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GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

No. 10/14/2008-R-2.

Islamabad, the 7th March, 2008.

OFFICE MEMORANDUM

SUBJECT:- REFERENCES TO ESTABLISHMENT DIVISION FOR ADVICE

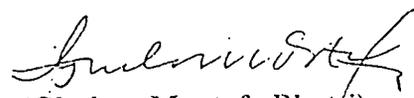
It has been noticed that in some cases Ministries/Divisions make unnecessary references without involving any fresh point requiring advice/views/comments from the Establishment Division. Attention is therefore invited to this Division's O.M.No. 8/11/98-R-3, dated 16.3.1998 (copy enclosed) on the above subject and to state that it was clarified in the aforesaid O.M. that Establishment Division is concerned with the interpretation of Civil Servants Act, 1973 and Rules made thereunder other than those framed by the Finance Division.

2. It has been observed that in many cases references are made to Establishment Division for advice without proper examination of the case in the referring Department and without specifying the point requiring advice. In order to avoid wastage of time in unnecessary correspondence, it is imperative that before making a reference to Establishment Division, the facts of the case and the relevant rules/regulations already available on the subject should be thoroughly studied/examined in the referring Division. In departments which have a Legal/Regulation Wing, it should also be consulted. If after taking action on the lines suggested above it is felt that some points still require clarification/advice from Establishment Division, a self-contained note may be sent to Establishment Division after obtaining approval of an officer of the referring department not below BS-20 and ensuring that the documents relied upon in the referring note are invariably enclosed containing the following information:-

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- i) The facts of the case;
- ii) The position of law and rules which have a bearing on the case;
- iii) The point requiring decision/advice; and
- iv) The views of the referring Department.

3. Ministries/Divisions are requested that in future references to the Establishment Division may be made in accordance with the instructions already contained in this Division's O.M. referred to at para 1 above. In case of further reference the O.M should clearly indicate that it has the approval of Secretary/Additional Secretary Incharge of the Division. The references not made in the manner prescribed in this Division's O.M. referred to above shall not be entertained.


(Ghulam Mustafa Bhatti)
Deputy Secretary

**All Secretaries/Additional Secretaries
Incharge of the Ministries/Divisions,
Islamabad/Rawalpindi**

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GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

No.8/11/98-R.3

Islamabad, the 16th March, 1998.

OFFICE MEMORANDUM

SUBJECT:- REFERENCES TO ESTABLISHMENT DIVISION FOR ADVICE.

The undersigned is directed to say that in many cases references are made to Establishment Division for advice without proper examination of the case in the referring Department and without specifying the point requiring advice. In order to avoid wastage of time in unnecessary correspondence, it is necessary that before making a reference to Establishment Division, the facts of the case and the relevant rules/regulations already available on the subject should be thoroughly studied/examined in the referring Division. In departments which have a Legal/Regulation Wing, it should also be consulted. If after taking action on the lines suggested above it is felt that some point still requires clarification/advice from Establishment Division, a self-contained note may be sent to Establishment Division which should contain the following information:-

- (i) The facts of the case;
- (ii) The position of law and rules which have a bearing on the case;
- (iii) The point requiring decision/advice; and
- (iv) The views of the referring Department.

Contd.P/2..

2. Such references should be made after obtaining approval of an officer of the referring Department not below Grade-20.

3. It should be ensured that important documents relied upon in the referring note are invariably enclosed.

4. It has also been noticed that in some cases references are made to Establishment Division with priority marking after abnormal delay in the referring Department. It may please be appreciated that some minimum time is required for proper examination of any reference in the Establishment Division. It is, therefore, necessary that reference for seeking advice of Establishment Division should be made at the earliest opportunity.

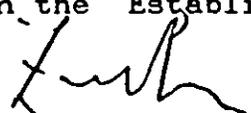
5. All Ministries and Divisions are requested to kindly ensure that references to Establishment Division are made in the light of the above instructions.

All Ministries/Divisions.

Copy forwarded to all officers in the Establishment Division.


(M. Ramizul Haq)
Senior Joint Secretary

16/3/98


(Zarmast Khan Khattak)
Deputy Secretary

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION
(Regulation Wing)

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No.8/11/98-R.3

Islamabad, the 30th August, 2001.

MEMORANDUM

Subject: REFERENCES TO ESTABLISHMENT DIVISION FOR ADVICE.

In March, 1998, the Establishment Division (Regulation Wing) - vide its O.M. of even number dated 16th March, 1998 - had issued guidelines/instructions on the subject cited above. A copy of this O.M. is enclosed for ready reference.

2. It has, however, recently been observed that a lot of references are being received in Establishment Division (Regulation Wing) which are not in accordance with the guidelines/instructions appearing in the enclosed O.M. Naturally, such references are returned back to the referring Ministries/Divisions etc. for being re-submitted in the prescribed format. This results into unnecessary correspondence between the Establishment Division and the referring Ministry/Division and consequent wastage of time and energy. Needless to say that making reference to Establishment Division (Regulation Wing) in the format prescribed vide enclosed O.M. is more in the interest of the referring Ministry/Division and if, the very first reference from a Ministry/Division to the Establishment Division (Regulation Wing) is received in the prescribed manner (and contains all the relevant information), the Establishment Division (Regulation Wing) is very likely to process the case and tender necessary clarification/advice to the referring Ministry/Division at the earliest possible. As such, it is requested that - in the interest of both the referring Ministry/Division and the Establishment Division - all future references to Establishment Division (Regulation Wing) may kindly be made according to the format prescribed vide the enclosed O.M.

3. It is also relevant to point out here that a fairly large number of references are received in this Division (Regulation Wing) which are signed by a Section Officer or a Deputy Secretary without indicating therein the level of the officer (viz BPS-20 and above) who decided to make the reference to the Establishment Division. As such, keeping in view the instructions contained in para 2 of the enclosed O.M., it is requested that, in all future references, the referring officers - if they happen to be officers below BPS-20 - MUST mention that the reference in question has been made after obtaining approval of an officer of the concerned Ministry/Division/Department etc. not below BPS-20.


(NASEER UDDIN)
Joint Secretary

All Ministries/Divisions