

*PNCFA*  
*Employees*  
*Service*  
*Rules-1994*



Pakistan National Council of the Arts  
Ministry of Minorities, Culture, Sports,  
Tourism & Youth Affairs, Islamabad

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PART II

**Statutory Notifications (S. R. O.)**

GOVERNMENT OF PAKISTAN

**CULTURE AND SPORTS DIVISION**

**NOTIFICATION**

*Islamabad, the 22nd January, 1994*

**S. R. O. 74 (I)/94.**—In exercise of the powers conferred by section 10 of the Pakistan National Council of the Arts Act, 1973 (LIX of 1973), the Federal Government is pleased to make the following rules, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Pakistan National Council of the Arts Employees Service Rules, 1994.

(2) They shall come into force at once.

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

- (i) “accused” means an employee against whom action is taken under these rules ;
- (ii) “appellate authority” means the officer or authority next above the authority, against whose orders an appeal is to be preferred ;
- (iii) “appointing authority” in relation to a post means the person or the authority authorised under these rules to make appointment to a post ;

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- (iv) "authority" means an officer or authority designated as such to exercise the powers of the authority under these rules ;
- (v) "authorised officer" means an officer authorised by the authority to perform the functions of an authorised officer under these rules, or, if no officer is so authorised, the authority ;
- (vi) "employee" means a person on the regular pay roll of the Council and includes experts, consultants and advisers ;
- (vii) "initial appointment" means appointment made otherwise than promotion or transfer ;
- (viii) "honorarium" means non-recurring payment from general revenue granted to an employee as remuneration for work which is laborious and occasional in character, provided that it has been undertaken with the prior consent of the competent authority and its amount has been settled in advance ;
- (ix) "misconduct" means conduct prejudicial to good order or service discipline or unbecoming of an officer and a gentleman and includes any action on the part of the employee to bring or attempt to bring political or other outside influence directly or indirectly to bear on the Council or any officer of the Council in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service ;
- (x) "leave salary" means the monthly amount paid by the Council in an employee on leave ;
- (xi) "pay" means the amount drawn monthly by an employee as pay and includes technical pay, special pay, personal pay and other emoluments classed as pay by the competent authority with the approval of the Finance Division ;
- (xii) "retirement" means quitting of service on attaining 60 years of age or after 25 years of service qualifying for grant of prescribed benefits ; and
- (xiii) "Selection Committee" means the Selection Committee of the Council to recommend selection for initial recruitment to various grades.

3. **Conditions of service.**—(1) No person below the age of eighteen years shall be appointed in the service of the Council.

(2) The minimum qualifications and maximum age limit for various posts in the Council shall be specified in schedule-III ;

Provided that the maximum age limit may be relaxed by 3 years in the case of candidates belonging to Scheduled Castes, Buddhist Community, recognised tribes of the Tribal Areas, Azad Kashmir and Northern Areas in accordance with the instructions issued by the Establishment Division :

Provided further that the employees who have completed at least 2 years service, maximum age limit may be relaxed by not more than 10 years up to the age of 55 years, wherever applicable :

Provided further that the maximum age limit may be relaxed in the case of released/retired personnel of Armed Forces of Pakistan up to a maximum of 10 years or by the number of years a person has served in the Armed Forces, whichever is less.

(3) A declaration of age supported by Matriculation or school leaving or equivalent certificate shall be made by an applicant at the time of recruitment.

4. **Benevolent Fund and Group Insurance.**—The Council may get itself included in the Benevolent Fund and Group Insurance Scheme introduced by the Federal Government for its employees, subject to such conditions as may be prescribed by the Board.

5. **Classification of employees.**—Employees are classified as follows:—

- (i) Contract Employees.
- (ii) Regular Employees.
- (iii) Casual Employees.
- (iv) Trainee.
- (v) Deputationist.
- (vi) *Ad hoc* employees
  - (i) “Contract employees” means an employee with whom a specific contract of employment has been executed. Contract employee will be bound by the terms stated in the contract agreement.
  - (ii) “Regular employee” means an employee who is employed on regular basis and is likely to remain in service for an indefinite period.
  - (iii) “Casual employees” means an employee who is not in the whole-time employment of the Council whose service may be terminated without notice or without assigning any reason.
  - (iv) “Trainee” means an employee who is undergoing training and is paid an allowance or a fixed pay during the period of training as may be admissible under the rules.

- (v) "Deputationist" means an employee whose services have been obtained on loan by the Council from the Federal or a Provincial government or from any other organisation and who is governed by the terms and conditions of his deputation.
- (vi) "*Ad hoc* employee" means an employee whose appointment is for a specified period not exceeding six months subject to replacement by a regular employee.

6. **Drawal of Pay.**—An employee shall start drawing the pay and allowances attached to a post with effect from the forenoon of the day he assumes the duties of that post.

7. **Discharge.**—A regular employee may, on the abolition of the post, be discharged from the service of the Council, subject to the condition that the employee to be discharged is the junior most and can not be absorbed on any other post, by giving him one month's notice or one month's pay in lieu thereof and notice shall also be required to terminate the services of apprentices, probationers, or casual employees.

8. **Efficiency honorarium.**—The Council may, in recognition of efficient performance or good and hard work done, grant efficiency honorarium to its employees subject to the criteria/procedure prescribed by the Federal government from time to time.

9. **Inter-Council/organisation transfer.**—An employees may be transferred from one post to another in the Council and other organisation provided that, except at his written request, he shall not be transferred to a post carrying a lesser pay scale than the pay of the post which he holds substantively.

