |             |     |



**Annexure IV (a)**  
**(See Appendix E - Para 80)**

SPECIMEN INDEX SLIPS

---

|    |                    |                  |  |
|----|--------------------|------------------|--|
| 1. |                    | (For File Cover) |  |
|    | Deputy Secretaries | —                | Special Pay on Appointment as Private Secretary to Federal Minister No. 1/2/80-Admn. |

---

|    |                    |                     |  |
|----|--------------------|---------------------|--|
| 2. |                    | (For File Register) |  |
|    | Deputy Secretaries | —                   | Special Pay on Appointment as Private Secretary to Federal Minister No. 1/2/80-Admn. |
|    | Destroy in 1986    |                     |  |

---

|    |                    |                    |  |
|----|--------------------|--------------------|--|
| 3. |                    | DEPUTY SECRETARIES |  |
|    | Deputy Secretaries | —                  | Special Pay on Appointment as Private Secretary to Federal Minister No. 1/2/80-Admn. |

---

|    |                    |                   |  |
|----|--------------------|-------------------|--|
| 4. |                    | PRIVATE SECRETARY |  |
|    | Deputy Secretaries | —                 | Special Pay on Appointment as Private Secretary to Federal Minister No. 1/2/80-Admn. |

---

|    |                    |             |  |
|----|--------------------|-------------|--|
| 5. |                    | SPECIAL PAY |  |
|    | Deputy Secretaries | —           | Special Pay on Appointment as Private Secretary to Federal Minister No. 1/2/80-Admn. |

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**Annexure IV (b)**  
**[See Para 80(3)]**

## INDEX SLIPS ALMIRAH

### Specifications

Size:- 72" x 36" x 18"

Pigeon holes:- Size 10" x 9" with 1-1/2" front name plate.

(28 in number)

**Annexure V**  
**(See Para 83)**

**QUARTERLY PROGRESS REPORT OF RECORDING, INDEXING OF FILES AND WEEDING  
OUT OF OLD RECORDS FOR THE QUARTER OF-----  
MINISTRY/DIVISION-----**

| Category of Files | Recording and indexing of files |  |                        | Weeding out of old records        |   |                          | Remarks |
|-------------------|---------------------------------|--|------------------------|-----------------------------------|---|--------------------------|---------|
|                   | No. of files to be recorded     | No. of files actually recorded/ indexed during the quarter | Balance to be recorded | No. of files due to be weeded out | No. of files actually weeded out during the quarter | Balance to be weeded out |         |
| 1                 | 2                               | 3  | 4                      | 5                                 | 6   | 7                        | 8       |
| A                 |                                 |  |                        |                                   |   |                          |         |
| B                 |                                 |  |                        |                                   |   |                          |         |
| C                 |                                 |  |                        |                                   |   |                          |         |
| D                 |                                 |  |                        |                                   |   |                          |         |
| Total             |                                 |  |                        |                                   |   |                          |         |

To,

The Director (Stat)  
PPARC (Statistical Cell)  
Management Services Wing, Establishment Division,  
ISLAMABAD.

SECTION OFFICER

S. 215

Annexure V (a)  
[See Para 84(2)]

**REQUISITION SLIP**

Number of File  
Requisitioned-----

Category, Month &  
Year of Record-----

To be put up with  
(File Document No.)-----

Requisitioned by-----  
(Signature)

Date-----      Designation-----

-----



**Annexure VI**  
(See Appendix E - Para 90)

MINISTRY/DIVISION.....

RETURN OF RECEIPTS, DISPOSALS AND ARREARS FOR THE MONTH OF.....20

Section.....

Name of Section Officer.....

| No. of references brought forward from the previous month | No. of receipts during the month | Total of columns 1 and 2 | No. of references disposed of during the month |                  | Number of cases outstanding on the last working day of the month |                         |       | Remarks |
|---|----------------------------------|--------------------------|--|------------------|--|-------------------------|-------|---------|
|   |                                  |                          | At SO's level                                  | At higher levels | More than two weeks but less than one month old                  | More than one month old | Total |         |
| 1   | 2                                | 3                        | 4  | 5                | 6  | 7                       | 8     | 9       |
|   |                                  |                          |  |                  |  |                         |       |         |

*Note .-* Particulars of cases more than a month old should be given very briefly on the reverse. Urgent and personal cases, *i.e.*, cases pertaining to pay, increment, seniority, disciplinary matters, etc. should be marked with an asterisk.

