



KHYBER PAKHTUNKHWA

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THE KHYBER PAKHTUNKHWA CULTURE AND TOURISM AUTHORITY

NOTIFICATION

Dated Peshawar the 07.10.2021.

No.DD(Admn)/KPCTA/1-18/2021. In exercise of powers conferred by section 56 of the Khyber Pakhtunkhwa Tourism Act, 2019 (Khyber Pakhtunkhwa Act No. XXVIII of 2019), the Khyber Pakhtunkhwa Culture and Tourism Authority is pleased to make the following regulations, namely:

THE KHYBER PAKHTUNKHWA CULTURE AND TOURISM AUTHORITY EMPLOYEES (CONDUCT) REGULATIONS, 2021.

PART-I PRELIMINARY

1. Short title, application and commencement

- a) These regulations may be called the Khyber Pakhtunkhwa Culture and Tourism Authority Employees (Conduct) Regulations, 2021.
- b) These regulations shall apply to all employees in the Khyber Pakhtunkhwa Culture and Tourism Authority excluding employees of the Federal Government or Provincial Government or any other authority deputed temporarily to serve in the Authority.
- c) These regulations shall come into force at once.

2. Definitions

(1) In these regulations, unless the context otherwise requires,

- (a) "Act" means the Khyber Pakhtunkhwa Tourism Act, 2019 (Khyber Pakhtunkhwa Act No. XXVIII of 2019);
- (b) "Government" or "Provincial Government" means the Government of the Khyber Pakhtunkhwa;
- (c) "employee" means a person to whom these regulations apply;
- (d) "head of the Authority" means Director General of the Authority;
- (e) "member of an employee's family" includes:-
 - (i) his wife, children and step children, parents, sisters and minor brothers, residing with and wholly dependent upon the employee; and

- (ii) any other relative of the employee or his wife when residing with and wholly dependent upon him;
 - (iii) but does not include a wife legally separated from the employee or a child or step-child who is no longer in anyway dependent upon him, of whose custody the employee has been deprived by law;
- (f) "Province" means the Khyber Pakhtunkhwa.
- (2) Reference to a wife in clause(c) sub-rule (i) shall be construed as reference to the husband where the employee is a woman.

3. No employee shall-

- (a) accept or obtain or agree to accept or attempt to obtain from any person for himself or for any other person, any gratification (other than legal remuneration) as a motive or reward such as is mentioned in section 161 of the Pakistan Penal Code; or
- (b) do or forbear to do any official act or show or forbear to show, in the exercise of his official functions, favour or disfavour to any person or render or attempt to render any service or disservice to any person, in violation or contravention of any provision of any law or rules or regulations for the time being in force, in a manner which may appear to facilitate acceptance or obtaining or agreeing to accept or attempting to obtain from any person for himself or for any other person any gratification, whatsoever, other than the legal remuneration, as a motive or reward; or
- (c) accept or obtain or agree to accept or attempt to obtain for himself or for any other person, any valuable thing without consideration or for a consideration which he knows to be inadequate, from any person whom he knows to have been, or to be likely to be, concerned in any proceedings or business transacted or about to be transacted by him, or having any connection with the official functions of himself or of any employee to whom he is subordinate, or from any person whom he knows to be interested in or related to the person so concerned; or
- (d) misappropriate, dishonestly or fraudulently, or otherwise convert for his own use or for the use of any other person any property entrusted to him or under his control as an employee or willfully allow any other person to do so; or
- (e) obtain, by corrupt, dishonest, improper or illegal means, or seek for himself or for any other person, any property, valuable thing, pecuniary advantage or undue favour; or
- (f) possess, directly or through his dependents or benamidars, any movable or immovable property or pecuniary resources, disproportionate to his known sources of income, which he cannot reasonably account for".
- (g) shall attend such functions and meetings in which Islamic moral values are not regarded or which are in violation of such values like functions of music and dancing by women etc.