10. **Leave.**—The following kind of leave shall be admissible under rules, namely :—

- (a) "casual leave" means leave taken by an employee casually up to a maximum of 20 days in a calendar year. It shall be treated as duty and shall not be combined with any other kind of leave ;
- (b) "earned leave" means leave earned by an employee on full pay at the rate of four days for every calendar month of the period of duty. Duty period of fifteen days or less shall be ignored and that of more than fifteen days shall be treated as full calendar month for the purpose ;
- (c) "extraordinary leave" means leave without pay granted on any ground to an employee when no other leave is admissible to him or the employee applies in writing for the grant of extraordinary leave ;

- (d) "disability leave" means leave outside the leave account up to a maximum of seven hundred and twenty days granted on such medical advice, as the competent authority may consider necessary, to an employee who is disabled by ailment or disease contracted or injury unintentionally inflicted or caused in course or in consequence of duty or official position ;
- (e) "maternity leave" means leave granted to a female employee on full pay outside the leave account during her confinement ;
- (f) "leave not due" means leave granted on full pay, to be offset against leave to be earned in future, for a maximum period of three hundred and sixty-five days in the entire period of service, subject to the conditions that during the first five years of service it shall not exceed ninety days in all ;
- (g) "recreation leave" means leave granted to an employee for the purpose of recreation ;
- (h) "special leave" means leave granted on full pay to a female employee, on the death of her husband, when applied, for a period not exceeding one hundred and thirty days ; and
- (i) "leave preparatory to retirement" means leave granted to an employee to prepare himself for retirement.

11. **Provisions regarding grant of leave.**—(1) Leave shall be applied for, expressed and sanctioned in terms of days.

(2) It shall not be necessary to specify the reason for which leave has been applied so long as that leave is due and admissible to an employee.

(3) Leave applied for on medical certificate shall not be refused :

Provided that the authority competent to sanction leave may, at its discretion, secure a second medical opinion by requesting the Civil Surgeon or Medical Board, as the case may be, to have the applicant medically examined.

12. **Recall from leave, etc.**—(1) Where an employee proceeds on leave and such employee is recalled to duty compulsorily with the personal approval of the head of his office from leave of any kind that he is spending away from his headquarters, he may be granted a single return fare *plus* daily allowance admissible on tour from the station where he is spending his leave to the place where he is required to report for duty.

(2) In case the employee is recalled to duty at headquarters and his remaining leave is cancelled, the fare than admissible shall be for one way journey only.

(3) If the return from leave is optional, the employee is entitled to no concession.

**13. Overstay after sanctioned leave etc.**—(1) Unless leave of an employee is extended by head of his office, an employee who remains absent after the end of his leave shall not be entitled to any remuneration for the period of such absence, and without prejudice to any disciplinary action that may be taken against him, double the period of such absence shall be debited against his leave account.

(2) If debit to be made under sub-rule (1) is not possible due to the leave account, it shall be adjusted against future earnings.

**14. Any type of leave may be applied.**—An employee may apply for the type of leave which is due and admissible to him and it shall not be refused on the ground that another type of leave should be taken in the particular circumstances.

**15. Combination of different types of leave, etc.**—One type of leave may be combined with joining time or with any other type of leave otherwise admissible to an employee provided that leave preparatory to retirement shall not be combined with any other kind of leave.

**16. Leave on full pay.**—The maximum period of leave on full pay that may be granted at one time shall be as follows :—

(a) without medical certificate ..... 120 days

(b) with medical certificate ..... 180 days

*plus*

(c) on medical certificate from leave account  
in entire service ..... 365 days

**17. Leave on half pay.**—(1) Leave on full pay may, at the option of an employee be converted into leave on half pay, the debit to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one-half counting as one full day's leave on full pay.

(2) The request for conversion of leave referred to in sub-rule (1) shall be specified by the employee in his application for the grant of leave.

(3) There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.

18. **Carry forward of existing leave.**—All leave at credit in the account of an employee shall be carried forward and expressed in terms of leave on full pay and the leave account in such cases shall be recast as under :—

- (i) leave on average pay :
  - (a) 1 month ..... 30 days
  - (b) 1 day ..... 1 day
- (ii) leave on half average pay :
  - (a) 1 month ..... 15 days
  - (b) 2 days ..... 1 day

19. **Extraordinary leave (leave without pay).**—(1) Extraordinary leave without pay may be granted on any ground up to a maximum period of five years at a time provided that the employee to whom such leave is granted has been in continuous service with the Council for a period of not less than ten years ; and in case an employee has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the head of his office :

Provided that the maximum period of five years shall be reduced by the period of leave on full pay or half pay, if granted in combination with the extraordinary leave.

(2) Extraordinary leave up to a maximum period prescribed under sub-rule (1) may be granted subject to the conditions stated therein, irrespective of the fact whether an employee is a permanent or a temporary employee.

(3) Extraordinary leave may be granted retrospectively in lieu of absence without leave.

20. **Maternity leave.**—(1) Maternity leave may be granted on full pay, outside the leave account, to a female employee to the extent of ninety days in all from the date of its commencement of forty-five days from the date of her confinement, whichever be earlier.

(2) Such leave may not be granted for more than three times in the entire service of a female employee except in the case of female employee in a vacation department who may be granted maternity leave without this restriction.

(3) For confinements beyond the third one, the female employee who have to take leave from her normal leave account.

(4) The spells of maternity leave availed of prior to the coming into force of these rules shall be deemed to have been taken under these rules.



(5) Maternity leave may be granted in continuation of, or in combination with, any other kind of leave including extraordinary leave as may be due and admissible to a female employee.

(6) Leave salary to be paid during maternity leave shall be regulated as for other leave, in accordance with the formula contained in the Finance Division's O.M. No. 9 (10)-R-1/69, dated the 20th July, 1969, read with its O.M. of even number, dated 28th November, 1969.

(7) The leave salary to be paid during maternity leave will, therefore, remain un-affected even if any increment occurs during such leave and the effect of such an increment will be given after the expiry of maternity leave.

21. **Recreation leave.**—Recreation leave may be granted for fifteen days once in a calendar year, the debit to the leave account may, however, be for ten days leave on full pay :

Provided that such leave shall not be admissible to an employee in a vacation department.

22. **Special leave.**—A female employee on the death of her husband may be granted special leave on full pay, when applied, for a period not exceeding one hundred and thirty days and such leave shall not be debited to her leave account.

