

**GILGIT-BALTISTAN COUNCIL
SECRETARIAT, BLOCK "R" PAK
SECTT, F-5, ISLAMABAD

NOTIFICATION

Islamabad the, 24th June, 2010.

S.R.O. (I) 2010,—In pursuance of Clause (18) of Article 33 of the Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009, the Chairman of Gilgit-Baltistan Council is pleased to make the following rules, namely:-.

1. Short title and Commencement. (1) These rules may be called the Gilgit-Baltistan Council Rules of Business, 2010.

(2) They shall come into force at once.

PART-I

GENERAL

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

- (a) **"Attached Department"** means a Department which has a direct relation with Council and has been declared as such by the Council;
- (b) **"business"** means all work done by Council;
- (c) **"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;
- (d) **"Federal Government"** means the Government of the Islamic Republic of Pakistan.
- (e) **"Gazette"** means the official Gazette of the Council;
- (f) **"Government"** means the Government of the Gilgit-Baltistan;
- (g) **"Member"** means a Member of the Council;
- (h) **"Minister"** means the Minister in charge of the Council;
- (i) **"Order"** means the Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009;
- (j) **"Secretary"** means the Secretary or Acting Secretary Ministry of Kashmir Affairs and Gilgit-Baltistan in charge of Gilgit-Baltistan Council, and where there is no Secretary, the Additional Secretary of the Ministry;
- (j) **"Schedule"** means a Schedule appended to these rules;
- (k) **"Secretariat"** means the Secretariat of the Council; and
- (l) **"section"** means a basic working unit in a Wing of Gilgit-Baltistan Council;

(2) The terms used but not defined herein shall have the same meaning are assigned to them under the order.

3. Composition of Secretariat wings and allocation of

Business.- (1) The Council Secretariat shall comprise the Wings or Sections as shown in Schedule-I.

(2) Each Wing shall consist of a Deputy Secretary and of such other officials subordinate to him as the Council may determine.

(3) The Chairman may, whenever necessary, constitute a new wing consisting of one or more sections.

(4) The business of the Council as shown in Schedule-II, shall be carried out by the Wings of Council.

4. General procedure for disposal of business.- (1) The framing of the policy for the Wings of Council is the responsibility of the Minister, and it shall be the duty of the Secretary of the Council to advise the Minister in the formulation of policy.

(2) The business of the Wings of the Council 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 Wings 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 Council or the Federal Government, the Secretary shall re-submit the case to the Minister inviting his attention to the relevant rules or regulations or the policy.

(6) Where inspite of action taken under sub-rule (5), the Minister does not change his orders to being the same in line with the rules and regulations or the policy of Council or the Federal Government, the Secretary shall submit the case to the Chairman for his information.

(7) The channel for obtaining or transmitting the orders of the Minister is the Secretary of the council 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 in writing at the earliest opportunity by the officer receiving it.

(9) Notwithstanding the provisions of any other rules, the Chairman may, by general or special order, direct that any case may be submitted by the Minister directly to the Chairman or the Council.

(10) If any doubt or dispute arises as to the Wing of the Council to which a case properly pertains, the matter shall be referred to the Secretary for a final decision.

(11) Detailed instructions for the disposal of business in the Council Secretariat shall be issued by the Secretary.

5. Enforcement and interpretation of Rules.- (1) The Secretary shall be responsible for the careful observance of these rules in the Council. If any doubt or dispute arises as to the interpretation of these rules, it shall be referred to the Secretary, whose decision thereon shall be final.

(2) Instructions ancillary to these rules shall, whenever considered necessary, be issued by the Secretary of the Council.

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

6. Authentication of orders, instruments, agreements and contract, etc.- (1) All executive actions of Council shall be expressed to be taken in the name of the Chairman.

(2) Save in cases where an officer has been specifically empowered to sign an order or instrument of Council, every such order or instrument shall be signed by the Secretary, if any or the Deputy Secretary, or Section Officer or the Officer on Special Duty in the Wing 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 Chairman.

(3) Instructions for the making of contracts on behalf of the Chairman of the Council and the execution of such contracts and all assurance of property shall be issued by the Secretary of the Council after seeking legal advice.