4. Gift:-

- (1) Save as otherwise provided in these regulations, no employee shall, except with the previous sanction of Government, 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 the offer of a gift cannot be refused without causing undue offence, it may be accepted and delivered to Government for decision as to its disposal.

- (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 Government thereon shall be final.
- (3) If any gift, is offered by the head of representative of a foreign State, the employee concerned should attempt to avoid acceptance of such a gift, if he can do so without offending the donor. If, however, he cannot do so, he shall accept the gift and shall report its receipt to Government for orders as to its disposal.
- (4) Employees are prohibited from receiving gift of any kind for their persons or for members of their families from diplomats, counselors 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 in the E&AD.
- (5) Employees, except those drawing pay in basic pay scale 1 to 4, are prohibited from accepting cash awards offered by the visiting foreign dignitaries. In case, however, if it becomes impossible to refuse without causing offence to the visiting dignitary, the amount may be accepted and immediately deposited in the Treasury under the proper head of account.
- (6) An employee may accept gifts offered abroad or within Pakistan by institutions or official dignitaries of foreign Government of comparable or higher level; Provided that the value of the gift in each case does not exceed one thousand rupees. An employee desirous of retaining a gift worth more than one thousand rupees, can retain it on payment of the difference as evaluated under sub-rule (7). In any other case, the gift may be offered for sale.
- (7) For the purpose of sub-regulation (6), the value of the gift shall be assessed by the E&AD in consultation with the Finance Department and shall be allowed to be retained by the recipient, if it does not exceed one thousand rupees. Where the value of the gift exceeds one thousand rupees, the recipient may be allowed to retain the gift, if he so desires, on payment of a sum worked out in the following manner:-
 - a. Where the value of the gift exceeds one thousand rupees but does not exceed five thousand rupees, twenty-five percent of the value of the gift in excess of one thousand rupees; or
 - b. Where the value of the gift exceeds five thousand rupees, twenty five percent of so much of the value as exceeds one thousand rupees but does not exceed five thousand rupees plus fifteen percent of so much of the value as exceeds five thousand rupees.
- (8) The responsibility for reporting the receipt of a gift shall devolve on the individual recipient. All gifts received by an employee, irrespective of their prices or value, must be reported to the E&AD. However, the responsibility for reporting to the E&AD the receipt of gifts, including the names of recipients, from foreign dignitaries or delegations, either during their visits to Pakistan or during the visits of Pakistani dignitaries or delegations abroad, shall lie with the Chief of Protocol or his representative in the former case, and with the Ambassador concerned in the latter case. In the case of foreign delegations or visiting dignitaries with whom the Chief of Protocol is not associated, the Ministry/Department sponsoring the visit shall be responsible to supply the details of gifts, if received, and the list of recipients to the E&AD.
- (9) For the purpose of this Regulation, the report to E&AD shall be routed through the Director (Administration & Finance) of the Authority.

5. Acceptance of foreign awards:-

No employee shall, except with the approval of the Governor of Khyber Pakhtunkhwa, accept a foreign award, title or decoration.

Explanation:- For the purpose of this regulation, the expression "approval of the Governor" 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 demonstration in honour of employees or raising of funds by them:-

(1) No employee shall encourage meetings to be held in his honour or presentation of addresses of which the main purpose is to praise him.

(2) No employee shall take part in raising funds, except with the previous permission of Director Administration:-

(a) for any public or charitable purposes; or

(b) for a charitable object connected with the name of an employee or person recently quitted Government service.

7. Subscriptions:- No employee shall, except with the previous sanction of Government, 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.

8. 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 an employee may:-

(c) deal in the ordinary course of business with a joint stock company, bank or a firm of standing or the House Building Finance Corporation; and

(d) accept a purely temporary loan of small amount, free of interest, from a personal friend or the operation of a credit account with a bonafide tradesman.