(2) Such leave shall commence from the date of death of her husband and for this purpose she will have to produce death certificate issued by the competent authority alongwith her application for special leave or, if that is not possible, the said certificate may be furnished to the leave sanctioning authority separately.

23. **Leave Ex-Pakistan.**—(1) Leave *ex-Pakistan* may be granted on full pay to an employee who applies for such leave or who proceeds abroad during leave, or takes leave while posted abroad or is otherwise on duty abroad, and makes a specific request to that effect.

(2) The leave pay to be drawn abroad shall be restricted to a maximum of equal to three thousand rupees per month, payable in sterling if such leave is spent in Asia other than Pakistan and India.

(3) Such leave pay shall be payable for the actual period of leave spent abroad subject to a maximum of one hundred and twenty days at a time.

24. **Enhancement of refused leave preparatory to retirement.**—(1) If in case of retirement on superannuation of voluntary retirement on completion of thirty years qualifying service an employee can not, for reasons of public service, be

granted leave preparatory to retirement duly applied for in sufficient time, he will in lieu thereof be granted lump-sum leave pay for the leave refused to him subject to a maximum of one hundred and eighty days leave on full pay.

(2) Such leave can be refused partly and sanctioned partly but the cash compensation shall be admissible for the actual period of such leave so refused not exceeding one hundred and eighty days.

(3) The payment of leave pay in lieu of such refused leave may be made to the employee either in lump-sum at the time of retirement or may, at his option, be drawn by him month-wise for the period of leave so refused.

(4) For the purpose of lump-sum payment in lieu of such leave, only the "Senior Post Allowance" will be included in "Leave Pay" as admissible.

(5) In case an employee is on leave preparatory to retirement dies before completing one hundred and eighty days of such leave, his family shall be entitled to lump-sum payment equal to the period falling short of one hundred and eighty days.

**25. Power to refuse leave preparatory to retirement, etc.—**(1) Ordinarily, leave preparatory to retirement shall not be refused.

(2) All orders refusing leave preparatory to retirement to an employee in BPS-16 and above and recalling from leave preparatory to retirement shall be passed by the Chairman.

(3) The powers specified in sub-rule (2) shall not be delegated to any other authority.

**26. Maintenance of annual confidential reports.—**(1) Annual confidential reports of the employees shall be completed by the heads of sections in the manner prescribed by the Federal Government and forwarded to the Administrative Officer through the Director concerned by the end of January of the following year.

(2) Annual Confidential Reports of the Director General shall be filled in by the competent authority in the Ministry of Culture and Tourism.

**27. Maintenance of regional quota.—**Appointment against various vacancies shall be made in the light of Government's instructions in respect of the maintenance of regional provincial quota and in general consideration of merit and experience.

**28. Probationary period.—**(1) Every person appointed to a service or post in the Council shall be on probation for a period of one year, extendable for period not exceeding one year by the competent authority.

(2) If no order is made by the day following the termination of the probationary period, the appointment shall be deemed to be held until further orders.

(3) In the case of initial appointment to a service or post, an employee shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

**29. Method of Appointment.**—(1) Appointment to posts in the Council shall be made—

- (a) by promotion ;
- (b) by initial appointment ; or
- (c) by transfer ;

as specified in Schedule-I.

(2) The conditions for appointment by promotion shall be as laid down in Schedule-II.

(3) The qualification, experience and the maximum age limit for appointment to posts by initial recruitment shall be as specified in Schedule-III.

**30. Retiring benefits.**—The employees shall be entitled to such retiring benefits as the Council may, with the concurrence of the Finance Division, prescribe from time to time.

**31. Resignation.**—An employee who wishes to leave service of the Council shall submit resignation but shall continue in-service till such time as the resignation is accepted by the competent authority.

**32. Retirement from service.**—An employee of the Council shall retire from service on the completion of the 60th year of his age.

**33. Re-employment after retirement.**—(1) A retired employee shall not be re-employed under the Council unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority.

(2) An employee of the Council may, during leave preparatory to retirement, or after retirement from the service of the Council, seek any private employment ;

Provided that where employment is sought by an employee of the Council while on leave preparatory to retirement or within two years of the date of his retirement, he shall obtain the prior approval of the appointing authority ;

Provided further that where employment is sought with a foreign government, agency or institution prior approval of the Council shall be necessary ;

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Government of Pakistan  
Ministry of Culture & Sports  
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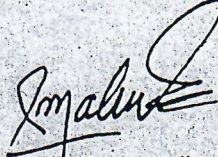
Islamabad - November 29, 2005.

OFFICE MEMORANDUM

In pursuance of this Ministry's O.M. No.F.3-7/2000-Admn, dated 24<sup>th</sup> November 2000 and with reference to Establishment Division Notification's No.281 (1)/2000, dated 27<sup>th</sup> May 2000. The undersigned is directed to say that the Secretary Ministry of Culture & Sports in terms of the above mentioned amendments hereby designated and notify "Appointing Authorities" for the BPS-16 and below in the Corporation Services / Autonomous Bodies and also designate "Authorized Officers" in BPS-17 & 19 i.e. Officers/persons employed in Corporation Services/Autonomous Bodies. Administratively controlled by this Ministry.

S.No.	CLASS OF PERSONS/ EMPLOYEES/ SERVANTS.	PERSONS/ CIVIL	OFFICER AUTHORIZED TO EXERCISE THE POWER OF COMPETENT AUTHORITY AND AUTHORIZED OFFICER
1.	Holders of Posts in BPS:17 to 19		1. Secretary M/o Culture & Sports "Competent Authority"  2. Head of Department as "Authorized Officer"
2.	Holders of Posts in BPS 16 and below		Head of Department as "Authorized Officer" as well as "Authority"

2. The aforesaid delegation of powers has the approval of the competent authority i.e. Secretary, Ministry of Culture & Sports.

  
(Arshad Mehmood)  
Section Officer

Director General/Chief Executive  
Pakistan National Council of the Arts,  
Islamabad.

34. **Medical fitness.**—No person shall be appointed to a post in the Council without a medical certificate of health in the form prescribed by the Council and signed by a Medical Officer appointed by the Council.