PART-II

WINGS PROCEDURE

7. Consultation amongst various Wings. (1) When the subject of a case concerns more than one Wing:

- (a) the Wing in charge shall be responsible for consulting the other Wing concerned; and
- (b) no orders shall be issued, nor shall the case ordinarily be submitted to the Secretary or Minister in charge until it has been considered by other Wings concerned and they agree to it:

Provided that in case of urgency, and with, the approval of the Secretary, this requirement may be dispensed with, but the case shall at the earliest opportunity thereafter be brought to the notice of the Wing concerned; and

- (c) in case of a dispute between two Wings the decision of the Secretary shall be final.

(2) When a case is sent by one Wing to another for consultation, all relevant facts and the points necessitating the reference shall be clearly brought out.

(3) Even where consultation is not required, a Wing may, for purpose of information, pass copies of a communication received by it, or show a case, to such other Wings as it considers appropriate or when the case may be of the concern for such other wing.

Provided that copies of cypher telegrams and other confidential matters received or dispatched by the Cypher Office or any other office shall be distributed in accordance with standing orders issued by the Secretary.

8. Secretary (1) The Secretary shall be the Secretary of the Council.

- (2) He will be the administrative head of the Council.

(3) The Secretary shall coordinate the work of all Wings through Joint Secretary Council.

(4) The Secretary may call for any case or information from any Wing or subordinate Department.

(5) The Joint Secretary of the Council shall submit periodical report on the performance of the various Wings of the Council to the Secretary and suggest measures for improvement, propose reorganization and problems faced in the disposal of official work. He shall, in particular, submit all cases likely to have major policy implications.

9. Consultation with Finance Wing. (1) No Wing shall, without previous consultation with the Finance Wing, authorize any order, other than

orders in pursuance of any general or special delegation made by the competent authority, which directly or indirectly affect the finances of Council.

(2) No proposal, which requires previous consultation with the Finance Wing under sub-rule (1) but in which the Finance Wing has not concurred, shall be proceeded with unless a decision to that affect has been taken by the Secretary. Formal order shall, nevertheless be issued only after the Finance Wing has exercised scrutiny over the details of the proposal.

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

PART-III

SERVICES

10. Public Service Commission.- The advice of the Public Service Commission shall ordinarily be accepted by the Secretariat 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 Chairman through the Minister, who may give an opportunity to the Commission of further justifying its recommendation before a final decision is taken.

11. Selection Board. The Council 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 Commission.

12. Posting or foreign visits or training/leave. (1) Transfer of officers' shall be made by the Secretary.

(2) The Minister 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.

(3) The post of Joint Secretary Council shall be reserved for officers of the All-Pakistan unified group.

(4) Posting and transfer of officers working in Wings, departments, subordinate offices and autonomous bodies whose subjects fall under the

legislative jurisdiction of the Gilgit-Baltistan Council shall be done by the Council Secretariat.

(5) All contract appointments and re-employment are to be made in accordance with the existing rules and policy of Government of Pakistan.

(6) Foreign visits or Training or Leave of officers or officials are to be made in accordance with the existing rules and policy of Government of Pakistan.

13. Matter pertaining to Council:- (1) All proceedings of the Council and the record of the discussion in the Council shall be secret.

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

(3) Custody of the Council papers shall be held in safe custody and duly burned.

(4) Procedure for circulation, disposal and treatment of Council agenda papers and proceedings shall be followed as laid down in rules.

14. Reference to the Chairman.- A case submitted to the Chairman 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 and shall be accompanied by a draft communication, wherever appropriate and all relevant documents.

15. Relations with Gilgit-Baltistan Government (1) All cases of mutual interest or of importance may be brought before the Council by the individual members or the Government in the regular Council meetings or in the joint sitting of Council and the Assembly.

(2) For all such cases to be discussed in a Council or in a joint sitting the mover shall forward relevant number of copies of working paper discussing the details and the issues for decision.

(3) Both the Council and the Assembly shall remain within their legislative and executive domains as specified in Schedules-III and IV of the Order respectively. Both shall strive to assist each other in the performance of the subjects assigned to them.

16. General Procedure.- (1)The Secretariat shall in its relations with the Council, comply with the rules of procedure and standing orders of the Council.

(2) Orders of the Chairman for convening a session of the Council shall be obtained by the Joint Secretary Council and communicated to the Secretary of the Council.

(3) As soon as the date of session of the Council is fixed, it shall be notified in the Gazette by the Joint Secretary Council and thereupon all Wings shall undertake a review of the official business intended to be brought before the Council and shall promptly forward to the concerned Wing a detailed list of such business not later than seven days before the commencement of the session.