Date.....

Signature of Section Officer.

**(Reverse - Annex -VI)**

## PARTICULARS OF CASES PENDING FOR MORE THAN ONE MONTH

Section.....

| Sl. No. | File/Diary No. | Date of receipt | Subject | Particulars of cases pending |               | Since when pending |
|---------|----------------|-----------------|---------|------------------------------|---------------|--------------------|
|         |                |                 |         | Why pending                  | Where pending |                    |
| 1       | 2              | 3               | 4       | 5                            | 6             | 7                  |
|         |                |                 |         |                              |               |                    |

**ANNEXURE VII**  
(See Appendix E - Para 92)

CHART OF RETURNS TO BE SUBMITTED

$$\left. \begin{array}{l} \text{Monthly} \\ \text{Quarterly} \\ \text{Yearly} \end{array} \right\} \text{Returns due from the .....} \left\{ \begin{array}{l} \text{Section} \\ \text{Division} \end{array} \right.$$

| Sl. No | Subject | Due date for Despatch | *Dates on which actually sent during the month of |                       |                   |                      |
|--------|---------|-----------------------|---|-----------------------|-------------------|----------------------|
|        |         |                       | January 2000                                      | February – April 2001 | March – July 2002 | April – October 2003 |
|        |         |                       |   |                       |                   |                      |

\*Note.– The entry in the last column will be regulated by the frequency of the reports which the particular chart is intended to control, e.g., in the case of quarterly reports, the entries in the column will be January, April, July and so on. In case of yearly reports, they will be 2000, 2001, 2002 and so on.

**ANNEXURE VIII**

(See Appendix E - Para 93)

STATEMENT OF IMPORTANT DECISIONS

Ministry  
Division

| Sl. No. | Decision | Name and designation of officer who took the decision | Date of decision | Reference No. |
|---------|----------|---|------------------|---------------|
|         |          |   |                  |               |

Prepared by -- Section Officer.

Dated the.....

Countersigned by -- Deputy Secretary.

**ANNEXURE IX**

(See Appendix E - Para 94)

**INSTRUCTIONS FOR THE USE OF RED INK****I. Treasury Rules**

(a) *Rule 138.* "The following instructions with regard to the preparation and form of bills shall be observed:–

(iv) Erasures and over-writing in any bill are absolutely forbidden and must be avoided; if any correction be necessary, the incorrect entry should be cancelled neatly in *red ink* and the correct entry inserted....."

(b) *Rules 297 (ii).*

"Every sub-voucher which under the provisions of Section IV of this Chapter is not forwarded either to the Accountant General or to a Controlling Officer alongwith bill but is recorded in the office to which the expenditure relates, must be duly cancelled by means of a rubber stamp or by an endorsement in *red ink* across the voucher, the cancellation being initialled by the officer authorised to draw the contingent bills of the office....."

**II. Secretariat Instructions.**

[Appendix 'E' Para 48(b)].

"Page numbers should be entered consecutively on all pages of correspondence in black or *red ink*....."

**III. Instructions for writing and maintaining Confidential Reports as printed on PER Forms.**

D. (2) "If you consider that a particular remark of the reporting officer is wrong and should be expunged, score it out in *red ink*, initial the scoring and add any other remark which you may consider appropriate....."

(4) "Underline in *red ink* remarks which in your opinion are adverse and should be communicated to the officer concerned....."

#### **IV. Income Tax Office Manual, 1961 (Edition).**

- (i) *Arrears demand brought forward on the 1st of April/1st of July from the preceding year .--* The entries in respect of these demands should be made in red ink (except the demand which should be in black) at the beginning of the register.
- (ii) The clerk concerned, as soon as he receives the I.T. -93 slip from the Head Clerk will enter the slip in the Register of information slips and then record in *red ink* on the order sheet of the file concerned the number and date of the communication slip and name of the office from which the communication or I.T.-93 slip originated.

## **APPENDIX 'F'**

(See Instruction 74)

### **<sup>1</sup>INSTRUCTIONS REGARDING THE CONDUCT OF CASES OF THE FEDERAL GOVERNMENT IN COURTS, ETC.**

#### **Suit or legal proceedings by Government**

1. No-civil suit or legal proceedings shall be instituted or initiated on behalf of the Federal Government by any Division/Department without the prior consultation with the Law, Justice and Human Rights Division.

