



# The Sindh Government Gazette

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## PART-I

### SINDH INSTITUTE OF OPHTHALMOLOGY AND VISUAL SCIENCES

Hyderabad dated the 20<sup>th</sup> September, 2021.

#### **NOTIFICATION**

**No. 3399/SIOVS/(Rules)2021:-** In exercise of the powers conferred by section 24 of the Sindh Institute of Ophthalmology and Visual Sciences Act, 2013 (as amended from time to time), the Board of Directors of the Institute with the approval of Government of Sindh, are pleased to make the following rules, namely:-

1. **Short title and commencement.-** (1) These rules may be called the Institute employees (Conduct) Rules, 2021.
  - (2) They shall come into force at once.
2. **Extent of application.-** These rules apply to all employees of the Institute, whether on duty or on leave, within or outside Pakistan, or serving with other Public Sector Organizations or while on deputation with any other Government, agencies, institutions or authorities.
3. **Definitions.** (1) In these rules, unless there is anything repugnant in the subject or context,-
  - (a) "Act" means the Sindh Institute of Ophthalmology and Visual Sciences Act, 2013 (Sindh Act No.XXVI of 2013);
  - (b) "employee" means an employee of the Institute;
  - (c) "member of an employee's family" means includes -
    - (i) his wife, child or step-child, whether residing with the Institute employees or not; and
    - (ii) any other relative of the employee or his wife, when residing with and wholly dependent upon the employee, but does not include a wife legally separated from the employee, or a child or step-child who is no longer in any way dependent upon him, or of whose custody the employee has been deprived by law;

**Explanation.-** Reference to a wife in clause (i) (ii) shall be construed as references to a husband where the employee is a woman.

  - (d) "Institute" means the Sindh Institute of Ophthalmology Visual Sciences, Hyderabad;

(2) All other expressions used but not defined in these rules shall have the same meanings as assigned to them in the Act.

4. **Gifts.-** (1) Save as otherwise provided in this rule, no employee shall, except with the previous sanction of the Institute, accept, or permit any member of his family to accept, from any person any gift, the receipt of which will place him under any form of official obligation to the donor. If, however, due to very exceptional reasons, a gift cannot be refused, the same may, under intimation to the competent authority, be kept for official use in the Department or Institute in which he is working.

(2) If any question arises whether receipt of a gift places an employee under any form of official obligation to the donor, the decision of the Institute thereon shall be final.

(3) If any gift is offered by the head or representative of a foreign State, the Institute employee concerned should attempt to avoid acceptance of such a gift, if he can do so without giving offence. If, however, he cannot do so, he shall accept the gift and shall report its receipt to the competent authority for orders as to its disposal.

(4) The employee is prohibited from receiving gift of any kind for his person or for his family from diplomats, consular and other foreign Government representatives or their employees who are stationed in Pakistan. If, however, due to very exceptional reasons, a gift cannot be refused, it should invariably be deposited with the Institute.

(5) An employee, except those belonging to BPS 1 to 4, is prohibited from accepting cash awards offered by the visiting dignitaries. In case, however, it becomes impossible to refuse without causing offence to the visiting dignitary, the amount may be accepted and immediately deposited in the Accounts Branch under the proper head of account.

(6) The responsibility for reporting the receipt of a gift shall devolve on the individual recipient. All gift received by an Institute employee, irrespective of their prices, must be reported to the competent authority.

(7) The value of gifts shall be assessed by the competent authority and the monetary limits upto which and the condition subject to which, the gifts may be allowed to be retained by the recipient shall be as follows:-

- (a) gifts valued up to rupees one thousand may be allowed to be retained by the recipient;
- (b) gifts valued between rupees one thousand and five thousand may be allowed to be retained by a recipient on his paying 25% of the value of the gift in excess of rupees one thousand; and
- (c) gifts of value exceeding rupees five thousand may, be allowed to be retained by a recipient on his paying 25% of so much of the value as exceeds rupees one thousand but does not exceed rupees five thousand and 15% of so much of the value as exceeds rupees five thousand.

5. **Acceptance of foreign awards.-** No employee shall, except with the approval of the Board, accept a foreign award, title or decoration.

**Explanation:** For the purposes of this rule, the expression "approval of the Board" means prior approval in ordinary cases and ex-post-facto approval in special cases where sufficient time is not available for obtaining prior approval.

6. **Public demonstrations in honor of employee.-** No employee shall encourage meetings to be held in his honor or presentation of address of which the main purpose is to praise him.

7. **Raising of funds.-** (1) No employee may, with the previous permission of the competent authority, take part in the raising of funds to be expended for any public or charitable object connected with the name of any other employee or a person who has recently quitted the service of the Institute.

(2) When an employee takes part in the raising of fund in accordance with the provisions of sub-rule (1), he shall be required to keep regular accounts and submit them to his next higher officer for scrutiny.