(4) The Joint Secretary Council shall prepare a provisional forecast of the business to be brought before the Council. The programme as approved by the Minister shall be communicated by the Secretariat to the Vice Chairman (Governor), all Members and the Chairman.

(5) When the session of the Council has been summoned by the Chairman, he will at the appropriate stage, fix a date for the prorogation of the Council.

(6) The Joint Secretary of the Council shall, when the session called by the Chairman is nearing completion of its business, obtain the orders of the Chairman, as to the date for the prorogation of the Council.

(7) The Secretariat shall notify in the Gazette the date fixed for the prorogation of the Council.

(8) Copies of the bills, resolutions, motions, questions and other business to be brought before the Council shall be forwarded as soon as received, to the Wing or Department concerned by the Council Secretariat.

(9) For correct allocation of business of the Council, the Council Secretariat may consult the Secretary, whenever it is in doubt.

(10) If a bill, resolution, motion or question has been wrongly addressed to a Wing by the Council, it shall be promptly transferred to the Wing concerned, in consultation with the Joint Secretary.

(11) The Council Secretariat shall advise the Wings 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 Wings may regulate their action accordingly.

(12) As soon as any communication (whether a notice, intimation, bill or

any other paper) is received from the Council or any other authority regarding

the business or affairs of the Council, the receiving officer shall at once bring it to the notice of the Secretary and the Minister.

PART-IV

MISCELLANEOUS PROVISIONS

17. 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 servant of the Council to the press, to non-official or officials belonging to other Government offices, unless he has been generally or especially empowered to do so.

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

(3) All official news and information shall be conveyed to the press by the Joint Secretary and the manner in which this may be done shall be prescribed, generally or specially in each case, by the Secretary. Only the person duly authorized, shall act as official spokesmen of Council.

18. Channels of communication- (1) Correspondence with the Federal Government or any Provincial Government shall be conducted with the approval of Secretary of the Council.

(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 Ministry of Foreign Affairs of the Government of Pakistan as per laid down policy.

(3) Correspondence between Government and the heads of Attached Departments shall be conducted through the Secretariat.

(4) Correspondence with the Government will be through Chief Secretary, Gilgit-Baltistan. For coordination of development activities correspondence with the Planning and Development Department Gilgit-Baltistan may be done. All such correspondence shall be done through the Joint Secretary Council or an officer authorized by him.

(5) For removal of difficulties and to facilitate its working the orders, instructions and policy decisions issued by the Government of Pakistan Cabinet and Establishment Divisions may be adopted by the Council and the same shall mutatis mutandis apply.

SCHEDULE-I

[See rule - 3 (1)]

WINGS OF GILGIT-BALTISTAN COUNCIL SECRETARIAT

S. #	Wings & Sections of Council	Head of Wings & Sections
1.	Administrative & Personnel Wing	Deputy Secretary
i.	Administration Section	Section Officer
ii.	General Admin Section	Section Officer
iii.	Council Section	Section Officer
iv.	Legal Officer	
2.	Finance and Account Wing	Deputy Secretary
i.	Budget & Cash section	Section Officer
ii.	Finance & Accounts Section	Section Officer
iii.	Accounts Section	Accounts Officer
3.	Planning Wing	Deputy Chief
i.	Research Section	Research Officer
ii.	Planning Section	Planning Officer
4.	Engineering Wing	Executive Engineer
i.	Engineering Section	Asstt. Executive Engineer
ii.		Sub-Engineer

SCHEDULE-II

[See rule – 3 (4)]

