



**GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)**

NOTIFICATION

Peshawar the, dated 6th April, 1985.

No. SO(O&M) S&GAD/3-3/1985,---In pursuance of the provision contained in Article 139 of the constitution of the Islamic Republic of Pakistan and in suppression of the North-West Frontier Province Government Rules of Business, 1972, the Governor of the North-West Frontier Province is pleased to make the following rules:

PART - A ----- GENERAL

1. SHORT TITLE AND COMMENCEMENT.

- (1) These rules may be called the North-West Frontier Province Government Rules of Business, 1985.
- (2) They shall come into force at once.

2. DEFINITION .--- In these rules, unless the context otherwise requires.

- (a) "*Assembly*" means the Provincial Assembly of the North-West Frontier Province;
- (b) "*Attached Department*" means a Department mentioned in column 3 of *Schedule-I*;
- (c) "*Business*" means all work done by Government;
- (d) "*Cabinet*" means the Cabinet of Ministers appointed under Article 132 of the Constitution and includes the Chief Minister appointed under Article 130 of the Constitution;
- (e) "*Case*" means a particular matter under consideration and includes all papers relating to it and required to enable the matter to be disposed of, viz: correspondence and notes and also any previous papers on the subject or subjects covered by it or connected with it;
- (f) "*Chief Secretary*" means the officer notified as such in the Gazette, who shall in addition to other Departments and functions that may be allotted to him

from time to time, be incharge of the ¹Establishment and Administration Department and shall also be the Secretary to the Cabinet;

- (g) *“Constitution”* means the Constitution of the Islamic Republic of Pakistan;
- (h) *“Department”* means a self-contained administrative unit in the Secretariat responsible for the conduct of business of Government in a distinct and specified sphere, and declared as such by the Government;
- (i) *“Federal Government”* means the Executive Government of the Islamic Republic of Pakistan;
- (j) *“Gazette”* means the official gazette of the North-West Frontier Province.
- (k) *“Government”* means the Executive Government of the Nor-West Frontier Province.
- (l) *“Governor”* means the Governor of the North-West Frontier Province;
- (m) *“Head of Attached Department”* means the officer shown in column 4 of *Schedule-I*;
- (n) *“Member”* means a Member of the Assembly;
- (o) *“Minister”* means the Minister-in-Charge of the Department to which a particular case pertains;
- (p) *“Public Service Commission” or “Commission”* means the North-West Frontier Province Public Service Commission constituted under any law for the time being in force;
- (q) *“Schedule”* means a Schedule appended to these rules;
- (r) *“Secretariat”* means the Departments of Government when referred to collectively;
- (s) *“Secretary”* means the Secretary to Government and includes the Chief Secretary, and the Additional Chief Secretary;
- (t) *“Section”* means a basic working unit in a Department as determined by Government; and
- (u) *“Speaker”* means the Speaker of the Assembly.

¹Substituted vide Establishment & Administration Department letter No. SO(O&M)E&A/8-6/2001, dated 30-05-2001.

3. COMPOSITION OF DEPARTMENTS AND ALLOCATION OF BUSINESS.-

- (1) The Secretariat shall comprise of the Departments specified in column 2 of *Schedule-I*.
- (2) The Chief Minister may in consultation with the Governor, wherever he may deem fit, constitute new Departments or vary the composition or number of the Departments.
- (3) The business of Government shall be distributed amongst several Departments in the manner indicated in *Schedule-II*:

Provided that the Chief Minister may in consultation with the Governor, whenever he may deem fit, transfer any particular subject or matter from the Department, to which it stands assigned in accordance with *Schedule-II*, to any other Department.

- (4) The Chief Minister may, assign.-
 - (a) A Department; or
 - (b) Part of a Department; or
 - (c) Part of different Departments; or
 - (d) More than one Department; or
 - (e) One or more Departments together with part or parts of other Departments;

to a Minister:

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

4. ORGANIZATION OF DEPARTMENTS.-

- (1) Each Department shall consist of a Secretary to Government and of such other officials subordinate to him as Government may determine:

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

- (2) The Secretary shall be the official head of the Department and shall be responsible for its efficient administration and discipline, and for the proper conduct of business allocated to the Department under rule 3.

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

5. GENERAL PROCEDURE FOR DISPOSAL OF BUSINESS.-

- (1) The framing of the policy of the Department is the responsibility of the Minister, and it shall be the duty of the Secretary to advise the Minister in the formulation of policy.
- (2) The business of the Department shall be disposed of by or under the authority of the Secretary. He shall be responsible to the Minister for the proper conduct of business and for ensuring that the sanctioned policy of the Minister is duly executed.
- (3) While submitting a case for the orders of the Minister, it shall be the duty of the Secretary to suggest a definite line of action.
- (4) The Secretary shall keep the Minister generally informed of the working of the Department and of any important case disposed of without reference to him.
- (5) Where the Minister's order appears to involve a departure from the rules and regulations or from the policy of the Government the Secretary shall re-submit the case to the Minister inviting his attention to the relevant rules or regulations or Government policy.
- (6) Where inspite of action taken under sub-rule (5), the Minister does not change his orders so as to be in line with the rules and regulations or the policy of Government, the Secretary shall submit the case to the Chief Minister for his information.
- (7) The channel for obtaining of transmitting the orders of the Minister is the Secretary or an officer specifically authorized in this behalf by the Secretary.
- (8) All orders should be passed in writing. Where a verbal order is given, it should be reduced to writing at the earliest opportunity by the officer receiving it.
- (9) The Minister shall submit cases to the Chief Minister as required by the provisions of rule 36.
- (10) Notwithstanding the provisions of any other rules, the Chief Minister may, by general or special order, direct that any case specified in rule 37 may be

submitted by the Minister directly to the Governor.

- (11) If any doubt or dispute arises as to the Department to which a case properly pertains, the matter shall be referred to the Chief Secretary, who shall obtain the orders of the Chief Minister, if necessary.
- (12) Detailed instructions for the disposal of business in the Secretariat shall be issued by the Chief Secretary.

5A. DUTIES OF PARLIAMENTARY SECRETARY.-

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

Provided that a Parliamentary Secretary shall not be required to undertake any function which may entail any interference in the internal working or administration of a Department or an Attached Department.

6. ENFORCEMENT AND INTERPRETATION OF RULES.-

- (1) The Secretary shall be responsible for the careful observance of these rules in his Department. If any doubt or dispute arises as to the interpretation of these rules, it shall be referred to the Chief Secretary, whose decision shall be final. The Chief Secretary shall obtain the orders of the Chief Minister, where necessary.
- (2) Instructions ancillary to these rules shall, whenever considered necessary, be issued by the Chief Secretary:

Provided that any special or general orders required to be framed by the Departments in terms of these rules may be issued by them, after consultation with the Chief Secretary.

7. AUTHENTICATION OF ORDERS, INSTRUMENTS, AGREEMENTS AND CONTRACT, ETC.-

- (1) All executive actions of Government shall be expressed to be taken in the name of the Governor.
- (2) Save in cases where an officer has been specifically empowered to sign an order or instrument of Government, every such order or instrument shall be signed by the Secretary, the Additional Secretary, if any, the Deputy Secretary, Section Officer, to Government, or the Officer on Special Duty in the Department concerned, and such signature shall be deemed to be the

proper authentication of such order or instrument and shall not be questioned in any Court on the ground that it was not made or executed by the Governor.

- (3) Instructions for the making of contracts on behalf of the Governor and the execution of such contracts and all assurance of property shall be issued by the Law Department.

PART-B - DEPARTMENTAL PROCEDURE

8. CONSULTATION AMONGST VARIOUS DEPARTMENTS.

- (1) when the subject of a case concerns more than one Department:
 - (a) the Department incharge shall be responsible for consulting the other Departments concerned; and
 - (b) no orders shall issue, nor shall the case ordinarily be submitted to the Chief Minister or the Cabinet until it has been considered by all the Departments concerned and they agree to it:

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

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

Provided that where the Chief Minister is the Minister-in-Charge, the final view of Other Departments concerned shall be obtained before the case is submitted to the Chief Minister.

- (3) When a case is sent by one Department to another for consultation, all relevant facts and the points necessitating the reference shall be clearly brought out.
- (4) Even where consultation is not required, a Department may, for purposes of information, pass copies of a communication received by it, or show a case, to such other Departments as it considers would be interested in or would profit by it:

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

9. THE ESTABLISHMENT AND ADMINISTRATION DEPARTMENT.-

- (1) It shall be the responsibility of the Chief Secretary to coordinate the work of all Departments of Government.
- (2) The Chief Secretary may call for any case or information from any Department or Attached Department.
- (3) The Establishment and Administration Department shall be responsible for:
 - (a) the determination of the principles of control of Government servants, including recruitment, conditions of service and discipline;
 - (b) the coordination of the policy of all Departments with respect to services under their control so as to secure consistency of treatment;
 - (c) securing to all Government servants the rights and privileges conferred on them by or under any law for the time being in force; and
 - (d) determining the strength and the terms and conditions of services of the personal staff of Ministers.
- (4) No Department shall without the concurrence of the Establishment and Administration Department authorize any orders, other than orders in pursuance of any general or special delegation made by the Establishment and Administration Department, which involve:
 - (a) reduction or extension in the scope of functions of a Department as given in *Schedule-II* or the transfer of such functions from one Department to another;
 - (b) re-organization or change in the status of offices in the Secretariat or Attached Departments;
 - (c) interpretation of rules and orders relating to service matters other than rules and orders issued by the Finance Department; and

- (d) any change in the terms and conditions of service or the statutory rights and privileges of Government servants.
- (5) No order in respect of the emoluments, promotion or conditions of service of any officer employed in the Finance Department shall be passed and no expenditure proposal relating to that Department sanctioned without prior concurrence of the Establishment and Administration Department. The Chief Secretary shall exercise, in respect of such matters, the functions of the Secretary, Finance Department.

10. HOME AND TRIBAL AFFAIRS DEPARTMENT - MANNER OF SUBMISSION OF CERTAIN CASES.-

The Secretary, Home and Tribal Affairs Department shall keep the Chief Secretary generally informed of all matters affecting public tranquility. He shall, in particular, submit through the Chief Secretary, all cases likely to have major political repercussions.

11. CONSULTATION WITH FINANCE DEPARTMENT.-

- (1) No Department shall, without previous consultation with the Finance Department, authorize any orders, other than orders in pursuance of any general or special delegation made by the Finance Department, which directly or indirectly affect the finances of the Province, or which in particular involve-
 - (a) relinquishment, remission or assignment of revenue, actual or potential, or grant of guarantee against it or grant of lease of land or mineral, forest or water power rights;
 - (b) expenditure for which no provision exists;
 - (c) change in the number of grading of posts or in terms and conditions of service of Government servants, or their statutory rights and privileges, which have financial implications.
 - (d) Levy of taxes, duties, fees or cesses;
 - (e) Floatation of loans;
 - (f) re-appropriation within budget grants;
 - (g) alteration in financial procedure or in the method of compilation of accounts or of the budget estimates; and
 - (h) interpretation of rules made by the Finance Department.

- (2) No amendment or interpretation of such rules of the Civil Services Rules as have no financial implication shall be made or issued by the Finance Department without the prior concurrence of the Establishment and Administration Department.
- (3) No proposal, which requires previous consultation with the Finance Department under sub-rule (1) but in which the Finance Department has not concurred, shall be proceeded with unless a decision to that effect has been taken by the Cabinet. Formal order shall, nevertheless, issue only after the Finance Department has exercised scrutiny over the details of the proposal.
- (4) Except to the extent that power may have been delegated to Departments under rules framed by the Finance Department, every order of an Administrative Department conveying a sanction to be enforced in audit shall be communicated to the audit authorities through the Finance Department.