8. **Gift to Clinical Faculty Members/Medical Officers.-** Subject to the departmental rules governing the question, a clinical faculty member/medical officer may accept any gift of moderate value offered in good faith by any person or body of persons in recognition of his professional services.

9. **Subscriptions.** Subject to Rule 6, no Institute employee shall, except with the previous sanction of the Institute, ask for or accept or in any way participate in the raising of any subscription or other pecuniary assistance in pursuance of any object whatsoever.

10. **Lending and Borrowing.-** (1) No employee shall lend money to, or borrow money from, or place himself under any pecuniary obligation, to, any person within the local limits of his authority or any person with whom he has any official dealings:

Provided that this rule shall not apply to dealings in the ordinary course of business with a joint stock company, bank or a firm of standing.

(2) When an employee is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess

immovable property, or carry on business within the local limits of such authority, he shall forthwith declare the circumstances to the Institute through the usual channel.

(3) Non-gazetted employee shall make the declaration referred to in sub-rule (2) to the head of their office.

(4) This rule, in so far as it may be construed to relate to loans given to or taken from co-operative societies registered under the Cooperative Societies Act, 1912 (II of 1912), or under any law for the time being in force relating to the registration of cooperative societies, by the Institute employees, shall be subject to any general or special restrictions or relaxations made or permitted by the Institute.

11. **Buying and selling of movable and immovable property.-**

(1) An employee who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value one hundred thousand rupees with any person shall apply for permission to the competent authority. When the employee concerned is himself the head of organization, he shall apply through the Chairperson. Any such application shall state fully the circumstances, the price offered or demanded and, in the case of disposal otherwise than by sale, the method of disposal. Thereafter such employee shall act in accordance with such orders as may be passed by the Board:

Provided that all transactions with a person who is an official subordinate of the Institute should be reported to the competent authority.

**Explanation.-** In this rule, the term 'property' includes agricultural or urban land, bonds, shares and securities but does not include a plot purchased for the first time for building a house from a cooperative housing society or a Institute housing scheme if any.

(2) No prior permission is necessary for buying and selling shares, bonds, saving certificate and securities through Government sponsored organizations upto the value of one hundred thousand rupees. However, the employee concerned shall have to report all such transactions in the form of a statement at the end of each year to the competent authority.

(3) An employee who intends to acquire more than one plot from one or more Cooperative Housing Societies or intends to dispose of any of plot acquired by him as such shall obtain prior permission of the Institute, as the case may be in the manner specified in rule 10 (1).

12. **Construction of building etc:** No employee shall construct a building, whether intended to be used for residential or commercial purposes, except with the previous sanction of the Institute obtained upon an application made in this behalf disclosing the source from which the cost of such construction shall be met.

13. **Declaration of property.-** (1) Every employee shall, at the time of entering into Institute employment, make a declaration to the Institute, through the usual channel, of all immovable and movable properties including shares, certificates, securities, insurance policies and jewelry having a total value of fifty thousand rupees or more belonging to or held by him or a member of his family and such declaration shall -

- (a) state the district within which the property is situated;
- (b) show separately individual items of jewelry exceeding fifty thousand rupees in value; and
- (c) give such further information as Government may, by general or special order, require.

(2) Every employee shall submit to the Institute, through usual channel, an annual return of assets.

14. **Disclosure of assets, immovable, movable and liquid.-** An employee shall, as and when he is so required by the Institute by a general or special order, furnish information as to his assets disclosing liquid assets and all other properties, immovable and movable, including shares, certificates, insurance policies, jewelry and expenses during any period specified by such order in the form specified therein.

15. **Speculation and investment.-** (1) No employee shall speculate in investments. For the purpose of this rule, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.

(2) No employee shall make, or permit any member of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties.

(3) No employee shall make any investment the value of which is likely to be affected by some event of which information is available to him as an employee and is not equally available to the general public.

(4) If any question arises whether a security or an investment is of the nature referred to in any of the foregoing rules, the decision of the Board thereon shall be final.

16. **Promotion and management of companies, etc.-** No employee shall, except with the previous sanction of the Institute, take part in the promotion, registration or management of any bank or company:

Provided that an employee may, subject to any general or special order of the Institute, take part in the promotion, registration or management of a Co-operative Society registered under the Co-operative Societies Act, 1912 (II of 1912), or under any similar law.

17. **Private trade, employment or work.-** (1) No employee shall, except with the previous sanction of the Institute, engage in any trade or undertake any employment or work, other than his official duties:

Provided that he may, without such sanction, undertake honorary work of a religious, social or charitable nature or occasional work of a literary artistic-character, subject to the conditions that his official duties do not thereby suffer and that the occupation or undertaking does not conflict or is not inconsistent with his position or obligations as an employee but he shall not undertake or shall discontinue such work if so directed by the Institute. An employee who has any doubt about the propriety of undertaking any particular work should refer the matter for the orders of the Institute.