2. When the administrative Division/Department concerned considers it advisable that a suit or legal proceedings be instituted or initiated on behalf of the Federal Government a detailed and clear summary should be furnished to the Law, Justice & Human Rights Division showing:—

- (a) The circumstances which, in the opinion of the administrative Division/Department, render institution of the suit or legal proceedings in the court of law.
- (b) The subject of the claim and the relief sought.
- (c) The steps which have been taken so far to obtain satisfaction of the claim.
- (d) The comments or objections, if any, which have been urged by the opposite party against the claim.
- (e) The evidence, which is believed to be obtainable and which it is proposed to adduce in support of the claim.
- (f) Any other facts which the administrative division/ department may consider material or relevant to the case.
- (g) List of property movable and immovable and/or securities from which it is proposed to realise the amount claimed, if decreed.

---

<sup>1</sup>These Instructions apply *mutatis mutandis* to service appeals before the Service Tribunals and cases before special courts and tribunals.

3. Copies of all documents referred to in the report should, as far as possible, accompany the report; where for any reason, the copies cannot be supplied the originals should be submitted.

4. If the Law, Justice and Human Rights Division agrees it will nominate a counsel to file and conduct the suit or legal proceedings.

**Defence of suits, etc.**

5. No suit/legal proceedings be defended if the claim and relief sought is justified and genuine.

6. The object of the notice prescribed by section 80 of the Code of Civil Procedure, is to allow ample time to the Government to inquire into the genuineness or otherwise of the claim or relief sought and to affect a settlement of all just claims before a suit is brought, and the best use should be made of the opportunity thus given by the law towards equitable and amicable adjustment of claims.

7. When notice of an intended suit is given under section 80 of the Code of Civil Procedure, the officer to whom it is delivered, or the head of office at which it is left, should forthwith endorse, or cause to be endorsed, on the notice:--

- (a) the date and time of receipt;
- (b) the manner of delivery; and
- (c) the signature of the officer making the endorsement, with date.

8. The departmental officer concerned should, immediately on receiving any notice of an intended suit, proceed to enquire into the matter and to consider the claim put forward and move the proper authority to decide, in consultation with the Law, Justice and Human Rights Division, whether any and, if so, what steps should be taken to adjust the claim (whether in whole or in part) or whether the notice-giver be left to take such legal action as he may deem proper.

9. When the departmental authority having power to deal with the case is clearly of the opinion that the whole or any part of the claim put forward is justly due he should, in consultation with the Law, Justice and Human Rights Division, proceed to endorse settlement thereof accordingly.

10. Any amount held to be justly due to the claimant should be formally and unconditionally tendered to him without prejudice and



without requiring him to give an acquittance in full adjustment of his claim, but upon a receipt for the sum tendered. No tender of payment or payments should be made after the suit has been brought except with the approval of and in accordance with the instructions of the Law, Justice and Human Rights Division.

11. Under Order V, rule 2, C.P.C. the summons in a suit is required to be accompanied by a copy of the plaint or concise statement thereof. If a summons is not accompanied by a copy of plaint/petition, or concise statement, service should be refused, if possible, with a note requesting for a copy of the plaint/petition and the matter should be brought to the notice of the Law, Justice and Human Rights Division forthwith. In no case the duplicate copy of the summons, when received, should be returned to the court before showing the case to the Law, Justice and Human Rights Division.

12. At subsequent stages of a suit and in appeals copy of plaint/petition, or of memo of appeal, is not sent with the notice and quite often Ministries/Divisions find it difficult to link those notices with the main case in dispute. It 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    |
|-------------------|----------------------|-----------------------------|----------------------|----------------|----------|-----------|
| A B C vs Pakistan | Civil suit or appeal | Service matter, arbitration | High Court, Peshawar | A.G., Peshawar |          | Dismissed |

13. Where service of a summons/notice not accompanied by a copy of plaint has been affected, the court issuing the summons, not being a High Court or the Supreme Court, should be immediately requested to supply the same and extend the date of hearing accordingly. The matter should simultaneously be reported to the Law, Justice and Human Rights Division for further advice and appropriate action in the matter. The envelopes of such summons/notice should be kept intact.