12. CONSULTATION WITH LAW, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS DEPARTMENT.-

- (1) The Law Department shall be consulted by the Departments.-
 - (a) on all legal questions arising out of any case;
 - (b) on the interpretation of any law;
 - (c) before instituting criminal or civil proceedings in a court of law in which Government is involved; and
 - (d) whenever criminal or civil proceedings are instituted against Government.
- (2) For any proposed legislation, the Law Department shall be consulted in accordance with the provisions contained in these rules.
- (3) Except as provided for in sub-rule (4), the Law Department is not, in respect of legislation, an originating office and its proper function is to put into correct form all proposed legislation. It is for the Administrative Department concerned to consider the desirability of legislation and all points connected therewith. After it has reached its conclusions, it shall refer the case to the Law Department with a memorandum indicating precisely the lines on which it is proposed to legislate which should include:-
 - (a) a statement in the form of series of propositions detailing the provisions required to be made, or preferably, a draft bill; and

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

The Law Department, apart from giving shape to the draft legislation, shall advise the Administrative Department whether any sanction is required under existing statutory provisions and whether any further legal requirements are to be compiled with. The Law Department shall also advise whether the proposed law disregards or violates, or is not in accordance with the principles of Law making, whether a reference should be made to the Council of Islamic Ideology for advice, if not already done, and if so, what shall be the terms of that reference. The Administrative Departments shall, after obtaining the approval of the Cabinet in terms of rule 19, return the draft legislation to the Law Department for further action in terms of rule 29.

Note: Legislation means a bill or ordinance or an amendment thereto.

- (4) Legislation relating to the codification of substantive law or for the consolidation of existing enactments, or legislation of a purely formal character, such as repealing and amending bills and short title bills, may be initiated in the Law Department. It shall, however, consult the Administrative Departments concerned which shall consider the draft legislation in its bearing on administration, make such enquiries and consultations as may be necessary, and tender advice to the Law Department accordingly.
- (5) The Law Department shall be consulted by the Administrative Departments before the issue of the following:
- (i) any order, rules, regulations, notification, or bye-law in the exercise of statutory power; and
 - (ii) any sanction authorizing a subordinate authority to issue any order, rules, regulations, notification or bye-law under a statutory power.

The Law Department shall advise whether the proposed draft is strictly within the power conferred by the Legislature and is in the correct form.

- (6) No Department shall consult the Advocate-General, except through the Law Department, and in accordance with the procedure laid down by that Department. The Departments should draw up specific points on which the opinion of the Advocate-General is desired.
- (7) If there is disagreement between the views of the Advocate General and the Law Department, the views of both the Law Department and the Advocate General should be conveyed verbatim to the Department concerned, and if the Department concerned does not accept the view of the Law

Department, the case shall be submitted to the Minister for Law for a decision, who may, in his discretion, take such a case to the Cabinet.

- (8) Bills requiring assent or sanction of the President shall be referred to the Federal Government by the Law Department.

13. CONSULTATION BETWEEN THE HEADS OF ATTACHED DEPARTMENTS AND SECRETARIAT OFFICERS.-

Cases requiring the approval of Government shall be referred in as complete form as possible to the Department concerned by the Heads of Attached Departments and shall ordinarily be settled in personal discussion between the Head of the Attached Department and the Secretariat Officer dealing with the case.

14. SECRETARIES COMMITTEE.-

- (1) There shall be constituted a Secretaries' Committee with the Chief Secretary as its Chairman, to facilitate coordination amongst the Departments, to provide a venue for the consideration of matters of common interest and to tender advice on any case that may be referred to it by the Chief Minister, the Cabinet or a Minister.
- (2) A Secretary who wishes a particular matter to be discussed in the Secretaries' meeting shall advise the Establishment and Administration Department of his intention of doing so and forward 40 copies of a brief note on the subject which would form the basis of discussion.
- (3) The Establishment and Administration Department shall issue notice of a meeting, together with the agenda, well in advance of the meeting except that urgent items may be considered at short notice.
- (4) Secretaries' meeting shall be attended only by Secretaries and Additional Secretaries of Departments, or such other officers as may be required by the Chief Secretary.
- (5) Minutes of the meeting shall be recorded (except in those cases where a record may not be considered necessary) by an officer of the Establishment and Administration Department, who shall attend the meeting for the purpose, and shall be circulated, after approval by the Chief Secretary, as soon after the meeting as practicable.
- (6) Conclusion reached at the meeting of the Secretaries' Committee shall not be taken as decisions of Government. Any further action required shall be taken by the Department concerned in accordance with the rules.

PART-C - SERVICES

15. PUBLIC SERVICE COMMISSION.-

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

16. SELECTION BOARD.-

- (1) Government may constitute one or more Selection Boards and specify the appointments and promotions to posts, other than those to be made on the advice of the Public Service Commission, to be made on the advice of such Selection Boards.
- (2) *Difference between Selection Board and the Department.-* In any case, a Department does not propose to accept the advice of Selection Board in regard to a matter in which its advice is required under sub-rule (1), the case shall be returned to the Selection Board for reconsideration, and the Selection Board shall reconsider such case. If on reconsideration the difference still persists, the case shall be submitted to the Chief Minister through the Establishment and Administration Department, for his orders.

17. POSTING.-

- (1) Transfer of Officers shown in column 1 of *Schedule-III* shall be made by the authorities shown against such Officers in column 2 thereof.
- (2) The Establishment and Administration Department shall be consulted if it is proposed to-
 - (a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure; and
 - (b) Require an officer to hold charge of more than one post for a period exceeding four months.

PART-D - CABINET PROCEDURE

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

19. CASES TO BE BROUGHT BEFORE CABINET.-

- (1) Following cases shall be brought before the Cabinet:-
 - (a) Proposals for legislation, official or non-official, including Money Bills;
 - (b) Promulgation and revocation of ordinances;
 - (c) the budget position and proposals before the presentation of the annual budget and other financial statements;
 - (d) proposals for the levy of new taxes;
 - (e) cases involving vital political, economic and administrative policies;
 - (f) cases which the Chief Minister acting on his own initiative or at the instance of another Minister considers important enough for reference to the Cabinet;
 - (g) important reports and documents required to be laid before the Assembly;
 - (h) other cases required to be referred to the Cabinet under the provisions of these rules; and
 - (i) any case desired by the Government to be referred to the Cabinet.
- (2) Notwithstanding the provisions of sub-rule (1), the Chief Minister may, in any case, advise the Governor as to the manner of its disposal, without prior reference to the Cabinet.

20. METHOD OF DISPOSAL BY CABINET.-

Cases referred to the Cabinet shall be disposed of-

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

- (b) by discussion at a meeting of a committee of the Cabinet; provided that the decisions of the Committee shall be ratified by the Cabinet unless the Cabinet has authorized otherwise; or
- (c) by circulation amongst Ministers.

*Note:-*Committees of the Cabinet may be constituted, and their terms of reference laid down, by the Cabinet. Such Committees may be Standing or Special Committees, according as they are appointed to deal with a class of cases or a particular case.

21. MANNER OF SUBMISSION OF CASES TO CABINET.-

- (1) In respect of all cases to be submitted to the Cabinet, the Secretary of the Department concerned shall transmit to the Chief Secretary a concise and lucid memorandum of the cases (hereinafter referred to as the "Summary" giving the background and relevant facts, the points for decision and the recommendation of the Ministers:

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

- (2) The summary shall be self-contained as far as possible, and may include as appendices such relevant papers as are necessary for the proper appreciation of the case.
- (3) In the case of proposed legislation to which approval is sought in principle, the summary shall bring out clearly the main issues to be legislated upon.
- (4) Where a case concerns more than one Department, the summary shall not be forwarded to the Cabinet unless the case has been considered by all the Departments concerned. In the event of a difference of opinion the points of difference between them shall be clearly stated in the Summary, a copy of which shall be sent by the sponsoring Department to other Department concerned simultaneously with the transmission of the summary to the Cabinet.
- (5) No summary containing a proposal involving financial implications shall be submitted to the Cabinet unless the Finance Department has been consulted and its views incorporated in the summary.

- (6) All drafts, bills, ordinances or orders having the force of law shall be submitted to the Cabinet after the same have been vetted by the Law Department and no changes shall be made therein except with the knowledge of the Law Department.
- (7) No case for inclusion in the agenda shall be accepted unless it reaches the Chief Secretary at least four clear days in advance of the meeting:
- Provided that if the case is urgent, the Secretary concerned may approach the Chief Secretary for its inclusion in the agenda, and, if he agrees, a note shall be sent for circulation to the Cabinet showing how the case is urgent and why it could not be submitted in time.
- (8) The Establishment and Administration Department shall satisfy itself that the papers submitted by a Secretary are complete and in appropriate form. It shall ordinarily return a case which does not meet with the requirements of these rules and of any other instructions on the subject.

22. PROCEDURE REGARDING CABINET MEETING.-

- (1) Regular meeting of the Cabinet to discuss ordinary business shall normally be held once a week on a day and time to be fixed by the Chief Minister:

Provided that the Chief Minister may direct any variation in day and time, and may call for special meetings of the Cabinet at any time on any day of the week to discuss urgent business.

- (2) In the absence of the Chief Minister, a Minister nominated by the Governor for the purpose shall preside over the meeting.

Note:- Reference to the 'Chief Minister' in this rule includes the Minister nominated by the Governor under sub-rule (2) above.

- (3) The Chief Secretary shall ordinarily issue to the Ministers, three days in advance of a meeting, the agenda of the meeting, together with the summaries relating to the items or agenda. A copy of the agenda and the summaries shall be submitted to the Governor at the same time. In the case of special meetings, the circular notice may be issued less than three days in advance.
- (4) No case shall be discussed unless the summary relating to it has been circulated:

Provided that the Chief Minister may dispense with the requirements of this sub-

rule, whereon the representation of the Minister-in-Charge, he is satisfied that the circumstances were such that the papers could not be supplied.

- (5) The Secretary concerned with a case shall, unless otherwise directed, attend the meeting of the Cabinet in which the case is under discussion. He shall, however, take no part in the discussion unless invited to do so.
- (6) If, in the absence of the Minister-in-Charge from headquarters, the Secretary of the Department concerned considers that the discussion on a case should await the Minister's return he may request the Chief Secretary for its postponement. The Chief Secretary shall thereupon obtain the orders of the Chief Minister in regard to postponement.
- (7) The Chief Secretary shall attend all meetings and prepare.-
 - (a) a brief record of the discussion which, in the absence of special directions by the Cabinet to the contrary, shall be of an impersonal nature; and
 - (b) a record of the decisions without any statement or the reasons therefore, and shall submit a copy of these records within twenty four hours of the close of the meeting to the Chief Minister for his approval.
- (8) The Chief Secretary shall circulate to the Ministers and to the Governor a copy of these records, as approved by the Chief Minister and shall send to the Secretary of the Department concerned a copy of the decision only.
- (9) If a Minister considers that there has been a mistake or omission in recording the minutes, he shall point it out to the Chief Secretary within twenty four hours of the issue of the minutes. The Chief Secretary shall thereupon obtain the orders of the Chief Minister and, if necessary, issue a corrigendum and correct the official record in his office.

23. PROCEDURE REGARDING COMMITTEES OF CABINET.-

- (1) Meetings of the Committees of the Cabinet shall be convened by the Chief Secretary under the direction of the senior member of the Committee, who shall preside at the meetings.
- (2) Officials of the Departments concerned may be associated with the deliberations of the Committees as and when considered necessary.
- (3) The provisions of rule 21 and 22 shall apply *mutatis mutandis* to the manner of submission of cases to, and the procedure for, the meetings of Committees.

24. PROCEDURE REGARDING CIRCULATION OF CABINET CASES.

- (1) When a case is circulated to the Ministers for recording opinion, the Chief Secretary shall specify the time by which opinions should be communicated. A summary of the case shall be simultaneously submitted to the Governor. If a Minister does not communicate his opinion by that time, it shall be assumed that he accepts the recommendations contained in the summary.
- (2) If a difference of opinion amongst Ministers is observed in the course of circulation, the Chief Secretary shall unless the Chief Minister directs otherwise, obtain further observations of the Minister concerned with a view to reaching an agreed conclusion.
- (3) After all opinions have been received and the further observations of the Ministers concerned have been obtained, if necessary, or after the time specified has expired, the Chief Secretary shall-
 - (a) In the event of full agreement to the recommendations in the summary, treat it as Cabinet decisions and proceed further in terms of rule 22(8);
 - (b) In the event of difference of opinion or a major change in the original recommendations contained in the summary being agreed to by the Minister-in-Charge and one or more Ministers obtain the direction of the Chief Minister whether the case should be discussed at a meeting of the Cabinet, or the recommendations of the majority of Ministers be accepted and communicated as Cabinet's decision.