Provided further that non-gazetted employee may, without such sanction, undertake a small enterprise which absorbs family labor and where he does so shall file details of the enterprise along-with the declaration of assets.

(2) Notwithstanding anything contained in rule 16(1), no employee shall associate himself with any private trust, foundation or similar other institution which is not sponsored by the Institute.

(3) This rule does not apply to sports activities and membership of recreation clubs.

18. **Subletting of residential accommodation allotted by Institute.-** No employee shall, except with the prior permission of the competent authority, sublet residential accommodation let to him by Institute.

19. **Employees not to live beyond his means, etc.-** No employee shall live beyond his means or indulge in ostentation on occasions of marriage or other ceremonies.

20. **Insolvency and habitual indebtedness.-** An Institute employee shall avoid habitual indebtedness. If an Institute employee is adjudged or declared insolvent or if the whole of that portion of his salary which is liable to attachment is frequently attached for debt, has been continuously so attached for a period of two years, or is attached for a sum which, in ordinary circumstances, he cannot repay within a period of two years, he shall be presumed to have contravened this rule unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control and has not proceeded from extravagant or dissipated habits. An employee who applies to be or is adjudged or declared insolvent shall forthwith report his insolvency to the competent authority.

21. **Intimation of involvement and conviction in a criminal case:** If an employee is involved as an accused in a criminal case, he shall bring the fact of such involvement or conviction, as the case may be, to the notice of competent authority immediately or, if he is arrested and released on bail, soon after such release.

22. **Unauthorized communication of official documents or information.-** No employee shall, except in accordance with any special or general order of the Institute, communicate directly or indirectly any official document or information to a Institute employee unauthorized to receive it, or to a non-official person, or to the press.

23. **Approach to members of the Assemblies, etc.-** No employee shall, directly or indirectly, approach any Member of the National Assembly or a Provincial Assembly or any other non-official person to intervene on his behalf in any matter.

24. **Management etc. of newspapers or periodicals.-** No employee shall, except with the previous sanction of the Institute, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodicals publications.

25. **Radio broadcasts or television programs and communications to the press.-** No employee shall, except with the previous sanction of the Institute or any other authority empowered by it in this behalf, or in the bona-fide discharge of his duties, participate in a radio broadcast or television program or contribute any article or write any letter, either anonymously or in his own name or in the name of any other person to any newspaper or periodical:

Provided that such sanction shall generally be granted if such broadcast or television program or such contribution or letter is not, or may not be considered likely to jeopardize the integrity of the Institute employee, the security of Pakistan or friendly relations with foreign States, or to offend public order, decency or morality, or to amount to contempt of court, defamation or incitement to an offence:

Provided further that no such sanction shall be required if such broadcast or television program or such contribution or letter is of a purely literary, artistic or scientific character.

26. **Publication of information and public speeches capable of embarrassing the Institute.-** No employee shall, in any document published, or in any communication made to the press, over his own name, or in any public utterance or television program or in any radio broadcast delivered by him, make any statement of fact or opinion which is capable of embarrassing the Institute:

Provided that technical staff (both gazetted and non-gazetted) may publish research papers on technical subjects, if such papers do not express views on political issues or on Government policy and do not include any information of a classified nature.

(2) Where an employee submits the draft of a literary, artistic or scientific article or book for obtaining previous sanction for its publication, he shall be informed within three months of his doing so whether he has or has not such sanction and, if no communication is issued to him within that period, he shall be entitled to presume that the sanction asked for has been granted.

27. **Evidence before committees: .-** (1) No employee shall give evidence before a public committee except with the previous sanction of the Institute.

(2) No employee giving such evidence shall criticize the policy or decisions of the Institute, Federal or a Provincial Government.

(3) This rule shall not apply to evidence given before statutory committees which have power to compel attendance and the giving of answers, not to evidence given in judicial inquiries.

**28. Taking part in politics and elections.-** (1) No employee shall take part in subscribe in aid of or assist in any way, any political movement in Pakistan or relating to the affairs of Pakistan.

(2) No employee shall permit any person dependent on him for maintenance or under his care or control to take part in or in any way assist, any movement or activity which is, or tends directly or indirectly to be, subversive of Government as by law established in Pakistan.

(3) No employee shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body, whether in Pakistan or elsewhere:

Provided that an employee who is qualified to vote at such election may exercise his right to vote, but if he does so, he shall give no indication of the manner in which he propose to vote or has voted.

(4) No employee shall allow any member of his family dependent on him to indulge in any political activity, including forming a political association and being its member, or to act in a manner in which he himself is not permitted by sub-rule (3) to act.