(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 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, the employee shall forth-with declare the circumstances, when he is an Officer in scale 17 or above, to Director General of the Authority, and where he is an employee in scale 16 and below, to the head of his Wing.

(3) This regulation, in so far as it may be construed to relate to loans given to or taken from Cooperative Societies registered under the Cooperative Societies Act, 1927, or under any law for the time being in force relating to the registration of Cooperative Societies, by the employees shall be subject to any general or special restrictions or relaxation made or permitted by Government.

9. Declaration of property:-

(1) Every employee shall, at the time of entering service, make a declaration to the Authority of all immovable and movable properties including shares, certificates, securities, insurance policies, cash and jewelry having a total value of Rs.50,000/- (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 Rs.50,000/- (Fifty thousand rupees) in value; and
 - c. give such further information as the Authority may, by general or special order, require.
- (2) Every employee shall submit to the Authority an annual declaration of income, assets and expenses for the financial year, ending on 30th June, showing any increase or decrease of property as shown in the declaration under sub-regulation (1) or the last annual return, as the case may be." and
 - (3) Declaration of Assets Proforma shall be opened in the concerned section each year and entered into the relevant database.

10. Disclosures of assets, immovable and liquid:- An employee shall disclose all his assets, immovable as well as liquid and expenses during any period in the specified form, when required to do so by Government.

11. Speculation and Investment:-

- (1) No employee shall speculate in investments. For the purpose of this sub-regulation the habitual purchase and sale of security 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 even 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 sub-regulations, the decision of Government thereon shall be final.

12. Promotion and management of companies, etc:- No employee shall, except with the previous sanction of Government, obtained through the Authority, take part in the promotion, registration or management of any bank or company:

Provided that an employee may, subject to the provisions of any general or special order of Government, take part in the promotion, registration or management of a Cooperative Society registered under any law for the time being in force for the purpose.

13. Private trade, employment or work:-

- (1) No employee shall, except with the previous sanction of the Government, obtained through the Authority, 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 or artistic character, subject to the condition that his official duties do not thereby suffer and that the occupation or 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 Government. An employee who has any doubt about the propriety of undertaking any particular work should refer the matter for the orders of Government, through the Authority:

Provided further that employees in scale 16 and below may, without such sanction, undertake a small enterprise which absorbs family labour and where he does so shall file details of the enterprise alongwith the declaration of assets.

(2) Notwithstanding anything contained in sub-regulation (1), no employee shall associate himself with any private trust, foundation or similar other institution which is not sponsored by Government.

(3) This regulation does not apply to sports activities and memberships of recreation clubs.

14. No employee shall live beyond his means:-

No employee shall live beyond his means or indulge in ostentation on occasions of marriage or other ceremonies.

15. Insolvency and habitual indebtedness:-

(1) An employee shall avoid habitual indebtedness. If an 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 these regulations 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 was not due to extravagant or dissipated habits.

(2) An employee who applied to be or is adjudged or declared insolvent shall forthwith report his insolvency to the Head of the Authority.

16. Report by employee in case of his involvement 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 the Head of the Authority immediately or, if he is arrested and released on bail, soon after such release.

17. Unauthorized communication of official documents or information:-

No employee shall, except in accordance with any special or general order of the Authority, communicate directly or indirectly any official information or the contents of any official document to another employee not authorized to receive it, or to any other official or nonofficial person, or to the press.

18. Approach to Members of the Assemblies:-

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.

19. Management, etc. of Newspapers or Periodicals:-

No employee shall except with the previous sanction of the head of the Authority, own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.