If the Chief Minister directs that the case shall be discussed at a meeting of the Cabinet, the Chief Secretary shall circulate the opinions recorded by the Ministers, in the form of a supplementary summary, submitting a copy simultaneously to the Governor.

- (4) Reports made to the Cabinet or action taken on their decisions, and other cases submitted only for information, shall normally be disposed of by circulation.

25. ACTION ON CABINET'S DECISION.-

- (1) When a case has been decided by the Cabinet, the Department concerned shall take prompt action to give effect to the decision.
- (2) To ensure implementation of the Cabinet decisions, the Secretary of each Department shall keep a record of all the decisions conveyed to him and shall watch progress of action until it is completed. It shall be his responsibility, as Secretary of the Department sponsoring the case, to consult or inform any other Department concerned, in order to ensure full

implementation of the decisions.

- (3) The Chief Secretary shall watch the implementation of each decision of the Cabinet, and the Secretary in the Department concerned shall supply to the Chief Secretary such documents as the latter may, by general or special request, require to enable him to complete his record of the case.
- (4) The Chief Secretary shall maintain the record of each case submitted to the Cabinet which shall consist of
 - (a) a copy of all papers issued under rule 22(3), 23 and 24(1);
 - (b) a copy of the records prepared under rule 22(7), 23 and 24(3).
- (5) The Governor shall be kept informed of all decisions of the Cabinet.

26. *SECRECY OF CABINET PROCEEDINGS.-*

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

27. *CUSTODY OF CABINET PAPERS:-*

The Minister shall return to the Chief Secretary.-

- (a) the papers issued to them for decision by circulation under rule 24(1) immediately after recording opinion;
- (b) the papers circulated to them for decision by discussion in meeting of the Cabinet or Committee of the Cabinet under rule 22(3) or 23 immediately after the discussion has taken place;
- (c) copies of the record of discussion and decisions circulated by the Chief Secretary under rule 22(8), 23 and 24(3), immediately after they have perused them; and
- (d) reports of action taken on Cabinet decisions or other papers circulated

for information, immediately after perusal, except where indicated otherwise.

PART - E - RELATIONS WITH THE PROVINCIAL LEGISLATURE

28. GENERAL PROCEDURE.-

- (1) The Department shall, in their relations with the Assembly, comply with the rules of procedure and standing orders of the Assembly.
- (2) Orders of the Governor for convening a session of the Assembly shall be obtained by the Law Department and communicated to the Secretary of the Assembly.
- (3) As soon as the date of session of the Assembly is fixed, it shall be notified in the Gazette by the Secretary of the Assembly and thereupon all Departments shall undertake a review of the official business intended to be brought before the Assembly and shall promptly forward to the Law Departments detailed lists of such business not later than seven days before the commencement of the session.
- (4) The Minister for Law shall prepare a provisional forecast of the business to be brought before the Assembly and shall make proposals to the Speaker for the allotment of days for the transaction of official as well as non-official business. The programme as approved by the Speaker, shall be communicated by the Assembly Secretariat to all the Departments and the Secretary to Governor.
- (5) When the Assembly has been summoned by the Governor, he will at the appropriate stage, fix a date for the prorogation of the Assembly.
- (6) The Secretary of the Assembly shall, when the session called by the Governor is nearing completion of its business, obtain the orders of the Governor through the Law Department, as to the date for the prorogation of the Assembly.
- (7) The Secretary of the Assembly shall notify in the Gazette the date fixed for the prorogation of the Assembly.
- (8) Copies of the bills, resolutions, motions, questions and other business to be brought before the Assembly shall be forwarded as soon as received, to the Department concerned by the Assembly Secretariat.

- (9) For the correct allocation of business of the Assembly amongst the Departments, the Assembly Secretariat may consult the Chief Secretary, whenever it is in doubt.
- (10) If a bill, resolution, motion or question has been wrongly addressed to a Department by the Assembly Secretariat, it should be promptly transferred to the Department concerned, in consultation with the Chief Secretary, if necessary, and under advice to the Assembly Secretariat.
- (11) The Assembly Secretariat shall advise the Departments as soon as is known that a non-official bill, resolution, motion or question has been admitted in its final form, or not admitted, so that the Departments may regulate their action accordingly.
- (12) As soon as any communication (whether a notice, intimation, bill or any other paper) is received from the Assembly Secretariat or any other authority regarding the business or affairs of the Assembly, the receiving officer shall at once bring it to the notice of the Secretary and the Minister.

29. OFFICIAL BILLS AND AMENDMENTS.-

- (1) After taking action in terms of rules 12 and 19, the Department concerned shall forward to the Law Department, the draft legislation in its final form with a statement of objects and reasons, duly signed by the Minister-in-Charge. The Law Department shall obtain the previous consent of the Government to the introduction of the bill, if such consent is necessary. This action shall be completed irrespective, and preferably well in advance, of the date of commencement of a session of the Assembly.
- (2) The Law Department shall arrange to include the bill in the official business of the Assembly. The bill shall be introduced in the Assembly by the Minister-in-Charge or any other member on his behalf, and thereafter published in the Gazette by the Assembly Secretariat. If, however, the bill is of great urgency, the Law Department may request the Assembly Secretariat to publish it in the Gazette before introduction.
- (3) After the introduction of a bill, the following motions be made in regard to it, namely.-
 - (a) that it be taken into consideration and passed; or
 - (b) that it be referred to a Select Committee; or
 - (c) that it be circulated for the purpose of eliciting opinion thereon.

The Department concerned shall formulate the line of action to be adopted, and prepare a brief for the use of the Minister-in-Charge.

- (4) The procedure regarding amendments shall be the same as for official bills.
- (5) After a Bill has been passed, the Assembly Secretariat shall forward the Bill to the Governor, through the Law Department, in the form in which it is passed, duly signed by the Speaker. The Governor shall-
 - (a) accord his assent to the Bill; or
 - (b) if it is a Bill other than a Money Bill, return the Bill to the Provincial Assembly with a message requesting that the Bill, or any specified provision thereof, be reconsidered.
- (6) When the Governor has returned a Bill to the Provincial Assembly for reconsideration and the Bill is again passed by the Provincial Assembly, with or without amendment, it shall be again presented to the Governor and the Governor shall assent thereto.
- (7) After the Governor has passed orders, the Law Department shall inform the Department concerned and publish the Bill, if assented to, in the Gazette.

30. NON-OFFICIAL BILLS AND AMENDMENTS.-

- (1) As soon as notice regarding the introduction of a non-official bill is received from the Assembly Secretariat by a Department, it shall consult the Law Department as to-
 - (i) whether the bill can be introduced in the Provincial Legislature and is otherwise in order; and
 - (ii) whether previous consent of the Government to its introduction is necessary.
- (2) If the bill is in order, the Department concerned shall take action in accordance with the provisions of rule 29 and the procedure relating to official bill shall apply *mutatis mutandis* to it.
- (3) Procedure regarding amendments shall be the same as for non-official bills.

31. RESOLUTION AND MOTIONS.-

- (1) When an official resolution or motion is to be moved in the Assembly, the Department concerned shall, after consulting the Law Department and

obtaining the approval of the Cabinet, forward the same, together with a formal notice duly signed by the Minister to the Secretary of the Assembly who shall, if the resolution or motion is admitted by the Speaker, arrange for its inclusion in official business of the Assembly.

- (2) Official resolution may be for the constitution of a statutory body, declaration of policy on a matter of general public interest, etc.
- (3) Official motions may be for the election of members to standing adhoc committee of the Assembly, raising discussion on a particular matter, etc.
- (4) On receipt of a non-official resolution or motion from the Assembly Secretariat, the Department concerned shall examine it and obtain the orders of the Cabinet, if the time permits. Orders of the Chief Minister, where necessary, shall be obtained.
- (5) In examining the resolution or motion, the Department concerned shall consider whether the discussion of the resolution or motion, or any part of the same, would be detrimental to the public interest. If so, it should point this out, with reasons in its comments on the resolution or motion, as the case may be.
- (6) The Department concerned shall prepare a brief regarding each resolution or motion, official or non-official, for the use of the Minister.
- (7) After a resolution or motion has been adopted, the Assembly Secretariat shall forward it to the Department concerned for appropriate action.

32. QUESTION.-

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

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

33. BUDGET.-

- (1) The Finance Department shall forward proposals regarding the date for the presentation of the annual budget to Secretary to the Assembly. The latter shall obtain the orders of the Chief Minister through the Chief Secretary. On receipt of orders a notification in the Gazette shall be issued by the Secretary of the Assembly.
- (2) On receipt of a motion proposing a cut in a demand (or supplementary demand) for grant of funds, the Department concerned shall examine the points raised in the motion, or any further points likely to be raised, and prepare a brief for the use of the Minister-in-Charge.

33A. ADVISORS AND SPECIAL ASSISTANTS:-

- (1) There shall be Advisors and Special Assistants to the Chief Minister for the performance of such duties and functions, as may be specified from time to time.
- (2) An Advisor or Special Assistant shall hold office during the pleasure of the Chief Minister on such terms and conditions, as may be determined by the Chief Minister.

PART - F - SUBMISSION OF CASES TO THE GOVERNOR AND THE CHIEF MINISTER

34. SUBMISSION OF CASES TO THE GOVERNOR FALLING WITHIN HIS DISCRETIONARY POWERS UNDER THE CONSTITUTION.-

- (1) All cases enumerated in *Schedule-IV* shall be submitted to the Governor for his approval before issue of orders.
- (2) The cases enumerated in *Schedule-IV* shall be submitted to the Governor in such manner as the Governor may generally or specially direct.
- (3) On a question whether any matter is or is not a matter in respect of which the Governor is by the Constitution of the Islamic Republic of Pakistan empowered to act in his discretion, the decision of the Governor in his discretion shall be final.

35. GOVERNOR'S DIRECTIVE WITH REGARD TO DISPOSAL OF CERTAIN CASES:-

- (1) The Governor may require to submit for consideration of the Cabinet any matter on which a decision has been taken by the Chief Minister or a Minister but which has not been considered by the Cabinet.
- (2) The Governor may require the Cabinet or, as the case may be, the Chief Minister, to reconsider its or his advice tendered to the Governor in the performance of his functions, whether generally or otherwise, and the Governor shall act in accordance with the advice tendered after such reconsideration.

36. REFERENCE TO THE CHIEF MINISTER.-

- (1) Without prejudice to other provisions of these rules:-
 - (a) All cases mentioned in *Schedule- V* shall be submitted to the Chief Minister for advising the Governor to pass appropriate orders thereon; and
 - (b) All cases mentioned in *Schedule-VI* shall be submitted to the Chief Minister for his approval before passing of orders.
- (2) A case submitted to the Chief Minister for his order shall include a self-contained summary stating the relevant facts and the points for decision. The summary shall include the specific recommendations of the Minister-in-Charge, and shall be accompanied by a draft communication wherever appropriate.

37. REFERENCE TO THE GOVERNOR.-

- (1) A case required to be submitted to the Governor through Chief Minister for his order shall include a self-contained summary stating the relevant facts and the points for decisions. The summary shall be entitled "Summary for Chief Minister" and contain the specific advice or recommendations of the Chief Minister along with a separate paragraph to the effect that the case requires approval of the Governor.
- (2) All cases specified in *Schedule-VII* shall be submitted to the Governor for information through the Chief Minister.