14. When a summons has been duly served, the Litigation Section should, after noting its particulars in the nominal Index Register, pass it on to the concerned officer or department who should collect relevant

information and documents/papers from the concerned quarters, examine the matter thoroughly and then refer it to the solicitor to the Government of Pakistan in the Law, Justice and Human Rights Division for further examination and nomination of an Advocate to undertake the defence of the case, if considered necessary.

15. Where a summons does not give adequate time for examination and arranging defence, an authorised officer of the administrative department concerned should appear *in person* in the court and apply, under rule 5, Order XXVII of the First Schedule to the Code of Civil Procedure, for a reasonable extension of time. In the absence of prior notice under section 80 CPC, the court is obliged to give at least 3 months time for the filing of written statement and first hearing.

16. In case of applications for interim injunction *pendente lite*, time allowed is usually 3 to 7 days. If, for any reason, it is not possible to arrange defence in time, some recognised agent, *i.e.* a person holding power-of-attorney in this behalf, should appear in the court on the date of hearing and seek adjournment for about 15 days. Thereafter the case should be referred to the Solicitor with utmost despatch.

Usually, complaints are to be read as part of the application for interim injunctions but quite often copies of complaints are not supplied by courts alongwith notices for the hearing of such applications. Where copies of complaints are not so received, the same should be procured from the court before referring the case to the Law and Justice Division.

17. After the Law, Justice and Human Rights Division has examined the case and nominated an Advocate to defend/conduct it in a court of law, a responsible officer of the administrative department concerned *well-conversant with the facts* of the case, and preferably stationed at or near the seat of the court, should contact and brief the counsel at the earliest and well before the next date of hearing of the case. *This responsibility should never be left to the sub-ordinate staff.*

18. Although it should not normally be necessary for the departmental representative to be present in the court on each date of hearing, he should remain in touch with the counsel and keep watch over the progress of the case. Whenever required by the counsel he must present himself in the court and render all possible assistance to the counsel in the conduct of the case, as if it was his personal case. Where, however, a department has an

office at the station where the suit is pending, some one may be deputed to attend the court and assist the counsel on each date of hearing if possible.

### **Action on Termination of Proceedings**

19. As soon as a suit is decided, particularly when the decision is adverse to the Government, the administrative department concerned should apply, in the prescribed form, to the concerned Court/Copying Branch or the District Judge for copies of judgment and decree-sheet "for official use". These would be supplied free of cost. In addition, the counsel should also be asked to apply separately for certified copies of judgment and decree-sheet.

### **Appeals.**

<sup>1</sup>20. If the decision is either wholly or partially adverse to the Government, the matter should be reported immediately to the Solicitor, Complete record of the case, along with copies of judgment and decree-sheet and comments of the department, should be sent to him thereafter as soon as these copies become available.

21. Although time is the essence in litigation in general, in appeal it is of utmost importance because the time allowed for appeals is limited and appeals filed after the expiration of limitation period are ordinarily dismissed as barred by time and no appeal lies against the refusal of a court to condone delay. It is, therefore, very necessary that the litigation cases in general and appeals in particular should be handled with promptness and diligence.

<sup>2</sup>*When time left for filing an appeal is less than 7 days, an officer of the administrative department, not below the rank of Deputy Secretary, should bring the file personally to the solicitor.*

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<sup>1</sup>Certified copies of judgment *etc.* should be kept by the Department in safe custody, as the same may have to be filed in court if appeal is to be filed and photo-stat copies thereof should be placed on the file. In fact, original of all important documents should be kept by the Department in safe custody as soon as litigation or threat of litigation starts.

<sup>2</sup>This should be followed in other court cases as well when the date of hearing falls within 7 days