COUNCIL SUBJECTS

1. Post and telegraphs, including telephones, wireless, broad-casting and other like forms of communications; Post Office Saving Bank.
2. Public debt of the Council, including the borrowing of money on the security of the Council Consolidated Fund.
3. Council public services and Council Public Service Commission.
4. Council pensions, that is to say, pensions payable by the Council or out of the Council Consolidated Fund.
5. Administrative courts for Council subjects.
6. Council agencies and institutions for the following purpose, that is to say, for research, for professional or technical training, or for the promotion of special studies.
7. Nuclear energy, including.-
 - (a) mineral resources necessary for the generation of nuclear energy;
 - (b) the production of nuclear fuels and the generation and use of nuclear energy; and
 - (c) ionizing radiations.
8. Aircraft and air navigation; the provision of aerodromes; regulations and organization of air traffic and of aerodrome.
9. Beacons and other provisions for safety of aircraft.
10. Carriage of passengers and goods by air.
11. Copyright, inventions, designs, trade marks and merchandise marks.
12. Opium so far as regards sale for export.
13. Banking, that is to say, the co-ordination with the Government of Pakistan of the conduct of banking business.
14. The law for insurance and the regulation of the conduct of insurance business.
15. Stock-exchange and future markets with object and business not confined to the areas comprising Gilgit-Baltistan. .
16. Corporations, that is to say, the incorporation regulation and winding up of trading corporations including banking, insurance and financial corporations, but not including corporations owned or controlled by the Provincial Government of Gilgit-Baltistan and carrying on business, co-operative societies, and of corporations, whether trading or not, with object not confined to the Gilgit-Baltistan, but not including universities.

17. Planning for economic coordination, including planning and coordination of scientific and technological research.
18. Highways, continuing beyond the territory of the Gilgit-Baltistan excluding roads declared by the Government of Pakistan to be strategic importance.
19. Council surveys including geological surveys and Council meteorological organizations.
20. Works, lands and buildings vested in, or in the possession of the Council, for the purpose of the Council (not being Military, Naval or Air Force works), but as regards property situated in the Gilgit-Baltistan, subject always to law made by the Legislative Assembly, save in so far as law made by the Council otherwise provides.
21. Census.
22. Establishment of standards of weights and measures.
23. Extension of the powers and jurisdiction of members of a police force belonging to the Gilgit-Baltistan or any Province of Pakistan to any area in such Province or the Gilgit-Baltistan, but not so as to enable the police of the Gilgit-Baltistan or such province to exercise powers and jurisdiction in such Province or the Gilgit-Baltistan without the consent of the Government of that Province or the Gilgit-Baltistan; extension of the powers and jurisdiction of members of a police force belonging the Gilgit-Baltistan or a Province of Pakistan to railway areas outside the Gilgit-Baltistan or that Province.
24. Election to the Council.
25. The salaries, allowances and privileges of the members of the Council and Advisors.
26. Railways.
27. Mineral oil natural gas; liquids substances declared by law made by the Council to be dangerously inflammable.
28. Development of industries, where development under Council control is declared by law made by Council to be expedient in the public interest.
29. Removal of prisoners and accused persons from the Gilgit-Baltistan to Pakistan or from Pakistan to the Gilgit-Baltistan.
30. Measures to combat certain offences committed in connection with matters concerning the Council and the Government and the establishment of police force for that purpose or the extension to the Gilgit-Baltistan of the jurisdiction of police force established in Pakistan for the investigation of offences committed in connection, with matters concerning the Government of Pakistan.
31. Prevention of the extension from the Gilgit-Baltistan to Pakistan or from Pakistan to the Gilgit-Baltistan of infections or contagious diseases or pests affecting men, animals or plants.
32. Boilers.

33. Electricity and bulk water storage.
34. Newspapers, books and printing presses.
35. Curriculum, syllabus, planning, policy, centers of excellence and standards of education.
36. Sanctioning of cinematography films for exhibition.
37. Tourism.
38. Forest.
39. Minerals and Mineral Wealth.
40. Duties of customs, including export duties.
41. Duties of excise, including duties on salt but not including duties on alcoholic liquors, opium and other narcotics.
42. Taxes on income other than agricultural income.
43. Taxes on corporations.
44. Taxes on the sale and purchases of goods and services imported, exported, produced, manufactured or consumed.
45. Taxes on the capital value of the assets, not including taxes on capital gains on immovable property.
46. Taxes and duties on the production capacity of any plant, machinery, under taking, establishment or installation in lieu of the taxes and duties specified in entries 42 and 43 or in lieu of either or both of them.
47. Terminal taxes on goods or passengers carried by railway or air, taxes on their fares and freights.
48. Fees in respect of any of the matters enumerated in this list, but not including fees taken in any court.
49. Jurisdiction and powers of all courts with respect to any of the matters enumerated in this list.
50. Offences against laws with respect to any of the matters enumerated in this list.
51. Inquires and statistics for the purpose of any of the matters enumerated in this list.
52. Matters which under the Act are within the legislative competence of the Council or relates to the Council.
53. Matter incidental or ancillary to any of the matters enumerated in this list.