PART - G - MISCELLANEOUS PROVISIONS

38. PROTECTION AND COMMUNICATION OF OFFICIAL INFORMATION.-

- (1) No information acquired directly or indirectly from official documents or relating to official matters shall be communicated by a Government servant to the press, to non-official or officials belonging to other Government offices, unless he has been generally or specially empowered to do so.
- (2) Detailed instructions shall be issued by the Chief Secretary for the treatment and custody of official documents and information of a confidential character.
- (3) Ordinarily all official news and information shall be conveyed to the press through the Information Department and the manner in which this may be done shall be prescribed, generally or specially in each case, by that Department Only Ministers and Secretaries, and such officers as may be authorized, shall act as official spokesmen of Government.

39. CHANNELS OF COMMUNICATION.-

- (1) Correspondence with the Federal Govt or another Provincial Govt shall be conducted direct by the Departments in respect of subjects allocated to them subject to the provisions of rule 8 and it shall ordinarily be addressed to the Secretary of the Ministry or Department concerned.
- (2) All correspondence with the Government of a foreign country or a Pakistan Diplomatic Mission abroad or a foreign mission in Pakistan or international organization, shall normally be conducted through the Ministry of Foreign Affairs of the Federal Government:

Provided that by means of general or special orders to be issued by the Ministry of Foreign Affairs direct correspondence may be allowed under such conditions and circumstances as may be specified by that Ministry.

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

Provided that by means of general or special orders to be issued by the Defense Division, direct correspondence may be allowed under such conditions and circumstances as may be specified:

Provided further that the provisions of this sub-rule shall not affect normal communications between a Service Commander and the Civil authorities in his area, or inter-departmental discussion in which services representatives are

required to take part.

- (4) All correspondence between Government and the heads of Attached Departments shall be conducted through the Secretary of the Department concerned.

SCHEDULE-I
[See Rule 3 of NWFP Government Rules of Business, 1985]

LIST OF DEPARTMENTS AND ATTACHED DEPARTMENTS

| S.NO | SECRETARIAT DEPARTMENTS | ATTACHED DEPARTMENTS | HEAD OF ATTACHED DEPARTMENTS |
|------|--|--|---|
| 1. | Agriculture, Livestock and Cooperation Department. | (a) Directorate General, Agriculture Extension. | (a) Director General, Agriculture Extension. |
| | | (b) Directorate General, Agriculture Research. | (b) Director General, Agriculture Research. |
| | | (c) Directorate of Livestock and Dairy Development. | (c) Director, Livestock and Dairy Development. |
| | | (d) Directorate General On-Farm Water Management. | (d) Director General On-Farm Water Management. |
| | | (e) ² Directorate of Agriculture Engineering | (e) Director Agriculture Engineering |
| 2. | Auqaf, Hajj, Religious and Minority Affairs Department. | -- | -- |
| 2(A) | ³Energy and Power Department | | |
| 3. | Environment Department. | (a) Office of the Chief Conservator of Forests. | (a) Chief Conservator of Forests. |
| | | (b) Office of Conservator of Wildlife. | (b) Conservator of Wildlife. |
| | | (c) Directorate of Fisheries. | (c) Director, Fisheries. |
| | | (d) Directorate General Environmental Protection Agency. | (d) Director General Environmental Protection Agency. |
| | | (e) ⁴ Deleted | (e) Deleted |
| 4. | Establishment & Administration Department. | (a) Directorate of Anti-Corruption Establishment. | (a) Director Anti-Corruption Establishment, NWFP. |
| | | (b) NWFP Service Tribunal. | (b) Chairman, NWFP Service Tribunal. |
| | | (c) Provincial Inspection Team (PIT). | (c) Chairman, Provincial Inspection Team (PIT). |

² Added vide Establishment Department Notification No.SO(O&M)/E&AD/2-3/2006 Vol II Dated 11-4-2007

³ "Energy and Power Department created vide Notification No. SO(O&M)E&AD/ 2-34/2008 dated 25.10.2008

⁴ The Directorate of Transport shifted to newly created Transport Department vide Notification No.SO(O&M)E&AD/2-35/2008 dated 18.9.2008

| | | | |
|-----|--|---|---|
| 5. | Excise and Taxation Department. | Directorate General, Excise & Taxation Department. | Director General. Excise & Taxation. |
| 6. | Finance Department. | (a) ⁵ Directorate of Local Fund Audit. (b) Directorate of Treasuries and Accounts | (a) Director, Local Fund Audit. (b) Director Treasuries and Accounts |
| 7. | Food Department. | Directorate of Food. | Director Food. |
| 8. | Health Department. | Directorate General Health Services. | Director General, Health Services. |
| 9. | Higher Education, Archives and Libraries Department. | (a) Directorate of Higher Education. | (a) Director, Higher Education. |
| | | (b) Directorate of Archives & Libraries. | (b) Director, Archives & Libraries. |
| 10. | Home & Tribal Affairs Department. | (a) Police Department. | (a) Inspector General of Police/Provincial Police Officer. |
| | | (b) Directorate of Civil Defence. | (b) Director, Civil Defence. |
| | | (c) Inspectorate General of Prisons. | (c) Inspector General of Prisons. |
| | | (d) Directorate of Probation and Reclamation. | (d) Director Probation and reclamation. |
| | | (e) Directorate of Prosecution, NWFP. | (e) Director, Prosecution, NWFP. |
| 11. | Housing Department. | -- | -- |
| 12. | Industries, Commerce, Labour, Mineral Development & Technical Education Department. | (a) Directorate General of Mines & Minerals. | (a) Director General, Mines & Minerals. |
| | | (b) ⁶ Directorate General of Technical Education & Manpower Training. | (b) Director General , Technical Education & Manpower Training. |
| | | (c) Directorate of Industries, Commerce & Labour. | (c) Director, Industries, Commerce & Labour. |
| | | (d) Printing & Stationery Department. | (d) Controller, Printing & Stationery Department. |
| 13. | Information & Public Relations Department. | Directorate of Information & Public Relations. | Director, Information & Public Relations. |
| 14. | Inter Provincial Coordination Department | -- | -- |

⁵ (a) & (b) Added vide Establishment Department Notification No.SO(O&M)/E&AD/2-8/2006 Vol I Dated 29.8.2007

⁶ Added vide Establishment Department Notification No.SO(O&M)/E&AD/2-12/2006 Vol I Dated 2.8.2007

| | | | |
|---------------------|--|---|--|
| 15. | Irrigation [..]⁷ Department. | Office of the Chief Engineer Irrigation. | Chief Engineer, Irrigation. |
| 16. | Law, Parliamentary Affairs and Human Rights Department. | (a) Office of the Advocate General. | (a) Advocate General. |
| 17. | Local Government, Election and Rural Development Department. | Directorate General, Local Government | Director General, Local Government. |
| 18. | Planning and Development Department. | Bureau of Statistics. | Director, Bureau of Statistics. |
| 19. | Population Welfare Department. | Directorate General, Population Welfare. | Director General, Population Welfare. |
| 20. | Relief, Rehabilitation and Settlement Department. | --- | --- |
| 21. | Revenue Department. | Board of Revenue. (Revenue Department) | Member, Board of Revenue |
| 22. | Science & Technology & Information Technology Department. | Directorate of Science & Technology. | Director, Science & Technology. |
| 23. | ⁸Elementary & Secondary Education Department. | (a) ⁹ Directorate of Elementary & Secondary Education. (b) Directorate of Curriculum and Teachers' Education. | (a) Director Elementary & Secondary Education. (b) Director, Curriculum and Teachers' Education. |
| 24. | Sports, Culture, Tourism & Museums Department. | (a) Directorate General of Sports. (b) Directorate of Archaeology & Museums. (c) ¹⁰ Directorate of Culture | (a) Director General, Sports. (b) Director Archaeology and Museums. (c) Director Culture |
| ¹¹ 24(A) | Transport Department | Directorate of Transport | Director Transport |
| 25. | Works & Services | (a) Office of Chief Engineer | (a) Chief Engineer Works & |

⁷ The words "and Power" deleted vide Notification No. SO(O&M)E&AD/ 2-34/2008 dated 25.10.2008

⁸ The words "Schools and Literacy Department" substituted by "Elementary and Secondary Education Department" vide Notification No.SO(O&M)E&AD/2-17/2002 dated 5.6.2008

⁹ Words Schools & Literacy replaced by Elementary & Secondary Education

¹⁰ Added vide Notification No.SO(O&M)/2-23/2006 dated 6.11.2008 and date 14.10.2008

¹¹ Entry 24-A made vide Notification No.SO(O&M)E&AD/2-35/2008 dated 18.9.2008 creating the new Department of Transport with the Directorate of Transport as its Attached Department.

| | Department | Works & Services. | Services. |
|-----|---|--|--|
| | | (b) Office of Chief Engineer Public Health Engineering. | (b) Chief Engineer Public Health Engineering. |
| 26. | Zakat, Ushr, Social Welfare & Women Development Department | Directorate of Social Welfare. | Director, Social Welfare. |

SCHEDULE-II
[See Rule 3(3) and Rule 9(4)(i)]

DISTRIBUTION OF BUSINESS AMONGST DEPARTMENTS

¹AGRICULTURE, LIVESTOCK AND COOPERATION DEPARTMENT

I. *Agriculture:*

1. (a) Agricultural Education and Research including NWFP Agricultural University.
 (b) Experimental and demonstration farms.
 (c) Improvement of Agricultural methods.
 (d) Protection against insects and pests and prevention of plant disease.
2. Arboricultural Operations.
3. Government gardens, including Botanical and Zoological gardens.
4. Marketing Works.
5. Apiaries.
6. Agricultural Engineering mechanized cultivation and soil conservation.
7. Improvement of varieties, its nutritional requirements and maintenance of soil fertility in Research Wing.

II. *Cooperation:*

8. Cooperative Societies and Banks.
9. Procurement, Storage and Distribution of Seeds and Fertilizers.
10. Installation of tube-wells and pumping sets.
11. Supply of Agricultural machinery.
12. Marketing of Agricultural products.
13. Organization of housing cooperative societies.
14. Consumers Cooperative Stores.
15. Cooperative Education and publicity through Sarhad Cooperative Union.
16. Provision of agricultural supplies and other essential commodities.
17. Women Handicraft Marketing Cooperatives.

III. *Livestock:*

18. Improvement of Livestock.
19. Prevention of animal diseases.
20. Veterinary Training and Research.
21. Prevention of cruelty to animals.
22. Zoological Survey.

¹Heading substituted by Notification No. SO(O&M)S&GAD/3-19/99, dated 27-03-2001

**1AUQAF, HAJJ, RELIGIOUS AND MINORITY AFFAIRS
DEPARTMENT**

Auqaf Department :-

1. **Administration of**
 - (a) The NWFP Waqf Properties Ordinance, 1979; and
 - (b) The West Pakistan Historical Mosques Cess Fund Ordinance, 1960.
2. Charitable and Religious Endowment
3. Religious Trusts.
4. Muslims graveyard taken over by the Chief Administrator of Auqaf under section 6 of the West Pakistan Waqf Properties Ordinance, 1961.
5. Control and repair, etc., of all Historical Mosques and Shrines taken over by the Auqaf Department.

Religious And Hajj Affairs.

6. Holding of Husn-e-Qirat competition.
7. Celebration of Seerat-un-Nabi (S.A.W) conference.
8. Convening of Ulemas and Mashaikh Conference.
9. Meeting of Ruet-e-Hilal Committee.
10. Arrangements of Mehfal-e-Shabina.
11. Reception of scholars, religious prominent figures of different Islamic countries and conduct of their tours in the Province.
12. Hajj arrangements.
13. Tabligh propagation.
14. Hajj Conference.
15. Publication of books of Islamyat.
16. Safeguarding distortion of Holy Quran.

Minorities Affairs

17. Safeguarding the rights of minorities.
18. Promotion of Welfare of Minorities.
19. Meetings of the Provincial/District Minorities Committee.
20. Co-ordination with the Federal Government on matters relating to welfare of minorities.
21. All other matters relating to Minorities.