35. **Seniority.**—Seniority of employees shall be determined in accordance with the instructions issued by the Federal Government, from time to time.

36. **Undertaking.**—Every employee of the Council shall be required to give an undertaking in writing to abide by the rules and regulations, standing orders, work orders and instructions issued from time to time by the Council.

37. **Whole time employment.**—Unless in any case it be otherwise distinctly provided, the whole time of a Council's employee shall be at the disposal of the Council and may be employed on the work of the Council in any place without claim for additional remuneration.

38. **Appointing authority.**—The Chairman shall be the appointing authority in respect of employees in BPS-17 and above and the Director General in respect of employees in BPS-16 and below, on the recommendations of the appropriate selection committee.

39. **Recruitment and promotion.**—(1) Initial recruitment and promotions to all the posts in the Council shall be made on the recommendations of the departmental selection/promotion committees which shall consist of :—

- (a) **in the case of officers of BPS-17 and above :—**
  - (i) Secretary, Culture and Sports ..... *Chairman*
  - (ii) Joint Secretary, Culture and Sports ..... *Member*
  - (iii) Director General, PNCA ..... *Member*
  - (iv) Director of the concerned division ..... *Member*
- (b) **in the case of officers of BPS-16 and below :—**
  - (i) Director of the concerned Division ..... *Chairman*
  - (ii) Deputy Secretary, Culture & Sports ..... *Member*
  - (iii) Director (Admn) ..... *Member*

(2) The committee under clause (a) of sub-rule (1) may co-opt one or two experts to assist it in the performance of its functions.

40. **Grounds for penalty.**—Where an employee of the Council is, in the opinion of the authority,

- (a) inefficient or has ceased to be efficient ; or
- (b) guilty of misconduct ; or

- (c) corrupt or may reasonably be considered corrupt because he—
- (i) or any of his dependents or any other persons through him or on his behalf, is in possession (for which he can not reasonably account) of pecuniary resources or of a property disproportionate to his known source of income ;
  - (ii) has assumed a style of living beyond his ostensible means ; or
  - (iii) has persistent reputation of being corrupt ;
- (d) engaged, or is reasonably suspected of being engaged, in subversive or is reasonably suspected or being associated with others engaged in subversive activities or is guilty of disclosure of official secrets to any unauthorised person, and his/her retention in service is, therefore, prejudicial to national security,

the authority or authorised officer, as the case may be, impose on him one or more penalties in accordance with these rules.

41. **Penalties.**—The following are the minor and major penalties, namely:

(a) **Minor penalties :**

- (i) Censure ;
- (ii) withholding, for a specific period, promotion or increment otherwise than for unfitness for promotion or financial advancement in accordance with the rules or orders pertaining to the service or post ;
- (iii) stoppage, for a specific period, at an efficiency bar in the time scale otherwise than for unfitness to cross such bar ; and
- (iv) recovery from pay of the whole or any part of any pecuniary loss caused to the Council by negligence or breach of order.

(b) **Major penalties :**

- (i) reduction to a lower post or time-scale, or to a lower stage in a time-scale ;
- (ii) compulsory retirement ;
- (iii) removal from service ; and
- (iv) dismissal from service.

*Explanations* :—

- (a) Removal from service does not, but dismissal from service does, disqualify for future employment.

- (b) In this rule, removal or dismissal from service does not include the discharge of person—
- (i) appointed on probation, during the period of probation or in accordance with the probation or training rules applicable to him; or
  - (ii) appointed otherwise than under a contract to hold a temporary appointment, on the expiration of the period of appointment ; or
  - (iii) engaged under a contract, in accordance with the terms of the contract.

42. **Inquiry procedure.**—The following procedure shall be observed when an employee of the Council is proceeded against under these Rules, namely:—

- (a) In case where an employee is accused of subversion, corruption or misconduct, the authorised officer may require him to proceed on leave or, with the approval of the authority, suspend him provided that any continuation of such leave or suspension shall require approval of the authority after every three months.
- (b) the authorised officer shall decide whether in the light of facts of the case or the interest of justice an inquiry should be conducted through an inquiry officer or inquiry committee. If he so decides, the procedure indicated in rules 43 shall apply.
- (c) If the authorised officer decides that it is not necessary to have an inquiry conducted through an inquiry officer or inquiry committee he shall —
  - (i) by order in writing, inform the accused of the action proposed to be taken in regard to him and the grounds of the action ; and
  - (ii) give him a reasonable opportunity of showing cause against that action :

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

- (d) On receipt of the report of the inquiry officer or inquiry committee or, where no such officer or committee is appointed, on receipt of the explanation of the accused if any, the authorised officer shall determine

whether the charge has been proved. If it is proposed to impose a major penalty, he shall forward the case to the authority along with the charge sheet and statement of allegations served on the accused, the explanation of the accused, the findings of the inquiry officer or inquiry committee, if appointed, and his own recommendations regarding the penalty to be imposed. The authority thereon shall pass such orders as it may deem proper.

**43. Procedure to be observed by the inquiry officer/inquiry committee.**—Where an inquiry officer or inquiry committee is appointed, the authorised officer shall :—

- (a) frame a charge and communicate it to the accused together with statement of the allegations explaining the charge and any other relevant circumstances which are proposed to be taken into consideration ;
- (b) require the accused within a reasonable time, which shall not be less than seven days or more than fourteen days from the day the charge has been communicated to him, to put in a written defence and to state at the same time whether he desires to be heard in person ;
- (c) the inquiry officer or the enquiry committee, as the case may be, shall inquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and the accused shall be entitled to cross examine the witness against him ;
- (d) the inquiry officer or the committee, as the case may be, shall hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing. However, every adjournment, with reasons, therefore, shall be reported forthwith to the authorised officer. Normally no adjournment shall be for more than a week.
- (e) where the inquiry officer or the committee, as the case may be, is satisfied that the accused is hampering, or attempting to hamper, the progress of the inquiry he or it shall administer a warning, and if thereafter he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the inquiry in such manner as he or it thinks best suited to do substantial justice ; and
- (f) the inquiry officer or the committee, as the case may be, shall within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authorised officer, submit his or its findings and the grounds thereof to the authorised officer.