22. The periods of limitation prescribed for various kinds of appeals, etc., are as under:—

| No. of article of the first schedule to the Limitation Act, 1908, or other relevant rule and description of appeal or application. | Period of Limitation   |
|--|--|
| 1  | 2  |
| 151. From a decree or order of a High Court in the exercise of its original jurisdiction.  | 20 days.   |
| 152. Under the Code of Civil Procedure to the court of a District Judge.   | 30 days.   |
| 156. Under the Code of Civil Procedure to a High Court.  | 90 days.   |
| 158. Application to set aside or to get an award remitted for reconsideration.   | 30 days from the date of service of notice of filing of the award. |
| 161. For a review of judgment by a court of Small Causes.  | 15 days.   |
| 162. For a review of judgment by a High Court.   | 20 days.   |
| 164. Application by a defendant to set aside a decree passed <i>ex-parte</i> .   | 30 days from the date when he has knowledge of the decree.         |
| 178. Application for the filing in court of an award.  | 90 days from the date of service of notice of making of award.     |

|   | 1  | 2  |
|---|--|--|
| Order XIII.<br>Supreme Court<br>Rules, 1956             | For petition for special leave to appeal to the Supreme Court.                           | 30 days where leave to appeal is refused by the High Court; otherwise 60 days. |
| Order XII, Rule<br>6B. Supreme<br>Court Rules,<br>1956. | For appeal to the Supreme Court where certificate of fitness is granted by a High Court. | 30 days from the date of grant of certificate.                                 |

23. In computing the period of limitation, the days from which such period is to be reckoned and in case of appeals, or application for review, the day on which the judgment complained of is pronounced and the time requisite for obtaining a copy of the judgment/decree appealed from or sought to be reviewed is to be excluded.

#### **Execution.**

24. A decree favourable to government may be executed either by the court which passed it or by such other court in whose jurisdiction the judgment-debtor voluntarily resides or carries on business, or personally works for gain or owns property sufficient to satisfy the decree. While referring a case for execution of a decree it is, therefore, necessary that an inventory of the movable property, containing a reasonably, accurate description of the same, and a list of immovable property, containing a description and location of such property sufficient to identify the same, and a specification of the judgment-debtor's share or interest in such property should be furnished to the Solicitor.

If an appeal is instituted by the opposite party and the execution of the decree is stayed by the order of the court, the interval before the decision of the appeal should be made use of in making inquiries as to the property of the judgment-debtor.

#### **Writ Petitions.**

25. The instructions in the preceding paragraphs apply *mutatis mutandis* to Writ Petitions. It is, however, to be noted that High Courts usually call for reports/comments from the administrative departments

concerned before admitting the petitions<sup>126</sup> to regular hearing. Failure to comply with the orders of the High Court may lead to the admission of petitions to regular hearing which may then take long time to be decided. It is, therefore, imperative that the reports/comments asked for should be promptly supplied to the High Courts and where it is not possible the High Court may be requested, before the expiry of the time allowed, for reasonable extension. The report/comments should be shown to the Law, Justice and Human Rights Division before sending the same to the High Court.

### **Arbitration.**

26. According to Government decision no provision is to be made in agreements with domestic contractors for resolution of disputes through arbitration. However, if the agreements already concluded by or on behalf of the Government contained any condition of getting any question, difference or dispute decided by reference to arbitration then the same has to be acted upon and the instructions contained herein before apply *mutatis mutandis* to the conduct of arbitration proceedings to which a Ministry/ Division/Department of the Federal Government is a party.

### **Expenses.**

27. All expenses on the conduct of litigation, including costs, court fees, counsel fees, not being the decretal amount of costs payable to the other party under the decree or order of the court, are payable by the Law and Justice Division out of the funds placed at its disposal. The penal costs ordered by the court to be paid to the other party for any default on the part of the government and the charges payable to the witnesses are, however, to be paid by the administrative department concerned.

All expenses in criminal cases are payable by the administrative departments concerned.

### **Mode of submission of cases**

28. To ensure quick disposal of files and to avoid un-necessary correspondence and delay a self-contained summary of the case indicating the point or points on which the advice of the Law, Justice and Human Rights Division is required should be placed on the file *in duplicate in the opinion cases* and at least *in triplicate in court cases*. In court cases, para-wise comments, on complaints/petitions should also be furnished in triplicate. Such references to the Law, Justice and Human Rights Division from the Ministries/ Divisions should be made preferably at a senior level.

29. Draft of para-wise comments, etc., should be typed in double space and half-margin should be left to enable the Law, Justice and Human Rights Division to carry out amendments wherever considered necessary.

30. Standardised court labels (S-209-A to 212-B) obtainable from the Controller of Stationery and Forms, should be used while sending a court case to the Law, Justice and Human Rights Division.