2ENERGY AND POWER DEPARTMENT

1. All relevant matters under Articles 154, 157, 158 & 161 of the Constitution and framing policies for the Province in their respect.
2. Grant and revocation of licenses to the private electric undertaking, certificates of competency to electrical supervisors and

¹Heading substituted by Notification No. SO(O&M)E&AD/2-4/2002, dated 23-11-2002.

²Heading and functions of Energy and Power Department inserted vide Notification No. SO(O&M)E&AD/ 2-34/2008 dated 25.10.2008

- licenses to electric contractors under the Electricity Act, 1910.
3. Levy and collection of electricity duty under West Pakistan Finance Act, 1964.
 4. Monitoring of tariff of PESCO vis-à-vis other DISCOs for regulation of tariff.
 5. Administration of Sarhad Hydel Development Organization Act, 1983.
 6. All matters pertaining and auxiliary to hydel power stations of WAPDA or any other public/private sector agency located in NWFP.
 7. Advising the Provincial Government on thermal, solar, wind, coal, nuclear, solar and any other kind of energy and power generation.
 8. Close coordination with the Federal Govt. in respect of grant of licenses for oil and gas exploration in NWFP and cooperation with such companies and organizations undertaking such ventures in NWFP.
 9. Matters relating to extension of gas by SNGPL in NWFP.
 10. Matters relating to tariff on gas/CNG/petroleum products, royalty on gas and oil, gas development surcharge.
 11. Planning, designing and erection of Power generation units and supply of electricity load to the province as per its requirement.
 12. Representation of the Province on the boards of Directors of PESCO and other DISCOs in view of hydro electricity as major contributor to, and source of, energy.
 13. Formulate, regulate and review Provincial Power Policy.
 14. Investigation into fatal and non-fatal accidents due to electrocution.

1ENVIRONMENT DEPARTMENT

I- Environment:

- (a) Environmental protection;
- (b) ²Energy conservation

II- Forests:

1. Forest settlement.
2. Re-afforestations.
3. Range management.
4. Erosion.
5. Denudation.
6. Cooperatives in Guzara Forests.
7. Ecology and Environmental factors.
8. Watershed Management.
9. Applied Research in forestry.
10. Forest Training.

III Wildlife.

15. Protection, preservation, conservation and management of wildlife including all matters falling within the purview of the North-West Frontier Province Wildlife (Protection, Preservation, Conservation and Management) Act, 1954, (NWFP Act V of 1975).
16. Habitat improvement.
17. Conservation education and training.
18. Applied research on wildlife and its habitat.

IV. Fisheries.

19. Management and development of public waters, fish hatcheries production of fish farms and recreational fisheries.

¹ Inserted by Notification No. SO(O&M)S&GAD/722/2002, dated 29-01-2002.

² The sub-para "(b) Energy Conservation" inserted vide Notification No.SO(O&M)E&AD/2-7/2002 dated 8.8.2008

¹ Sub-heading "Transport" and functions under it deleted vide Notification No.SO(O&M)E&AD/2-35/2008 dated 18.9.2008

20. Improvement of methods/techniques to capture fish.
21. Experimentation and demonstration of fish farms to popularize fish culture both in public and private sectors.
22. Development of fishermen community.
23. Collection and tabulation of statistical data on fisheries.
24. Applied research on fisheries.
25. Introduction and cultivation of exotic varieties of fish.
26. Fisheries training.
27. Protection, preservation, conservation and management of fisheries in the province.
28. Enforcement of Fisheries Ordinance, 1961 and the rules made thereunder.

[...]¹

V. *Sericulture.*

29. Establishment of mulberry nurseries.
30. Distribution of mulberry saplings, its plantation and cultivation.
31. Import of hybridized silk worm eggs and its isolation, etc.
32. Production, hybridization, distribution, etc. of silk worm eggs.
33. Training of farmers and members of staff in the art of sericulture.
34. Control of silk worm diseases.
35. Control of mulberry diseases and insects pests.
36. Production of silk yarn.
37. Purchase of cocoons from farmers.
38. Development and expansion of sericulture.
39. Improvement of socio-economic condition of farmers.
40. Service matters, except those entrusted to the Establishment & Administration Department.

ESTABLISHMENT & ADMINISTRATION DEPARTMENT

1. *Cabinet Work.-*

- (a) Cabinet of Minister (Appointment, Salaries and Privileges of Ministers); and
- (b) All Secretarial work of Cabinet of Ministers including convening of meetings.

1A. "Chief Minister Secretariat."

2. General Coordination.
3. Honours, Awards and Sanads for Public Services.
4. Communication Security Centre and other codes.
5. Ceremonials-
 - (a) Warrant of precedence and table of precedence;
 - (b) Pakistan Flag Rules;
 - (c) Civil uniforms;
 - (d) Court mournings; and
 - (e) Liveries and Clothing Rules.

6. Holidays
7. Office management-
 - (a) Civil Secretariat and Government Offices generally; and
 - (b) Secretariat Standing Orders.
8. Preparation of Civil List and Official Gazette.
9. Services rules (other than former C.S.P.) relating to various services and posts, and interpretation thereof.
10. Policy regarding services associations.
11. (a) Matters connected with the Services of All Pakistan Unified Group (APUG) Officers.
 - (b) Matters connected with the Services matter relating to recruitment, training, pay allowances, promotion, leave, postings etc. of-
 - (i) The P.C.S (Executive Group) and;
 - (ii) P.C.S (Secretariat Group) Services;
 - (iii) The NWFP Provincial Management Service; and
 - (iv) The Ministerial Establishment of the Provincial Secretariat.
12. High Court.
13. Anti-Corruption.
14. Organization and Methods
 - (a) Periodic review of the organization staff, function and procedures of the Departments, Attached Departments and Subordinate Offices, and suggestions for improvement thereof;
 - (b) Improvement of general efficiency and economic execution of the Government Business;
 - (c) Advice regarding proper utilization of stationery and printing resources of the Government; and
 - (d) Training in Organization and Methods.
15. Public Service Commission.
16. Framing and alteration of Rules of Business of Provincial Government and allocation of business among Ministers and Departments.
17. Estate Office.
18. Distribution of Provincial quota of motor cars.
19. Identity Cards for civil officers/officials.
20. Compilation of the list of persons debarred from future employment under the Provincial Government for submission to the Government of Pakistan.
21. Guest/Rest Houses policy.
22. Staff cars pool.
23. Departmental examinations (Section Officers, Senior Scale Stenographers and Assistants).
24. Conduct of Departmental Examination of DMG (BS-17), PCS(EG), PMS officers and Civil Tehsildars, etc.
25. N.W.F.P. Services Tribunal.
26. Benevolent Fund.
27. Welfare and Group Insurance of Provincial Government employees.

28. Formation of cadres and classification of posts.
29. Office Hours.
30. Instructions for the preparations and submission of Annual Confidential Reports.
31. Declaration of Assets.
32. Secretaries Committee Meetings.
33. West Pakistan Essential Services (Maintenance) Act and all matters connected therewith.
34. West Pakistan Civil Services (Application for Posts) Rules, 1957.
35. Relaxation of age limits rules.
36. Tendering advice to the referring Department on service matters.
37. Principles regulating promotions from one post for a class to another.
38. Concessions to candidates from Tribal and Backward Area (policy).
Rights and interest of Members of service under the Constitution.
39. Departmental enquiries (policy).
40. Advance copies of representations (policy).
41. Change in the date of birth (policy).
42. Change of name (policy).
43. Postings and Transfers (policy).
44. Marriage with foreign nationals (policy).
45. Government Servants Conduct Rules and their interpretation.
46. Constitution of adhoc Committee.
47. Re-employment of retired officers and extension in service to superannuated officers (policy).
48. Relaxation of T.A. Rules Provincial Services (policy).
49. Language Examination Rules (policy).
50. Constitution of Selection Board.
51. Maintenance of cards by low paid officers (policy).
52. Framing, Processing, Notifications and interpretation of recruitment/service rules and amendment thereof.
53. Departmental Examinations rules processing (policy).
54. Radio talk by Government servants (policy).
55. Writ petition filed by person retired under Martial Law Regulation.
56. Ordinance/ Acts and Rules relating to Service matters of Civil Servants.
57. Service Rules Committee.
58. Inter-Provincial transfers.
59. General circulars, etc.
60. Other matters pertaining to Complaint Cell.
61. Report on the observance and implementation of the principles of policy under Article 29 (3) of the Constitution.
62. Condonation of interpretation/breakage in service.
63. Casual Leave Rules.
64. State Guests.
65. Protocol.
66. ¹Provincial Buildings Maintenance Cell
67. Matters relating to Federal Cabinet Meetings.

¹Inserted by Notification No. SO(O&M)S&GAD/3-3/2002, dated 3-10-2001.

¹EXCISE DEPARTMENT

1. Control of tobacco, opium, hemp, narcotics, liquor and intoxicating preparation, import license and contracts relating thereto and excise taxes thereon
2. Tobacco Bend Fees
3. Assessment and collection of taxes on:
 - (c) Luxuries, amusements, bettings;
 - (d) Professions, trades, calling, employments;
 - (e) Urban immovable properties;
 - (f) Motor Vehicles;
 - (g) Capital gains
 - (h) Real Estate Agents and Motor Vehicle Dealers; and
 - (i) Historical Mosques
4. Utilization of Tobacco Development Cess

FINANCE DEPARTMENT

1. Management of public funds i.e.
 - (a) Supervision and control of Provincial finances;
 - (b) Preparation of Provincial budget;
 - (c) Preparation of Supplementary estimates and demands for excess grants;
 - (d) Appropriations and re-appropriations; except those relating to development budget which will be sanctioned only with the prior concurrence of Planning and Development Department; and
 - (e) Ways and Means.
2. Public Accounts and Public Accounts Committee.
3.
 - (a) The framing of financial rules for guidance of Departments and supervision of maintenance of accounts.
 - (b) To guide autonomous and semi-autonomous bodies, whether aided wholly or partly from provincial revenues in the framing of various financial regulations under the relevant Acts/Ordinances constituting the said body.
4. The framing of Civil Service Rules applicable to all Government servants and interpretation thereof.
5. Floation and administration of Provincial loans.
6. Examination and advice on matters affecting directly or indirectly the finance of the province.
 - (a) grants, contributions, other allowances an honoraria, contingencies recoveries from and payment to Government Departments and cases relating to money matters generally
 - (b) emoluments, pensions and allowances; and
 - (c) loans advances to Government Servants.

¹ Inserted by Notification No. SO(O&M)S&GAD/3-8/2000, dated 20-10-2000.

7. Administrations of public revenue save as otherwise provided.
8. Assets and Liabilities Committee.
9. Banking.
10. Communication of financial sanctions.
11. Examination of all proposals for the increase or reduction of taxation.
12. Creation of new posts and examination of schemes of new expenditure.
13. Audit of receipts and expenditure.
14. Public Debts.
15. The Local Fund Audit Department.
16. Treasuries and Sub- Treasuries.
17. Electronic Data Processing.

¹FOOD DEPARTMENT

1. Food procurement, rationing and distribution.
2. Storage of Food grain.
3. Control over the price and distribution of sugar-cane.
4. Control over the price and distribution of sugar and other matters under the Sugar Factories Control Act, 1950.
5. Implementation of Sugarcane Development Cess Rules, 1964.
6. Civil Supplies.
7. Price of food items.
8. Services matters, except those entrusted to the Establishment and Administration Department.

HEALTH DEPARTMENT

I. Public health and sanitation.

1. Prevention and control of infections and contagious diseases;
2. Tuberculosis;
3. Eradication/Control of Malaria;
4. Leprosy Act;
5. Treatment of patients bitten by rabid animal;
6. Adulteration of foodstuffs;
7. Nutrition and publicity in regard to food;
8. Nutrition and publicity in regard to surveys;
9. Vaccinations and inoculation;
10. Maternity and child welfare; and
11. Port Quarantine.