**44. Power of Inquiry Officer and Inquiry Committee.**—(1) For the purpose of an inquiry under these rules, the inquiry officer and the inquiry committee shall have the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters, namely :—

- (i) summoning and enforcing the attendance of any person and examining him on oath ;
- (ii) requiring the discovery and production of documents ;
- (iii) receiving evidence on affidavits ; and
- (iv) issuing commissions for the examination of witness or documents.

(2) The proceeding under these rules shall be deemed to be judicial proceeding within the meaning of section 193 and 228 of the Pakistan Penal Code (Act XLV of 1860).

**45. Rule 44 not to apply in certain cases.**—Nothing in rule 44 shall apply to a case :—

- (a) where the accused is dismissed or removed from service or reduced in rank, on the ground of conduct which has led to a sentence of fine or imprisonment ; or
- (b) where the authority competent to dismiss or remove a person from service or to reduce a person in rank, is satisfied that, for reasons to be recorded in writing by the authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

**46. Authorized Officers and Authority.**—The following shall be the authorised officers, authority and appellate authority in respect of the employees of the Council :—

S. No.	Grade of Officer	Authorised Officer	Authority	Appellate Authority
1.	Director General.	Secretary, Culture, Sports and Tourism.	Chairman of the Council.	Prime Minister.
2.	Officer in BPS-17 and above.	Secretary, Culture and Sports.	Chairman of the Council.	Prime Minister.
3.	Officials in BPS-4 to 16.	Director, Incharge of Admn.	Director General.	Secretary Culture & Sports.
4.	Officials in BPS-1 to 3	Dy. Director, Incharge of Admn.	Director, Incharge of Admn.	Director General.

47. **Appeal.**—An employee on whom, a penalty is imposed shall have a right of appeal to the appellate authority :

Provided that, where the penalty is imposed by the Board, there shall be no appeal but the person concerned may apply for review of the order.

48. **Appearance of Council.**—No party to any proceedings under these Rules before the authority, the authorised officer and inquiry officer or an inquiry committee shall be represented by an advocate.

49. **Misconduct.**—Without prejudice to the generality of the terms misconduct it shall be deemed to include the following :—

- (a) Wilful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior ;
- (b) illegal striking or work either singly or with others in contravention of any statute, law, rule or enactment framed from time to time and for the time being in force ; or inciting any employee while within the precincts of the Council of strike work ;
- (c) theft, fraud, or dishonesty in connection with the Council's business or property ;
- (d) taking or giving bribes or any illegal gratification ;
- (e) collection or canvassing for the collection of any money within the Council's premises for purposes not sanctioned by the competent authority ;
- (f) habitual late attendance, and habitual absence without leave or without sufficient cause ;
- (g) carrying on money-lending or any other private business without the permission of the competent authority ;
- (h) drunkenness, fighting, riotous or disorderly or indecent behaviour ;
- (i) habitual negligence or neglect of work ;
- (j) habitual indiscipline ;
- (k) distribution or exhibition within the boundaries of the premises of the Council of any newspapers, handbills, pamphlets or posters without the previous sanction of the competent authority ;
- (l) causing damage to any property of the Council ;
- (m) refusal to work on another job, or at any of the Council's stations and offices in and outside Pakistan ;

- (n) holding meetings within the boundaries of the Council premises without the previous sanction/permission of the competent authority ;
- (o) threatening or intimidating any employee within the boundaries ;
- (p) gambling within the boundaries of the Council ;
- (q) malingering or slowing down of work, undue delay in the performance of duty, refusal or negligence to carry out a reasonable order of a superior, immediate officer or any other competent authority ;
- (r) unauthorised use of Council's property ;
- (s) failure to inform the Council's medical officer or administration section of the occurrence in his house of a notifiable disease, viz. Cholera, Small-pox, Plague, Bacillary, Dysentery, Yellow-fever, Whooping Cough, Diphtheria, Chicken-pox, Tuberculosis, Typhoid or Enteric-fever, Leprosy, Mumps, Epidemic Dropsy, Measles, Gerebrospinal, Meningitis, etc ;
- (t) acceptance of gifts from subordinate employees ;
- (u) lending to or borrowing money from the subordinate employees, frequently ;
- (v) writing anonymous letters, criticising seniors of the Council ;
- (w) conviction in any court of law for any criminal offence involving moral turpitude ;
- (x) theft of employee's property inside the premises of the Council ;
- (y) continuous absence without permission and without satisfactory cause for more than 20 days ;
- (z) giving false, incorrect or inaccurate information regarding name, age, father's name, qualifications or previous employment at the time of employment in the Council ;
- (aa) leaving work without permission, disappearance from seat or place of work without permission and loitering during duty hours ;
- (ab) taking part in any Radio, T.V. programmes, or undertaking any working adjustment with any other agency without having a prior approval of the Director General. However, no such approval shall be required if such broadcast or T.V. programme or such contribution or letter is of a purely literary, artistic or scientific character ;

- (ac) any breach of the Council rules, standing orders, standing instructions etc. ;
- (ad) taking part in or suspected of being engaged in subversive activities or reasonably suspected of being associated with others engaged in subversive activities ;
- (ae) abetment or attempt at any of the act, acts of misconduct ;
- (af) sabotage, waste of Council materials and stores while engaged on such work which calls for use of Council's materials ;
- (ag) improper use of Council equipment, tools and any other articles entrusted to an employee ;
- (ah) habitual breach of any rule or regulation applicable to the establishment;
- (ai) frequent repetition of any act or omission for which a fine may be imposed up to maximum or two per cent of the wages in a month ;
- (aj) submission of appeals, representations or applications by the employees, in all matters direct to the President, Prime Minister, Minister or the other officers of the Federal Government.

[F. No. 2-7/87-CA.]