20. Radio-Broadcast and communications to the Press:- No employee shall, except with the previous sanction of the head of the Authority, or any other authority empowered by it in this behalf, or in bona fide discharge of his duties, participate in a radio broadcast or television programme 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 programme or such contribution or letter is not, or may not be considered likely to jeopardize the integrity of the employee, the security of Pakistan or friendly relations with foreign states or to fend public order, decency or morality, or tantamount to contempt of court, defamation or incitement to an offence:

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

21. Publication of information and public speeches capable of embarrassing Government:-

- (1) No employee shall, in any document, published or any public utterance, radio broadcast or television programme, or in any other manner make any statement of fact or opinion which is capable of embarrassing the Federal Government, any Provincial Government or the Authority:

Provided that technical staff may publish research papers on technical subjects, if such papers do not express views on political issues or on policies of the Federal Government, any Provincial Government or the Authority 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.

22. Evidence before Committees:-

- (1) No employee shall give evidence before a public committee except with the previous sanction of the Authority.
- (2) No employee giving such evidence shall criticize the policy nor decision of the Federal or any Provincial Government or the Authority.
- (3) This regulation shall not apply to evidence given before statutory committees which has powers to compel attendance and the giving of answers, nor to evidence given in judicial inquiries.

23. 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 directly or indirectly, to be subversive to 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 proposes 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 himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-regulation (3) to have taken part in an election to such body.

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

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

28. 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 favouritism 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 Government employees in particular and amongst the people in general.

24. Employees not to express views against the ideology of Pakistan:-

No employee shall express views detrimental to the ideology or integrity of Pakistan.

25. Nepotism, favouritism and victimization, etc:-

No employee shall indulge in provincialism, parochialism, nepotism, favouritism, victimization or willful abuse of office.

26. Vindication by employees of their public acts or character:-

(1) An employee shall not, without the previous sanction of the Authority have recourse to any Court or to the press for the vindication of his public acts or character from defamatory attacks. When the Authority grants sanction to an employee to have recourse to a court, the Authority will ordinarily bear the cost of the proceedings, but may leave the employee to institute them at his own expense. In the latter case, if he obtains a decision in his favour, the Authority may reimburse him to the extent of the whole or any part of the cost.

(2) Nothing in this regulation limits or otherwise affects the right of an employee to vindicate his private acts or character.

27. Restriction on acceptance of membership of certain association:-

No employee shall accept membership of any association or organization.

28. 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 Authority, an employee and competent authority in support of any claim arising in connection with his employment as such.

29. Approaching Foreign Mission and Aid-Giving Agencies:-

(1) No employee shall approach, directly or indirectly a Foreign Mission in Pakistan or any foreign aid-giving agency in Pakistan or abroad to secure for himself invitations to visit a foreign country or to elicit offers of training facilities abroad.

(2) Employees should exercise great caution and restraint in the matter of social contacts with members of foreign missions working in Pakistan. They should also avoid casual remarks and observations on official matters in social gathering where foreigners are present.

(3) Officials below the level of Director General should not receive officials of foreign missions, except with the express permission of the Director General.

(4) Employees are prohibited from contacting or making direct approaches to foreign missions in Pakistan in connection with their private business. All such approaches should be made through proper channel i.e through Chief of Protocol of the Ministry of Foreign Affairs.

(5) Invitations extended by Foreign Missions on the occasions of their National days may be accepted after obtaining permission from Director General.

- (6) The participation of officers below the status of Director General in private functions arranged by foreign diplomats should generally be discouraged.
- (7) Repeated and frequent attendance by officers at private functions held by the same foreign diplomat must be avoided.
- (8) As a general rule, only those officers who come into official contact with the foreign diplomat concerned should accept invitations.

30. Standards for use of Digital and Social Media.---

No employee shall use Social Media to discuss or share information on issues relating to the business of the Government and the Authority:

Provided that the Social Media may, if required, be used with the prior approval of the Director General for disseminating information for better governance.

31. Regulations not to be in derogation of any law:-

Nothing in these regulations shall derogate from the provisions of any law, for the time being in force, relating to the conduct of employees.

Sd/-xxx
DIRECTOR GENERAL
Khyber Pakhtunkhwa Culture
& Tourism Authority