II. Medical Profession.

12. Regulation of medical and other professional qualification and standards;

¹Heading substituted by Notification No. SO(O&M)S&GAD/3-19/99, dated 27-03-2001

13. Medical Registration including Medical Council;
14. Indigenous system of medicines;
15. Medical attendance of Government servants; and
16. Levy of fees by Medical Officers.
17. Medical and Nursing Council.
18. Medical education including medical schools and colleges, and institution for dentistry.
19. Control of Medical drugs, poisons and dangerous drugs (Drug Act and Rules).

HIGHER EDUCATION, ARCHIVES AND LIBRARIES DEPARTMENT

1. College Education.
2. University Education.
3. Coordination of schemes for higher studies abroad.
4. Grants of scholarship.
5. Promotion of Scientific Research.
6. Promotion of art and literature.
7. Production and distribution of educational and scientific films.

HOME AND TRIBAL AFFAIRS DEPARTMENT

Law and Order and Courts.

1. Public Order and internal security.
2. Political intelligence and censorship.
3. Administration of Justice, constitution and organization of courts except the High Court.
4. Criminal Law and Criminal Procedure.
5. Evidence and Oaths.
6. Arms, ammunition and military stores.
7. Control of petroleum and explosives.
8. Public amusement control over places, performances and exhibition.
9. Crime report.

10. All matters connected with police establishment and administration report:
 - (a) Police Rules.
 - (b) Police works.
 - (c) Grant of Gallantry Awards.

11. Prisons, reformatories and similar institutions, classification and transfer of prisoners, state, political prisoners, Good Conduct Prisoners and Probationary Release Act.
12. Extradition and Deportation.
13. Passport and Permits.
14. Civil Defence.
15. Compensation for loss of property *or* life due to civil commotion *or* while on duty.
16. Rent control and requisitioning *of* property.
17. Smuggling.
18. Clubs.

19. Collective fines
20. Hoarding and black marketing.
21. Defence planning.
22. Civil Security Schemes.
23. Commutation and remission of sentences, mercy petitions.
24. Preventive detention and administration of Press Laws.
25. Prosecutions in respect of newspapers and other publications.
26. Border incidents
27. Pilgrims and pilgrimages.
28. Political pensions, mutiny allowances and Jagirs.
29. Homeguards and territorial forces.
30. Question of domicile and application for Nationality certificates.
31. Registration of aliens.
32. Recovering of missing persons.
33. Prohibited maps.
34. Enemy property and schedule of persons and firms specified as enemy.
35. Matters connected with the Navy, the Army, or the Air Force or the Pakistan Marine Services or any other Armed Forces:
 - (a) Territorial Force Act and Auxiliary Force Act;
 - (b) Recruitment work for the Defence Services, including admission of cadets military institutions;
 - (c) Appointment of Honorary Recruiting Officers;
 - (d) Naval and Military works;
 - (e) Sailors, soldiers and Airmen's Boards;
 - (f) Forfeiture and restoration of Military pensions;
 - (g) Camping Ground; and
 - (h) War injuries schemes.
36. Enforcement of provisions of Motor Vehicles Act, 1939 and thereunder relating to control of traffic and inspection and checking of Motor Vehicles for the purposes of traffic control.
37. Protection of key points and vital installation.
38. Afghan Refugees and allowances.
39. (a) Representation in criminal cases;
(b) Appeals and application for enhancement of sentences and conviction; and
40. Public Prosecutors, Appointment, Transfer and Leave etc.
41. Defence of pauper accused in the courts and fees to pleader for such defence.
42. All matters pertaining to administration of Provincially Administered Tribal Areas including preparations of annual budget (non-development and development) for those areas.
43. Extension of Local Government institutions and laws to Provincially Administered Tribal Areas.
44. Reservation of seats in various services for Tribal people of Provincially Administered Tribal Areas and recruitment of tribes in the Army.
45. Budget for levies and Khasadar is released by the SAFRON through Home Department.

¹HOUSING DEPARTMENT

1. Administration of NWFP Provincial Housing Authority Act, 2005.
2. Planning and execution of schemes under "Housing for all" and "Housing for Government Employees" and other Housing Schemes from time to time.
3. Coordinating, Development Control and Policies with other Government agencies including Local Areas Authorities and Cantonment Boards.
4. Formulation of Policies and Control with regard to Urban Growth and Development.
5. Area Development Schemes and New Townships.
6. Housing Loans and Investments.
7. Preparation of schemes for approval of PDWP, CDWP and ECNEC etc
8. Execution of works as deposit works.
9. Service matters, except those entrusted to Establishment and Administration Department.

²INDUSTRIES, COMMERCE, LABOUR, MINERAL DEVELOPMENT AND TECHNICAL EDUCATION DEPARTMENT

1. Planning development and control of industries, including cottage industries.
2. Industrial Research
3. Industrial training (including training of demonstration parties).
4. Industrial exhibition within the country.
5. Survey of industries.
6. Trade and commerce, within the Province, including Government commercial undertakings, Merchandise Marks Act, railway freight, import and export, trade control, capital issue, Insurance Act, Registration of Accountants, Auditors Certificate Rules, Partnership Act, trade condition reports, trade enquiries and agreements.
7. All cases relating to Boilers Act, Patent and Designs Act, Explosive Act and Companies Act.
8. Registration of Joint Stock Companies, Firms, Societies.
9. Store Purchase Department, purchase of stores and capital goods including stores for Government Presses and Public Works Department.

¹Heading substituted by Notification No. SO(O&M)E&AD/2-27/2004, dated 27.12.2004

²Heading substituted by Notification No. SO(O&M)S&GAD/8-1/2001, dated 10-05-2001.

10. The Provincial Advisory Panels for Industries and Minerals.
11. Chambers and Associations of Commerce and Industry.
12. Mines and Minerals:
 - (a) Geological Survey;
 - (b) Development of Mineral resources and regulation of mines;
 - (c) Mineral Rules;
 - (d) Grant and transfer of prospecting licenses and mining leases; and
 - (e) Import, purchase, distribution and price fixation of coal and coke.
13. Undesirable Companies Ordinance and matters relating there to.
14. *Stationery and Printing.-*
 - (a) Government Book Depots - supply of official publication of the Provincial Government and exchange of publications with Federal and other Provincial Governments;
 - (b) Purchase and servicing and condemnation of typewriters and duplicators;
 - (c) Establishment and budget of Provincial Presses and Stationery Offices;
 - (d) Procurement of stationery (both indigenous and imported and its supply to Departments);
 - (e) Monthly income and expenditure statements of Government Presses;
 - (f) Printing and binding at private and Government Presses;
 - (g) Local purchase of stationery;
 - (h) Printing and Stationery Manual; and
 - (i) Allocation of stationery to Departments and disposal of waste papers.

Labour Welfare.-

15. All matters affecting labour in general:
 - (a) Welfare and conditions of labour;
 - (b) Labour Laws, both Federal and Provincial; and
 - (c) Labour Legislation (Provincial).
16. All cases relating to Weights and Measures Act.

17. Resettlement and Employment of demobilized personnel.
18. Administration of Labour Courts and Labour Appellate Tribunals.
19. Administration of Minimum Wages Boards.
20. Technical Training Centres.
21. Social Security Scheme.

Technical Education.-

22. Technical Education and Research excluding Medical and Agricultural Education.
22. Services matters, except those entrusted to Establishment & Administration Department.

INFORMATION AND PUBLIC RELATIONS DEPARTMENT

1. Publicity.
2. Public Relations.
3. Government hospitality.
4. Newspapers, books, magazines, pamphlets, posters and printing press.
5. Motion Picture Ordinance, 1979.
6. Administration of Press Laws including Press Censorship.
7. Production and distribution of films and documentaries of general or educational interest in consultation with Department concerned.
8. Service matters, except those entrusted to Establishment & Administration Department.

¹INTERPROVINCIAL COORDINATION DEPARTMENT

1. Matters between Federal Government and Provincial Government
2. Matters relating to Inter-Provincial Coordination
3. Matters relating to Inter-Provincial Conferences.
4. Matters relating to Council of Common Interest
5. Matters related to National Security Council

¹ Added vide Notification No.SO(O&M)E&AD/6-7/2007 Dated 26-7-2007

6. Provincial Monitoring Cell & Provincial Complaints Cell
7. National Internship Programme
8. President's directives.
9. Prime Minister's directives.

¹IRRIGATION [.....]² DEPARTMENT

Irrigation:-

1. (a) Rivers and riverine surveys;
- (b) Construction and maintenance of canals;
- (c) Tube-Wells and other water utilization schemes in areas other than those declared as "Local Areas" under the Soil Reclamation Act, 1952;
- (d) Embankment;
- (e) Drainage other than field drains in areas declared as "Local Areas" under the Soil Reclamation Act, 1952; and
- (f) Storage of water and construction of water reservoirs.
2. Barrage construction work and all matters connected therewith.
3. Water logging schemes in areas other than those declared as "Local Areas" under the Soil Reclamation Act, 1952.
4. Land Reclamation Schemes in areas other than those declared as "Local Areas" under Soil Reclamation Act, 1952.
5. Flood Control Schemes. .
6. Administration of the Canal and Drainage Act, 1873 (VIII of 1873).
7. Booking of irrigation where Minor Canal and Drainage Act is applicable.
8. Matters pertaining to distribution of river supplies.
9. Inland water-ways and inland navigation.
10. [....]¹

¹Heading substituted by Notification No. SO(O&M)E&AD/3-11/2002, dated 29-11-2001.

² The words "and Power" deleted vide Notification No. SO(O&M)E&AD/ 2-34/2008 dated 25.10.2008

**LAW, PARLIAMENTARY AFFAIRS
AND HUMAN RIGHTS DEPARTMENT**

1. Conduct of Government Litigation:
 - (a) Filing Civil Suits against public servants where Govt. is involved.
 - (b) Defending Civil Suits against Govt.
2. Advice to Departments, on all legal matters including interpretation of laws, rules and orders having the force of law.
3. Government Law Officers, Advocate-General, Government Pleaders, Special Councils, appointment, transfers, leave, fees, etc.
4. Matters relating to legal practitioners including scales of fees.
5. Matters relating to approval of appointments of legal advisors and engagement of legal practitioners made by the statutory bodies, payment of their fees and termination of their services.
6. Civil law and procedure.
7. Scrutiny and drafting of bills, ordinances, notifications, rules, regulations, statutory orders and bye-laws.
8. Scrutiny of non-official bills.
9. Constitutional legislation.
10. Codification of laws and printing of acts, rules and orders. Matters pertaining to Provincial Assembly (i.e., summoning and prorogation).
11. Salaries, Allowances and Privileges of Speaker and Deputy Speaker of the Provincial Assembly.
12. Salaries, Allowances and Privileges of Members of the provincial Assembly.
13. Human Rights.

**LOCAL GOVERNMENT, ELECTIONS AND RURAL
DEVELOPMENT DEPARTMENT**

1. All matters connected with the Administration of the North-West Frontier Province Local Government Ordinance, 2001.

¹ The sub heading "Power" and functions under it, deleted vide Notification No. SO(O&M)E&AD/ 2-34/2008 dated 25.10.2008

2. North- West Frontier province Public Property (Removal of Encroachment) Act, 1977.
3. Muslim Family Law Ordinance, 1962.
4. Hackney Carriage Act, 1879 and Stage Carriage Act, 1861.
5. Conciliation Courts Ordinance, 1961.
6. Special Marriage Act, 1872.
7. Fire Brigade.
8. Census.
9. Burning and burial grounds and Muslim grave-yards not taken over by the Auqaf Department.
10. Matter pertaining to the Election for the Provincial and National Assemblies.
11. Provincial Election Authority and Provincial Election Tribunal concerning Local Councils.
12. Matters relating to Referendum on a national issue.
13. Village Police.
14. Rural Works Programme and Rural Uplift.
15. German Aid Financial Project (Pakistan Academy for Rural Development), and Budget and Accounts matter of Pakistan Academy for Rural Development (PARD) and Pakistan Provincial Services Academy (PPSA) development plans and development funds pertaining to Local Councils and Local Bodies.
16. Grant-in-Aid for Local Councils.
17. Processing of AD.P. through District Coordination Committees.
18. Water supply and Sewerage Schemes of Local Councils.
19. U.S. Aid Financial Project.
20. Asian Development Bank Assisted Projects (Farm to Market Roads through Local Councils).
21. World Food Programme.
22. UNICEF Programme.
23. Women Programme and Overseas Women Foundation.
24. Adult Education.
25. Village/Union Council Library Programme.
26. Local Council Reforms/Local Government Commission.
27. Matters relating to Kachi Abadi.
28. Village Electrification Programme.
29. Registration of Births, Deaths and Marriage.