DR. SYED EJAZ HAIDER,  
*Section Officer.*

### SCHEDULE-I

#### METHOD OF APPOINTMENT TO VARIOUS POSTS IN THE PAKISTAN NATIONAL COUNCIL OF THE ARTS

[See Rule 29 (1)]

S. No.	Name of the post	BPS	By pro- motion.	By initial appoint- ment
1	2	3	4	5
1.	Director .....	19	50%	50%
2.	Dy. Director .....	18	50%	50%
3.	Senior Designer .....	18	50%	50%
4.	Administrator-LMH .....	18	50%	50%

1	2	3	4	5
5.	Programme Co-ordinator (Repretory Theatre) .....	18	50%	50%
6.	Art Director (Puppet) .....	18	50%	50%
7.	Administrative Officer .....	17	75%	25%
8.	Accounts Officer .....	17	75%	25%
9.	Programme Executive .....	17	75%	25%
10.	Designer .....	17	25%	75%
11.	Store Officer .....	17	75%	25%
12.	Gallery Cur. ....	17	75%	25%
13.	Publication Officer .....	17	50%	50%
14.	Research Officer .....	17	50%	50%
15.	Calligraphist .....	17	25%	75%
16.	Librarian .....	17	—	100%
17.	Feature Writer/Translator .....	17	50%	50%
18.	A. C. Supervisor .....	17	—	100%
19.	Light Supervisor .....	17	—	100%
20.	Sound Supervisor .....	17	—	100%
21.	Make-up-Artist .....	17	—	100%
22.	Curator .....	17	100%	—
23.	Supervisor .....	17	50%	50%
24.	Photographer (Senior) .....	17	100%	—
25.	Superintendent .....	16	100%	—
26.	Accountant .....	16	50%	50%
27.	Designer .....	16	25%	75%
28.	Programme Organiser .....	16	75%	25%
29.	Marketing/Circulation Officer .....	16	—	100%
30.	Photographer (Junior) .....	16	75%	25%
31.	Care-Taker .....	16	—	100%

1	2	3	4	5
32.	Sound Recordist .....	16	50%	50%
33.	Electrician .....	16	100%	—
34.	Painter .....	16	—	100%
35.	Light Technician .....	16	100%	—
36.	Tailor .....	16	—	100%
37.	Choreographer .....	16	—	100%
38.	Sound Incharge .....	16	100%	—
39.	Light Incharge .....	16	100%	—
40.	Stenographer .....	15	50%	50%
41.	Wardrobe Incharge .....	15	100%	—
42.	Assistant (Exhibition) .....	13	50%	50%
43.	Proof Reader .....	13	—	100%
44.	Store Keeper .....	13	—	100%
45.	Incharge Light .....	13	100%	—
46.	Programme Assistant .....	13	50%	50%
47.	Stenotypist .....	12	—	100%
48.	Assistant .....	11	50%	50%
49.	Site Supervisor .....	11	—	100%
50.	Motor Mechanic .....	11	—	100%
51.	Programme Assistant .....	11	50%	50%
52.	Sound Assistant .....	11	50%	50%
53.	Garden Supervisor .....	11	—	100%
54.	Props Assistant .....	11	50%	50%
55.	Assistant (Design) .....	11	100%	—
56.	Wardrobe Assistant .....	11	50%	50%
57.	Urdu Typist .....	8	—	100%
58.	Upper Division Clerk .....	7	50%	50%

1	2	3	4	5
59.	Carpenter .....	7	50%	50%
60.	Stage Attendant .....	7	100%	—
61.	Electrician .....	7	100%	—
62.	Head Driver .....	7	100%	—
63.	Driver .....	5	25%	75%
64.	Despatch Rider .....	5	—	100%
65.	Lower Division Clerk .....	5	10%	90%
66.	Painter .....	5	100%	—
67.	Plumber .....	5	100%	—
68.	A. C. Attendant .....	5	—	100%
69.	Head Chowkidar .....	5	100%	—
70.	Wireman .....	5	—	100%
71.	Stage-hand .....	5	—	100%
72.	Gestetner Operator .....	4	100%	—
73.	Daftari/Record Sorter .....	3	100%	—
74.	Studio Hand .....	2	—	100%
75.	Messenger .....	2	—	100%
76.	Chowkidar .....	1	—	100%
77.	Mali .....	1	—	100%
78.	Sweeper .....	1	—	100%
79.	Cooli .....	1	—	100%
80.	Polisher .....	1	—	100%

## SCHEDULE-II

CONDITION FOR PROMOTION TO VARIOUS POSTS IN THE  
PAKISTAN NATIONAL COUNCIL OF THE ARTS

[See Rule 29 (2)]

S. No.	Nomenclature of the post	BPS	Persons eligible for promotion	Condition for promotion
1	2	3	4	5
1.	Director.	19	Deputy Director/Sr. Designer/Art Director/Prog. Coordinator.	12 years service in BPS-17 & above in the PNCA.
2.	Dy. Director/Administrator LMH.	18	Prog. Executive, Designer Admn. Officer, Accounts Officer, Store Officer, Research Officer, Publication Officer, Feature Writer, Gallery Curator, Curator & Supervisor.	5 years service as Prog. Executive, Designer, Admn. Officer, Research Officer, Publication Officer, Feature Writer, Accounts Officer, Store Officer.
3.	Senior Designer/Art Director/programme Coordinator	18	Designer & Prog. Executive	5 years service as Designer & Programme Executive.
4.	Administrative Officer	17	Superintendent (Selection Grade) & Superintendent	5 years service as Superintendent (Selection Grade) & Superintendent.
5.	Accounts Officer	17	Accountant	5 years service as Accountant.
6.	Programme Executive.	17	Programme Organiser & Designer.	5 years service as Designer & Prog. Organiser.
7.	Designer.	17	Designer (Jr)	5 years Service as Designer (Jr).
8.	Store Officer.	17	Marketing/Circulation Officer, Caretaker & Store Keeper.	5 years service as Marketing/Circulation Officer/Caretaker & Store Keeper.
9.	Gallery Curator	17	Prog. Organiser, Designer (Jr).	5 years service as Prog. Organiser & Designer (Jr).
10.	Publication Officer, Research Officer & Feature writer.	17	Proof Reader/Circulation Officer.	5 years service as Proof Reader & Circulation Officer.
11.	Curator	17	Prog. Organiser & Designer	5 years service as Prog. Organiser & Designer.
12.	Supervisor	17	Prog. Organiser & Stage Manager.	5 years service as Prog. Organiser & Stage Manager.