(5) An employee who issues an address to electors or in any other manner publicly announces himself or allows him to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-rule (3) to take part in an election to such body.

(6) The provisions of sub-rules (3) and (5) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of Institute Employees required or permitted by or under any law, or order of the Government, for the time being in force, to be candidates at such elections.

(7) If any question arises whether any movement or activity falls with the scope of this rule, the decision of the Institute thereon shall be final.

**29. Propagation of sectarian creeds etc.-** No employee shall propagate such sectarian creeds or take part in such sectarian controversies or indulge in such sectarian partiality and favoritism as are likely to affect his integrity in the discharge of his duties or to embarrass the administration or create feelings of discontent or displeasure amongst the employees in particular and amongst the people in general.

**30. Employee not to express views, against ideology of Pakistan.-** No employee shall express views detrimental to the ideology or integrity of Pakistan.

**31. Employee not to take part in or assist, any public demonstration against Government decisions, etc.-** (1) No employee shall take part in, or in any manner assist, any public demonstration directed against the decision of the Institute or policy or permit any member of his family dependent on him to do so.

(2) If an employee whose employment has been declared essential under Section 3 of Pakistan Essential Service (Maintenance) Act, 1958, disobeys a lawful order or abandons work without reasonable excuse or departs from any area, specified in an order of a competent authority, he can be prosecuted under the said Act and punished with imprisonment of up to one year and with fine.

**32. Nepotism, favoritism and victimization, etc.-** No employee shall indulge in provincialism, parochialism, favoritism, victimization and willful abuse of office.

**33. Vindication by employees of their public acts or character.-** An employee may not, without the previous sanction of the Institute, have recourse to any court or to the press for the vindication of his public acts or character from defamatory attacks. In granting sanction, the Institute will ordinarily bear the cost of the proceedings and in other cases leave the employee to institute them at his own expense. In the latter case, if he obtains a decision in his favor, the Institute may reimburse him to the extent of the whole or any part of the cost. Nothing in this rule limits or otherwise affects the right of an Institute employee to vindicate his private acts or character.

**34. Membership of service associations.-** No employee shall be a member, representative or officer of any association representing or purporting to represent, employee or any class of employees, unless such association satisfies the following conditions, namely: -

- (a) Membership of the association and its office bearers shall be confined to a distinct class of employees and shall be open to all employees of that class.

- (b) The association shall not be in any way connected with, or affiliated to any association which does not, or any federation of associations which do not satisfy condition(s).
- (c) The association shall not be in any way connected with any political party or organization, or engage in any political activity.
- (d) The association shall not -
  - (i) issue or maintain any periodical publication except in accordance with any general or special order of the Institute;
  - (ii) except with the previous sanction of the Institute, publish any representation on behalf of its members, whether in the press or otherwise.
- (e) The association shall not, in respect of any election to a legislative body, or to a local authority or body, whether in Pakistan or elsewhere -
  - (i) pay or contribute towards, any expenses incurred in connection with his candidature by a candidate for such election;
  - (ii) by any means support the candidature of any person for such election; or
  - (iii) undertake or assist in the registration of electors, or the selection of a candidate for such election.
- (f) The association shall not -
  - (i) maintain, or contribute towards the maintenance of, any member of a legislative body, or of any member of local authority or body, whether in Pakistan or elsewhere;
  - (ii) pay, or contribute towards, the expenses of any trade union which has constituted a fund under section 16 of the Trade Union Act, 1926 (XVI of 1926).

35. **Membership of non-political associations.-** No employee shall accept membership of any non-political association or organization whose aims and objects, nature of activities and membership are not publicly known.

36. **Use of political or other influence.-** No employee shall bring or attempt to bring political or other outside influence, directly or indirectly, to bear on the Institute or any employee in support of any claim arising in connection with his employment as such.

37. **Approaching foreign Missions and aid-giving agencies.-** No employee shall approach, directly or indirectly a foreign mission in Pakistan or any foreign aid-giving agency to secure for him invitations to visit a foreign country or to elicit offers of training facilities abroad.

38. **Delegation of power.-** The Institute, by general or special order, delegate to any officer or authority subordinate to it all or any of its powers under these rules and may, by such order, prescribe the channel through which reports shall be made to the Institute and the officers receipt by whom of such reports shall be regarded as receipt of the reports by the Institute within the meaning of these rules.

39. **Rules not to be in derogation of any law, etc.-** Nothing in these rules shall derogate from the provisions of any law, or of any order of any competent authority, for the time being in force, relating to the conduct of Institute employees.

40. **Repeal and saving.-** Any instrument(s) regulating the conduct of the employees, existing immediately before the commencement of these rules, shall stand repealed, but the repeal thereof shall not affect any action taken or anything done or suffered there under.

**EXECUTIVE DIRECTOR.**