30. Slaughter houses under the Local Councils and Local Bodies (other than those in Cantonments).
31. Local Councils Services including Engineering and Health Services for Local Councils.
32. High/Low Selection Boards (LCS) and other matters relating to the Local Councils Services.
33. Service matters of the defunct Village Aid and B.D. Department.
34. Delegation of additional power to Local Councils.
35. Privileges and Protocol of Local Councillors.
36. Ponds and Prevention of cattle trespass.
37. Pre-partition claims relating to Local Bodies.
38. Seminars, conventions and publications concerning Local Councils.
39. Local Councils contribution to Provincial Government.
40. Local Taxation and Local Rates.
41. Education Cess on Octroi.
42. Education Cess on Export Tax.
43. Urban Property Tax payable to Local Councils.
44. Aerial Spray Surcharges on Gur.
45. Local Government Pool Fund.
46. Local Government Research Statistics and Evaluation.
47. Foreign delegations/training of Local Councillors.
48. Construction and minor repair of Basic Health Units and Primary Schools, Maktabas through Local Councils.
49. Arrangements of Horse and Cattle Shows and Fairs.
50. Jashan-i-Khyber.
51. Coordination of Nation Building Departments through District Coordination Committees.
52. Management of Nazool Land.
53. Service matters except those entrusted to Establishment & Administration Department.

PLANNING AND DEVELOPMENT DEPARTMENT

1. Planning and Development including policy, procedure and coordination work relating to the preparation of the Provincial Annual Development Programme and its review.
2. Processing of all development schemes, programmes and proposals submitted by other Departments including autonomous bodies and making recommendations to Government

thereupon; Secretariat functions of the Provincial Development Working Party.

3. Maintaining liaison with the National Planning Agencies.
4. Dealing with Autonomous and Semi-Autonomous Bodies in regard to development planning programmes and projects in N.W.F.P.
5. Foreign Aid.
6. Coordination of technical assistance from abroad including training facilities; expert advisory services and equipment.
7. Coordination of training of Local Officers and private sector candidates in foreign countries. Secretariat functions of the Provincial Selection Committee for training abroad.
8. Arrangement of the services of foreign experts/advisors including Secretariat functions of the Provincial Screening Committee for the appointment of foreign expert/advisors.
9. Economic research and matters relating to the Board of Economics Enquiry.
10. Coordination of Provincial statistics in general and all matters relating to the Bureau of Statistics.
11. General Economic appraisal evaluation of progress and performance of Development Schemes and Programmes and their critical appraisal.
12. Initiation of measures for giving a suitable publicity to the Development plans and educating the public on the results achieved from time to time.
13. Matters relating to the Regional Development Projects, N.W.F.P.
14. Price Stabilization Policy.
15. Protocol functions in connection with visits of foreign economics missions and delegations; etc.
16. Appropriation and re-appropriation of development grants provided in the budget.

¹POPULATION WELFARE DEPARTMENT

1. Promotion of Population Welfare motivational services by establishing contracts with the clients at all levels.

¹Heading substituted by Notification No. SO(O&M)E&AD/3-21/2002, dated 03-11-2002.

2. Promotion of Family Health Services, Clinical and Non-clinical contraception through Family Welfare Centres and those reproductive Health Service Establishments located in the Provincial Government Hospitals and particularly provision of Services for rural areas.
3. Promotion of Population Welfare Motivation and Services through line departments of the Provincial Government.
4. Supply of contraceptives and medicines to the desirous clients in urban and rural areas of the districts through agencies involved in the programme.
5. Implementation of publicity and communication strategy.
6. Promotion of community involvement and active participation in Population Welfare Programme Activities.
7. Coordination of Population Welfare Programme activities with other nation building departments at district and local levels.
8. Setting up of Advisory Management Committees at Family Welfare Centres level and Population Welfare Councils at district and Provincial levels as provided in the Population Welfare Plan 1981-84.
9. Any other activity of the Population Welfare Programme that the Provincial Government may specify.

1RELIEF, REHABILITATION AND SETTLEMENT DEPARTMENT

1. Repatriation and Settlement of Repatriates from Bangladesh, etc.
2. Registration of claims of displaced persons.
3. Satisfaction of claims of displaced persons by payment of cash or by adjustment against the transfer/disposal of.
4. Provision of relief goods and supervise relief measures.
5. To supervise and monitor the working of emergency flood warning centre, when established in flood season.
6. To hold a Revenue Court and dispose of revenue cases.
7. Any other task to be assigned by the Government.

REVENUE AND ESTATE DEPARTMENT

1. *Land Revenue Administration:*

¹Heading substituted by Notification No. SO(O&M)E&AD/2-4/2002, dated 23-11-2002

- (a) Assessment and collection of land revenue, development cesses and surcharges thereon and agriculture income tax;
 - (b) Land surveys and record of rights, including restrictions over transfer of title;
 - (c) Alienation of revenue;
 - (d) Laws regarding land tenure, relations between landlords and tenants, special remission of land revenue and remission under sliding scales;
 - (e) Jagirs and muafies;
 - (f) Religious endowment of land;
 - (g) Revenue Tribunal;
 - (h) Eschcats;and
 - (i) Pre-emption Law.
2. Taccavi, land improvement and other agricultural lands.
 3. Compulsory acquisition of land, Land Acquisition Act and Rules made thereunder.
 4. Demarcation and rectangulation of land.
 5. Leases of ferries and bridges.
 6. Treasure trove.
 7. Matters connected with the recruitment, training, pay, allowances, promotions, leave, postings and transfers of Revenue Field staff and district and Divisional Establishment (ministerial, except those entrusted to the Establishment and Administration Department).
 8. Registration of fees and document including registration fees.
 9. Copying Department.
 10. Court of Wards, encumbered and attached Estates.
 11. Stamps and Court Fees, Judicial and non-Judicial.
 12. Famine Relief Fund and relief for other natural calamities i.e., earthquakes, cyclones, floods and conflagrations.
 13. Government Estates.
 14. Debt Conciliation Boards.
 15. Tenancy Laws.
 16. Revenue Settlement and Re-assessment.

17. Rehabilitation of War Displaced persons.
18. Preparation of Gazetteers.
19. Administration of the land reforms under Martial Law Regulation 115 of 1972 and all matters connected therewith.
20. Land Laws.
21. Water-logging and Salinity other than schemes relating thereto.
22. Territorial adjustment and changes.
23. Boundary Dispute.
24. Administration of Waste Lands, new colonies and projects and Land Utilization Ordinances.
25. Administration of all new colonies by the Land Utilization Board and Land Utilization Committee.
26. Colonisation and disposal of state lands.
27. Scheme relation to grant of land to retired and retiring Government Servants.
28. Land Commission.
29. Land Settlement.
30. Consolidation of Land Holdings.
31. Land Utilization.

SPORTS, CULTURE, TOURISM & ARCHAEOLOGY DEPARTMENT

1. Tourism.
2. Sports.
3. Culture.
4. Archaeology.
 - a- Excavation.
 - b- Exploration/Survey.
 - c- Conservation, restoration and rehabilitation.
5. Museums.

6. Youth Affairs.
7. Service matters except those entrusted to Establishment and Administration Department.

¹ELEMENTARY AND SECONDARY EDUCATION²

1. General Education:-
 - (a) Primary Education.
 - (b) Secondary Education, at the level of high/Higher Secondary Schools
2. Regulation, Registration and Supervision of Private Schools/Training Institutions.
3. BISEs, Text Book Board, Public Schools & Colleges/Cadet Colleges and Elementary Education Foundation.
4. Grants of scholarships/stipends to students.
5. Administration of Compulsory Primary Education Act-1996.
6. Boys Scouts and Girls Guide Associations in NWFP.
7. Service matters except those entrusted to Establishment and Administration Department and District government.

³SCIENCE & TECHNOLOGY & INFORMTION TECHNOLOGY DEPARTMENT

1. Human Resource Development.
2. Launching of R&D Programme and up-gradation of its infrastructure.
3. Restructuring of R&D Organizations.
4. Industrial Development.
5. Strengthening of policy, coordination and management structure.
6. Funding and project implementation mechanism.
7. To initiate Science & Information Technology Projects in the Province in Agriculture, Housing, Industry, Health, Education, Forestry, Energy, Pharmaceuticals and small Cottage Industry including pilot plant studies.
8. To monitor the outcome and results of Science & Technology Projects initiated in the province and provide policy guidelines to R&D institutions for their restructuring and enhancement of Science & Technology activities.

¹ The words Schools and Literacy Inserted by Notification No. SO(O&M)S&GAD/3-15/2002, dated 29-10-2001.

² The words "Schools and Literacy Department" substituted by "Elementary and Secondary Education Department" vide Notification No.SO(O&M)E&AD/2-17/2002 dated 5.6.2008

³ Inserted by Notification No. SO(O&M)S&GAD/2-24/2005, dated 4-5-2006.

9. Planning, coordination, promotion and development of Science & Technology, monitoring & evaluation of research and development works, including scrutiny of development projects and coordination and development programmes in this field.
10. To advise provincial Govt. Departments and other institutions on the introduction and usage of Information Technology.
11. To promote usage of Information Technology and Science & Technology by awarding scholarships, awards, certificates, holding of seminars, workshops in service training and acquiring higher education.
12. To promote the education of Science and Information Technology in all the education instructions in phases.
13. To establish and oversee the working of Districts Science & Technology and Information Technology Department for input support in policy-making especially the following:
 - (a) Coordination with public & private sector for promotion of IT.
 - (b) Promotion of IT Education and Training.
 - (c) Interfacing with National and International IT Markets and Industry.
 - (d) Providing Business support to local IT Companies, in software export.
 - (e) Development of strategies for E-commerce.
 - (f) Over seeing establishment of IT parks etc.
 - (g) Coordination with all relevant agencies.
 - (h) Computerization in government departments.

Transport Department

1. Administration of Motor Vehicle Ordinance, 1965 and Rules framed thereunder.
2. Administration of Directorate of Transport NWFP, Provincial Transport Authority, District Regional Transport Authorities & NWFP Road Transport Board.
3. Inspection and checking of the documents of Motor Vehicles.
4. Inspection & Certification of road worthy vehicles.
5. Service matter except those entrusted to the Establishment and Administration Department.
6. Formulation of Transport Policy & Planning.
7. Research & Development (R&D).
8. Data Collection.
 - i. Vehicle Registration Data.
 - ii. Route permits statistics.
 - iii. Accident Data.
 - iv. Traffic Courts.
 - v. Origin-Destination Studies.
9. Assistance in Legislation.
 - i. Updating of Highway Code.
 - ii. Review of Traffic Laws.
 - iii. Review of Traffic Safety Provisions.
 - iv. Review of Motor Vehicle Laws Rules.
10. Directorate of Transport NWFP, Provincial Transport Authority, District Regional Transport

- Authorities & NWFP Road Transport Board.
11. Coordination with other Government Departments Agencies both in public and private sectors.
 12. Monitoring and evaluation of Transport related projects.
 13. Issuance of route permits for stage carriages and contract carriages.
 14. Route Permits, fare/freights, matters relating to traffic speeds, loading, parking and halting places, exemption cases of vehicles under Motor Vehicles Ordinance and Rules Grouping of stage carriages.
 15. Payment of compensation in accident cases of Private Public Sectors and allied matters.
 16. Chapter VII and VIII of Motor Vehicles Act, 1939.
 17. Policy regarding students concession and Nationalization & Privatization of Road Transport.
 18. Maintenance/Management of Public Bus Stands throughout the Province.
 19. Classification of routes for public service vehicles.
 20. Settlement of terms and conditions for public service vehicles.
 21. Settlement of disputes among the District Regional Transport Authorities.
 22. Operation of Pak-Afghan Bus Service.
 23. Operation of Mass transit system in NWFP.
 24. Attract Private investment in Transport Sector.