## MINISTRY OF CULTURE, SPORTS, TOURISM AND YOUTH AFFAIRS

Islamabad, the 10th March, 1997

**S. R. O. 158 (I)/97.**—Following amendment is made to the Pakistan National Council of the Arts Employees Services Rules-1994, notified *vide* S. R. O. No. 74 (I)/94, dated 22nd January, 1994 :—

## AMENDMENT

In schedule II "Condition for Promotion to various posts in the Pakistan National Council of the Arts" *delete* Serial No 1 to 12 with connected entries and *substitute* following, and renumber the subsequent existing serials with connected entries from serial No. 13 onward accordingly :—

S. No.	Nomenclature of Post	BPS	Person eligible for Promotion	Condition for Promotion	Qualification
1	2	3	4	5	6
1.	Director Publication, Research & Reference).	19	Deputy Director (PRR)	12 Years Service in BPS-17 and above in PNCA.	As provided in in Schedule III for Direct Recruitment.
2.	Director (Visual Arts).	19	Deputy Director (VA) and Senior Designer	12 Years Service in BPS-17 and above in PNCA.	—
3.	Director (Culture pact Implementation).	19	Deputy Director (CPI)	12 Years Service in BPS-17 and above in PNCA.	—
4.	Director (Performing Arts).	19	Deputy Director (PA)/ Programme Coordinator/ Art Director.	12 Years Service in BPS-17 and above in PNCA.	—
5.	Director (Admn & Accounts).	19	Deputy Director (A&A)/ Administrator (LMH)	12 Years Service in BPS-17 and above in PNCA.	—
6.	Deputy Director (Publication, Research and Reference).	18	Publication Officer, Research Officer, Feature Writer	5 Years Service as Publication Officer, Research Officer, Feature Writer.	—
7.	Deputy Director (Visual Arts).	18	Programme Executive (VAD)/Curator.	5 Years Service as Programme Executive (VAD)/Curator.	—
8.	Senior Designer.	18	Designer.	5 Years Service as Designer.	—

1	2	3	4	5	6
9.	Deputy Director (Performing Arts)/Art Director/Programme Coordinator.	18	Programme Executive (PAD/RT).	5 Years Service as Programme Executive (PAD/RT).	As provided in Schedule III for Direct Recruitment.
10.	Deputy Director (Admin and Accounts)/Administrator (LHM)	18	Administrative Officer Store Officer, Account Officer.	5 Years Service as Administrative Officer/Store Officer/Account Officer.	
11.	Deputy Director (CPI).	18	P.E.(CPI), Protocol Officer (CPI), Conducting Officer.	5 Years Service as P.E. (CPI), Protocol Officer (CPI), Conducting Officer.	
12.	Programme Executive (VAD)/Curator.	17	Programme Organiser (VAD).	5 Years Service as Programme Organiser (VAD).	
13.	Designer.	17	Designer (Jr.).	5 years Service as Designer (Jr).	
14.	Programme Executive (National Puppet Theatre/PAD).	17	Programme Organizer (NPT/PAD)	5 Years Service as Programme Organizer (NPT/PAD).	
15.	Supervisor (NPAG).	17	Programme Organizer (PAD)/Stage Manager.	5 Years Service as Programme Organizer (PAD)/Stage Manager.	
16.	Administrative Officer.	17	Superintendent (Selection Grade) & Superintendent.	5 Years Service as Superintendent (Selection Grade) & Superintendent.	
17.	Account Officer.	17	Accountant.	5 Years Service as Accountant.	
18.	Store Officer.	17	Marketing/Circulation Officer, Caretaker & Store Keeper.	5 Years Service as Marketing/Circulation Officer, Caretaker & Store Keeper.	
19.	Publication Officer, Research Officer & Feature Writer.	17	Proof Reader/ Circulation Officer.	5 Years Service as Proof Reader & Circulation Officer.	

*N.B.*—Qualification and experience can be relaxed in really deserving cases by the competent authority.

DR. SYED EJAZ HAIDER,  
Section Officer.

1	2	3	4	5
20.	Photographer (Senior)	17	Photographer (Jr)	5 years service as Photographer. (Jr)
21.	Superintendent	17	Assistant (Selection Grade) & Assistant.	5 years service as Assistant (Selection Grade) & Assistant.
22.	Accountant	16	Accounts Assistant (Selection Grade) & Accounts Assistant.	5 years service as Accounts Assistant (Selection Grade & Accounts Assistant).
23.	Designer (Jr)	16	Assistant Designer.	5 years service as Asstt. Designer.
24.	Programme Organiser.	16	Programme Assistant.	5 years service as Prog. Asstt.
25.	Photographer (Jr).	16	Studio Assistant.	5 years service as Studio Asstt.
26.	Sound Recordist/Sound Incharge.	16	Sound Assistant.	5 years service as Sound Asstt.
27.	Electrical/Light Technician & Light Incharge.	16	Incharge Light.	5 years service as Incharge Light.
28.	Stenographer.	15	Stenotypist.	3 years as Stenotypist.
29.	Wardrobe Incharge	15	Wardrobe Assistant.	5 years service as Wardrobe Asstt.
30.	Incharge Light.	13	Electrician.	5 years service as Electrician.
31.	Assistant	11	UDC	3 years service as UDC.
32.	Prog. Assistant	11	UDC	3 years service as UDC.
33.	Sound Assistant.	11	Electrician/Sound Attendent.	5 years service as Electrician/Sound Attendent.
34.	Assistant (Design).	11	Painter.	5 years service as Painter.
35.	Wardrobe/Props Assistant.	11	Stage Attendent.	7 years service as Stage Attendent.
36.	U.D.C.	7	L.D.C.	3 years Service as L.D.C.
37.	Carpenter/Stage Attendent.	7	Stage Hand.	3 years service as Stage Hand.
38.	Electrician.	7	Wireman.	3 years service as Wireman.
39.	Head Driver.	7	Driver.	5 years service as Driver.
40.	L.D.C.	5	Qasid/N. Qasid/DMO, & Record Sorter.	Matriculate with typing speed of 30 W.P.M.
41.	Painter.	5	Stage-hand	3 years service as Stage-hand.
42.	Plumber.	5	Stage-hand	3 years service as Stage-hand.
43.	Head Chowkidar.	5	Chowkidar.	5 years service as Chowkidar.