31. If a reference is made to any earlier advice of the Law, Justice and Human Rights Division the number and date of that advice must invariably be quoted and if possible, a copy of the same be placed on the file. Whenever a case is referred to the Law, Justice and Human Rights Division and any previous opinion of the Law, Justice and Human Rights Division on the point at issue is within the knowledge of the referring Division, it should also invariably be quoted in the referring note indicating the number and date of that previous opinion.

32. Unnecessary references on which the Ministries/Divisions should themselves be able to formulate opinion should not be referred to the Law, Justice and Human Rights Division. With particular reference to drafting of pleadings and affidavits it should be noted that while an officer signing any pleading or affidavit on behalf of the Government has every right to be satisfied that there is no mis-statement of facts, actual drafting of pleadings and affidavits and the choice of wording have always been the privilege and the responsibility of the counsel conducting a case on behalf of the Government. Therefore, so long as facts are correctly set out in the pleadings or affidavit there should hardly be any occasion for objection as to the contents, arrangement or wording used by counsel in such pleadings or affidavit and should not normally be referred to the Law, Justice and Human Rights Division for vetting.

For list of officers authorised to sign and verify complaints/written statements Law and Justice Division's Notification No. SRO, 1013/(K)/71 dated 28.08.1971 may be consulted.

33. (i) Under paragraph 44 of the Secretariat Instructions, the Attached Departments of the Government of Pakistan are authorised to make unofficial references to the Law, Justice and Human Rights Division under intimation to the parent Ministry/Division. Such references should clearly show that the reference is being made under intimation to the parent Ministry/Division.

(ii) Subordinate Offices and the Statutory and autonomous bodies which are not authorised to make direct references to the Justice Division should, route their references only through the Ministries/Divisions concerned.

34. In case of Departments authorised to correspond directly with the Law, Justice and Human Rights Division, the references should come under the signature of a fairly senior officer. In case of Attached Departments the officers sending the reference should indicate their *ex-officio* Secretariat status.

35. The cases touching upon service matters and interpretation of financial rules and regulations should be referred to the Establishment Division or, as the case may be, to the Ministry of Finance in the First instance and the assistance of Law, Justice and Human Rights Division should be sought only if a question of law is involved.

36. Where a Division obtains an opinion from the Law, Justice and Human Rights Division, the referring Division should not in announcing Government's decision (*i.e.* that Division's own decision) disclose that the Law, Justice and Human Rights Division was consulted. Care should be taken that endorsement in such cases meant for the Law, Justice and Human Rights Division are not carried out in the copies meant for other Divisions and Departments.

37. While the Law, Justice and Human Rights Division would welcome, where considered expedient, back references from the administrative Divisions for reconsideration of its opinions, but such references should be at least from the same level at which legal opinion was tendered in the Law, Justice and Human Rights Division.

38. Where in any case there is a difference of opinion between the Law, Justice and Human Rights Division and the Division concerned and the latter desires to consult the Attorney-General, it should send to the former all relevant papers together with a self-contained summary of the case precisely indicating the points on which the advice of the Attorney-General is sought. *Under no circumstances a case is to be referred to the Attorney-General by the administrative Divisions directly.*

39. The Secretary in each Division will be personally responsible for the observance of these instructions by his subordinates including the officers in the attached and subordinate offices. He should ensure that his subordinates do not disregard these instructions. When a case is finally disposed of and decided against the Government he should have an inquiry instituted in the matter and take appropriate action against the concerned officials where the judgment has gone against the Government because of the non-observance of the rules of procedure on the part of the dealing officials. Where any lacuna in law or procedure is revealed steps should be taken to amend the law or the rules, as the case may be, if considered necessary and expedient.



**Implementation of Judgements/Orders passed by the Federal Services Tribunal.**

<sup>1</sup>40. On acceptance of an appeal by the Federal Services Tribunal, a written order is communicated to the concerned parties and respondent Ministries/Divisions/Departments. On receipt, the judgement is to be examined on top priority basis with a view to filing a Civil Petition for Special Leave to appeal (CPSLA) before the Supreme Court of Pakistan for which 60 days time is available to the aggrieved parties. In case, it is decided in consultation with the Law, Justice and Human Rights 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 Supreme Court of Pakistan, the order should be implemented forthwith under intimation to the Registrar, Federal Services Tribunal, Islamabad.

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<sup>1</sup>Inserted *vide* Establishment Division's O. M. No. F. 10/14/92-Lit-I dated 4.5.1993.