WORKS & SERVICES DEPARTMENT

Building and Roads:

1. Construction, equipment, maintenance, repairs, internal electrification and fixation of rent of all Government buildings, residential and non-residential, including tents, dak bungalows and circuit houses except those entrusted to Establishment & Administration Department.
2. Accommodation for Federal and Provincial Government servants in the province except that entrusted to Establishment & Administration Department.
3. Construction, maintenance and repairs of roads, bridges, ferries, tunnels, rope-ways, cause-ways and tram-ways lines.
4. Road Funds.
5. Tolls (excluding those levies by Local Governments).
6. Engineering training other than.
 - (a) Engineering University;
 - (b) Engineering Colleges; and
 - (c) Engineering Schools.
7. Evaluation/Fixation of Rent/Control/Management, leases and disposal sales of Government

¹ Inserted by Notification No. SO(O&M)S&GAD/8-16/2001, dated 1-8-2001.

buildings.

8. Water supply of sanitary works pertaining to Government buildings and Government estates.
9. Laying standards and specifications for various types of roads and bridges for the province.
10. Planning and designing roads and connected works for the department financed from Provincial and/or Federal Funds.
11. Road research and material testing.
12. Execution of works on behalf of other agencies/departments as Deposit Works.
13. Preparation of architectural plans/drawing of buildings of Provincial Government.

Public Health Engineering

14. Public Health Work pertaining to Government Buildings and Government Residential Estates.
15. Public Health Engineering and Drinking Water Supply Scheme.
16. Determination of rates of supply to consumers in bulk and otherwise and prescribed tariff (only in the case of Private undertakings).
17. Levy and collection of fees, etc. for supply of water for drinking purposes.
18. Sanitary and Waste Water Disposal Project.
19. Services matters, except those entrusted to Establishment and Administration Department.

¹ZAKAT, USHR, SOCIAL WELFARE AND WOMEN DEVELOPMENT DEPARTMENT

Zakat and Ushr.-

1. Constitution of Provincial Zakat Council and holding of quarterly meetings.
2. Constitution of District/Tehsil and Local Zakat Committees.
3. Conducting of election/selection of District Zakat Committees, Tehsil Zakat Committees and Local Zakat Committees.

¹ Inserted by Notification No. SO(O&M)S&GAD/3-21/2002, dated 3-11-2001.

4. Accounting procedure for Provincial Zakat Fund and Local Zakat Fund.
5. Operational arrangements for Local Zakat Fund.
6. Audit of Provincial Zakat Fund and Local Zakat Fund.
7. Release of Funds to:
 - (a) Local Zakat Committees;
 - (b) Deeni Madaris for non-local boarder students;
 - (c) Education Department for grant of scholarship to mustahiq students;
 - (d) Institutions giving vocational training to Mustahiq-e-Zakat for their permanent rehabilitation;
 - (e) Health Institution i.e. T.B. Association, Red Cross, Medical Care Health Centers/Dispensaries and other Welfare Institutions for free medical treatment of Mustahiq-e-Zakat and;
 - (f) Orphanages, Institutions of Blinds, Deaf and Dumb, etc.
8. Implementation of the decisions of Central Zakat Council/Provincial Zakat Council.
9. Formation of Inspection Team for Local Zakat Committees.
10. Framing of rules under Zakat and Ushr Ordinance.
11. Inspection of Deeni Madaris/Institutions which are benefited out of Zakat Fund.
12. Reconstitution of Local Zakat Committees, and removal of undesirable Chairman/Members of Zakat Committees.
13. Collection and checking of yearly consolidated reports of all Local Zakat Committees.
14. Sending of yearly consolidated reports to Computer Centre, Lahore on prescribed forms, including reports of Provincial Zakat Council for computerization and their maintenance on return.
15. Preparation of Annual Reports.
16. Collection of voluntary Zakat.
17. Publicity through mass communication for disbursement of Zakat Fund and other affairs.
18. Utilization of National Zakat Fund.
19. Release of quarterly Provincial Magazine "Al-Zakat" and its distribution to all the Chairmen Zakat Committees in the Province.
20. Supervision and control over Bait-ul-Mals in the Districts and Agencies.

SOCIAL WELFARE

1. Coordination of Social Welfare Schemes.

2. Urban and Rural Community Development Project and other Social Welfare Projects.
3. Administration of Voluntary Social Welfare.
4. Professional guidance and financial assistance to registered welfare agencies including orphanage.
5. Eradication of Social Evils, Welfare of the beggars and destitutes.
6. Rehabilitation and education of socially, physically and mentally handicapped.
7. Training of Social Welfare Employees and Volunteers of Social Welfare Organizations.
8. Aid from UNICEF and other quarters to Social Welfare Organizations.
9. Recreational Programmes intended to keep people away from antisocial activities.
10. Social education viz: Education of adults aimed at developing sense of civic responsibilities.
11. Welfare and Rehabilitation of patients.
12. Welfare of aged and infirm persons.

WOMEN DEVELOPMENT

1. Women Development.
 2. Coordination and Monitoring women related projects.
 3. Development of Women Welfare Policy including coordination with Federal Government and International agencies.
- Services matters except those entrusted to Establishment and Administration Department.

SCHEDULE-III
[See Rule 17(1)]

TRANSFER OF OFFICERS

| | 1 | 2 |
|------------------|---|---|
| S. No | <i>Outside the Secretariat</i> | |
| 1. | Officers of the all Pakistan unified group e.g., DMG, Police Group, etc. | Establishment and Administration Deptt: in consultation with the Department concerned. |
| 2. | Other Officers holding senior scale posts normally held by Officers of the all PUG and Police Group. | --do-- |
| 3. | Head of Attached Departments and other Officers in BS-19 and above in all Department. | --do-- |
| | <i>In the Secretariat:-</i> | |
| 4. | Secretaries. | Establishment & Administration Department. |
| 5. | Other Officers of and above the rank of Section Officers:- (a) Within the same Department. (b) Within the Secretariat from one Department to another. | Secretary. Chief Secretary/Secretary Establishment. |
| 6. | Officials upto the rank of Superintendent:- (a) Within the same Department. (b) To and from an Attached Department. (c) Within the Secretariat from one Department to another. | Secretary. Secretary in consultation with Head of Attached Department concerned. Secretary Establishment. |

SCHEDULE-IV
[See Rule 34]

LIST OF CASES TO BE SUBMITTED TO THE GOVERNOR
FALLING WITHIN HIS DISCRETIONARY POWERS UNDER THE CONSTITUTION

1. Appointment of the Chief Minister.
2. Dismissal of the Cabinet which has lost the confidence of the Provincial Assembly.
3. Dissolution, with the approval of the President, of the Provincial Assembly, when an appeal to the electorate is necessary.
4. All such information relating to the administration of the Province and all such proposals for legislation as the Governor may call for.
5. All cases arising out of direction of the Governor under rule 35.
6. Proposal to sell or change the use of the official residence of the Governor.
7. Appointment of Officers on the Secretariat Staff of the Governor.
8. Appointment of Care-Taker Cabinet
9. Public Service Commission.
 - (a) its strength;
 - (b) appointment, removal or resignation of members. including the Chairman;
 - (c) their terms and conditions of service;
 - (d) non-acceptance of its advice; and
 - (e) annual report.

SCHEDULE-V
[See Rule 36 (l)(a)]

LIST OF CASES TO BE SUBMITTED TO THE GOVERNOR
THROUGH THE CHIEF MINISTER

1. Provincial Ministers:
 - (a) Their appointment;
 - (b) removal and resignation.
2. Determination of salaries, allowances and privileges of Provincial Ministers.
3. Rules of Business - Framing or alteration thereof.
4. Report relating to the accounts of the Province.
5. Reference to the Federal Public Service Commission.
6. Reference to the Council of Islamic Ideology whether a proposed law is or is not repugnant to the Injunctions of Islam.
7. Promulgation of Ordinances and proposals for legislation, including adaptation of existing laws.
8. Mercy petitions in Criminal cases.
9. Summoning and prorogation of Assembly.
10. Rules relating to the custody, etc. of Provincial Consolidated Fund and Public Account.
11. High Court:
 - (a) Seats of the High Court;
 - (b) Recommendations for the appointment of Judges; and
 - (c) Rules regulating the practice and procedure of the High Court and of Courts subordinate to it.
12. Appeals and review petitions to Governor.
13. Rules of Procedure for Provincial Assembly.
14. Application of laws to and framing of regulations for Provincially Administered Tribal Areas.
15. Advocate-General-Appointment, duties, terms and conditions and resignation from office.
16. Resignation of Speaker.
17. Assent to Bills other than Money Bills.
18. Assent to Money Bills.
19. Dissolution of Provincial Assembly except when an appeal to electorate is necessary.
20. Postings and Transfers of Officers related to the Political Administration of the Agencies and Frontier Regions (FATA).
21. Administration of Advisors and Special Assistants to the Chief Minister.

SCHEDULE-VI

[See Rule 36 (1) (b)]

**LIST OF CASES TO BE SUBMITTED TO THE CHIEF MINISTER
FOR APPROVAL BEFORE ISSUE OF ORDER**

1. Provincial Selection Board - its constitution.
2. Proposal involving any change in the functions or powers of Secretaries, Members Board of Revenue and heads of Attached Departments.
3. Cases regarding the conditions of service or promotion of, or disciplinary action against a member of All Pakistan Services, or holders of appointments normally held by them. Cases to be referred to the Federal Government shall be shown to the Chief Minister both before a reference is made to the Federal Government as well as before final orders are issued.
4. Petitions addressed to the President by members of All Pakistan Services.
5. Selection of Officers for appointment under the Federal Government.
6. Recommendations for the grant of honours and awards.
7. All cases relating to matters which are liable to involve Government into controversy with the Government of Pakistan or with another Provincial Government.
8. All cases which may have a bearing on relation with a Foreign Government.
9. All cases relating to personal rights, privileges and dignities of Ex-rulers of former State.
10. Annual Budget Statement to be laid before the Provincial Assembly.
11. Authentication of the Schedule of Authorised Expenditure.
12. Excess Budget Statement.
13. Preventive detention.
14. Appointment, etc. of members of Administrative Courts and Tribunals.
15. Appointment of-
 - (a) Secretary to the Government of North-West Frontier Province, Heads of Attached Departments and other officers of the Provincial Government in BS-18 (or equivalent) and above;
 - (b) Officers to post in a Corporation, Autonomous/Semi-Autonomous Body or Authority carrying BS-18 or equivalent and above under the administrative control of the Provincial Government.
16. Determination of terms and conditions of appointment of Advisors and Special Assistants to the Chief Minister.

SCHEDULE-VII
[See Rule 37 (2)]

LIST OF CASES TO BE SUBMITTED TO THE GOVERNOR
FOR INFORMATION THROUGH THE CHIEF MINISTER

1. (a) All periodical reports by administrative and executive officers of political nature or relating to law and order such as the fortnightly reports and situation reports submitted by the police.
- (b) All special reports by administrative and executive officers relating to matters which may seriously affect the peace and tranquility of the Province or any part thereof.
- (c) Periodical reports of Administrative Departments and Head of Attached Departments.
2. All proposals involving any important change in the strength or distribution of the Police Force.
3. All important cases involving questions of policy or principle.
4. Reports of Committees of enquiry appointed by the Governor.
5. Press notes and handouts issued by the Information Department.
6. Intelligence Reports.
7. Summary, Minutes and decisions of the Provincial Cabinet.
8. All Cypher messages and telegrams.
9. Annual Reports of the Public Service Commission.
10. All documents issued by the Finance Minister pertaining to the Annual Budget.
11. Papers pertaining to any other matter required by the Governor through a general or special order.