## SCHEDULE-III

## MINIMUM QUALIFICATION, MAXIMUM AGE LIMIT AND EXPERIENCE FOR DIRECT RECRUITMENT TO VARIOUS POSTS IN THE PAKISTAN NATIONAL COUNCIL OF THE ARTS.

[See Rule 29 (3)]

S. No.	Name of the post	BPS	Maximum age limit	Qualification & Experience
1	2	3	4	5
1.	Directors	19	45 years	Master's degree with 12 years experience in the relevant field OR Master's degree and specialisation in the relevant field with 8 years experience or graduation with 15 years experience in the relevant field.
2.	Dy. Director and other equivalent posts in BPS-18.	18	35 years	Master's degree with 7 years experience in the relevant field OR graduate with 10 years experience in the relevant field.
3.	Programme Executive and other Officers in BPS-17.	17	30 years	Master's degree with one year experience in the relevant field OR graduation with 5 years experience in the relevant field.
4.	Programme Organiser	16	28 years	Graduate with 3 years experience in the relevant field.
5.	Accountants	16	28 years	B. Com. with 3 years experience in the relevant field.
6.	Jr. Photographer/Designer/ Sound Recordist.	16	28 years	Graduation in the relevant field OR three years diploma course from National College of Arts, Polytechnic Institute/ College of Technology with three years experience in the relevant field.
7.	Marketing/Circulation Officer	16	28 years	Graduate with 3 years experience in the relevant field.
8.	Choreographer	16	28 years	Graduation in the relevant field with 5 years experience.
9.	Tailors	16	28 years	Graduation in the relevant field with 5 years experience.

1	2	3	4	5
10.	Caretaker	16	28 years	Retd. Junior Commissioned Officer/ Intermediate with 10 years experience.
11.	Painter	16	28 years	Graduate from National College of Arts with 5 years experience in the relevant field.
12.	Stenographer	15	25 years	Intermediate with speed in shorthand/ typing of 100/50 W.P.M.
13.	Store Keeper/Proof Reader.	13	25 years	Graduate with 5 years experience in the relevant field.
14.	Stenotypist	12	25 years	Matriculate with speed in shorthand/ typing of 80/40 W.P.M.
15.	Office/Props/Wardrobe Assistant.	11	25 years	Graduate OR Intermediate with 3 years experience in the relevant field.
16.	Prog./Exhibition Assistant	11	25 years	Graduate with some experience in the field of Drama, Music and Dancing etc. OR Intermediate with 3 years experience in the relevant field.
17.	Site Supervisor	11	25 years	3 years Diploma in Civil Engineering with 3 years experience.
18.	Garden Supervisor	11	25 years	Matric with Field Assistant's Course and 3 years experience in the relevant field.
19.	Motor Mechanic/Sound Asstt.	11	25 years	2/3 years Diploma in the relevant field with 3 years experience.
20.	Urdu typist	8	25 years	Matric with 30 W.P.M. speed in Urdu typing.
21.	Upper Division Clerk	7	25 years	Intermediate OR Matriculate with 3 years experience in the relevant field.
22.	Carpenter/Painter/Plumber	5	25 years	Matriculate with some experience in the relevant field.
23.	Electrician/Wireman	5	25 years	Matriculate with 2 years experience in the relevant field and a certificate to handle electric installation/wiring from the Government recognised technical Institute OR Middle with 5 years professional experience in the relevant field.
24.	Lower Division Clerk	5	25 years	Matriculate with typing speed of 30 W.P.M.

1	2	3	4	5
25.	Staff Car Drivers/Despatch Riders.	5	25 years	Primary pass having valid licence with 5 years experience of driving light and heavy vehicles/motor cycle.
26.	Wireman/Stage Hand	5	25 years	Matric with 3 years experience.
27.	Gestetner Operator/Record Sorter/Daftary	3	25 years	Primary pass with experience in the relevant field.
28.	Messenger	2	25 years	Primary pass with experience in the relevant field:
29.	Studio Hand	2	25 years	Primary pass with some experience.
30.	Chowkidar/Mali/Cooli/ Polisher etc.	1	25 years	Primary pass. Preference to retired military personnel.

*Note.*—The posts at serial No. 8 and 9 may, however, be filled on contract for specific period from amongst the persons of repute with lower qualification and long experience till such time duly qualified persons become available.

Government of Pakistan  
Ministry of Culture & Sports

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Islamabad, the January 07, 2006.

NOTIFICATION

SRO No. \_\_\_\_\_ In exercise of powers conferred by section 10 of the Pakistan National Council of the Arts (PNCA) Act, 1973 (LIX of 1973) the Federal Government is pleased to make the following addition to the Pakistan National Council of the Arts Employees Service Rules 1994, notified vide SRO No.74(1)/94, dated 22<sup>nd</sup> January, 1994:-

Addition:

Under Rule 49 the following addition should be made:-

"50. Creation of new posts – PNCA's Board of Governors shall be the competent authority to create new posts remaining within the annual grant by the Ministry of Finance".

(Arshad Mahmood)  
Section Officer(C-III)  
Tele:9204351

[F.No.2-7/87-C-III]

The Manager,  
Printing Corporation of Pakistan Press,  
Islamabad.

27-1-2006