

**THE LAHORE MUSEUM EMPLOYEES (EFFICIENCY & DISCIPLINE)  
REGULATIONS, 1987**

**1. Short title Commencement & Application.-** (1) These Regulations may be called the Lahore Museum Employees (Efficiency & Discipline) Regulations, 1987.

(2) They shall come into force at once and apply to all the employees.

**(2) Definitions.-** (1) In these Regulations:-

- (a) "Accused" means an employee against whom action is taken under these regulations;
- (b) 'Authority' means an authority designated to act as such, in Schedule 'A' to the Regulations. If the authority is personally involved or interested in the results of the proceedings, under the Regulations, <sup>1</sup>[or for any other reason to be recorded in writing], some other person may be appointed by the Board in cases relating to BS-19 or above and by Chairman in other cases;
- (c) "Misconduct" means conduct prejudicial to good order or service discipline or contrary to the West Pakistan Government Servants (Conduct) Rules, 1966, as applicable to the Province of the Punjab or conduct unbecoming of an officer and a gentleman/lady;
- (d) "Penalty" means a penalty which may be imposed under these Regulations;
- (e) "Service" means the Lahore Museum Service.

**(3) Grounds for penalty.-** An employee, who:-

- (a) is inefficient or has ceased to be efficient; or
- (b) is guilty of misconduct; or
- (c) is corrupt, or may reasonably be considered corrupt because:-
  - i. he is, or any of his dependents or any other person through him or on his behalf, is in possession of pecuniary resources of income which he cannot reasonably account for; or
  - ii. he has assumed a style of living beyond his ostensible means; or
- (d) is engaged, or is reasonably suspected of being engaged in subversive activities, or is reasonably suspected of being associated with other engaged in subversive activities or is guilty of disclosure of official secrets to any unauthorized person, and his retention in service is prejudicial to national security.

shall be liable to be proceeded against under these Regulations and one or more of the Penalties herein after mentioned may be imposed on him.

**(4) Penalties.-** (1) The following are the penalties, namely:-

---

<sup>1</sup>Added vide 33<sup>rd</sup> BOGs meeting in Item No. 13.

- i. censure;
  - ii. withholding of Annual increment;
  - iii. recovery of the whole or any part of any pecuniary loss caused to the Museum by willful negligence or breach of orders from the salary and other dues of an employee;
  - iv. reduction to a lower grade or post except of the employees promoted on probation;
  - v. compulsory retirement;
  - vi. removal from service; and
  - vii. dismissal from service.
- (2) In this Regulation, removal or dismissal from service does not include the termination of service of an employee:-
- (a) appointed on probation;
  - (b) appointed, otherwise than under a contract, to hold a temporary appointment, on the expiration of the period of appointment; or
  - (c) engaged under a contract, in accordance with the terms of the contract.

**(5) Initiation of Proceedings.-** If in the opinion of the authority, there are sufficient grounds for proceeding against an employee, it shall:-

- (1) In case where an employee is accused of subversion, corruption or misconduct, he may be placed under suspension by the authority or he may be required by him to proceed on leave, provided that any continuation of such leave or suspension shall require approval of the next higher authority after every three months;
- (2) If the authority decides that it is not necessary to have an enquiry conducted against the accused, it shall:-
  - (a) by order, in writing, inform the accused of the action proposed to be taken with regard to him and the grounds of the action; and
  - (b) give him a reasonable opportunity of showing cause against that action;

Provided that no such opportunity shall be given where the authority is satisfied that in the interest of the security of Pakistan or any part thereof it is not expedient to give such opportunity.

- (3) On receipt of notice under sub regulation (1) the accused may submit an explanation in writing in a temperate and dignified language and no allegation of personal or malicious nature shall be made.
- (4) On receipt of the explanation, if any, the authority shall determine whether the charge has been answered satisfactory. If it decides that the explanation is not satisfactory, it may after affording him an opportunity of personal hearing impose one or more penalties prescribed in these Regulations.

- (5) If under Sub-Regulation (2) the authority considers that an inquiry is necessary, he shall appoint an Inquiry Officer or Inquiry Committee consisting of two or more persons who or one of whom shall be of the rank senior to that of the accused or if there are more than one accused, senior to all the accused.

**(6) Procedure to be observed by the Inquiry Officer and Inquiry Committee.-** Where an Inquiry Officer is appointed or Inquiry committee is constituted, the authority shall:-

- (1) Frame a charged sheet and communicate it to the accused with statement of allegations explaining the charge and any other relevant circumstances which are proposed to be taken into consideration and require the accused within a reasonable time which should not be less than 7 days or more than 14 days from the date the charge has been communicated to him to put a written defense directly before the Inquiry Officer or the Committee as the case may be;
- (2) The authority shall immediately after communicating the charge to the accused forward such record or copies thereof and such other material as is necessary for the conduct of inquiry to the Inquiry Officer or the Inquiry Committee as the case may be;
- (3) On receipt of the record and the explanation of the accused referred to in sub-Regulation (2), the Inquiry Officer or the Committee, as the case may be, shall inquire into the charge and may examine such oral and documentary evidence in support of the charge or any defense of the accused, as may be considered necessary. When any witness is produced by one party the other party shall be entitled to cross-examine that witness;
- (4) If the accused fails to furnish its explanation within the period prescribed, the Inquiry Officer or the Committee, as the case may be, shall proceed with the Inquiry;
- (5) The Inquiry Officer or the Committee, as the case may be, shall hear the case from day to day and no adjournment shall be given, except in very rare cases and for reasons to be recorded in writing;
- (6) Where the Inquiry Officer or the Committee, as the case may be, is satisfied that the accused is hampering or attempting to hamper the progress of the inquiry he or it shall administer a warning and if, thereafter he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the inquiry in such manner as he or it thinks best suited to do substantial justice;
- (7) If the accused absents himself from the inquiry on medical grounds, he shall be deemed to have hampered or attempted to hamper the progress of the inquiry, unless medical leave, applied for by him is sanctioned on the recommendation of Medical Officer. Where, in view of the serious condition of the accused it may not be possible for him to appear before the Medical Officer, the Medical Officer shall examine

him at his residence of which complete address must always be given in the leave application and at which he must be available.

Provided that the authority may, in its discretion sanction medical leave up to seven days without the recommendation of the Medical Officer.

- (8) The Inquiry Officer or the Committee, as the case may be, shall, within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authority submit his or its findings and the grounds thereof to the authority;
- (9) On the receipt of the record and the report of Inquiry Officer or Inquiry Committee, the authority shall determine whether the charge has been proved. If it considers that the charge has been proved, it shall pass such orders as it deems fit; but before imposing a penalty, the authority shall afford the accused an opportunity of being heard in person either before himself or before an officer senior in rank to the accused, designated for the purpose.

**(7) Representation by a Lawyer.-** No party to any proceeding under these Regulations before the Authority, the Authorized Officer, an Enquiry Committee or Appellate Authority shall be represented by a Lawyer.

**(8) Certain Regulations not to Apply in Certain Cases.-** (1) Where an employee convicted of an offence involving moral turpitude which has led to a sentence of fine or imprisonment he may, after being given a show cause notice, be dismissed/removed from service or reduced in rank without following the procedure laid down in these Regulations;

(2) Where the authority is satisfied that, for reason to be recorded in writing, it is not reasonably practicable to give the accused an opportunity of showing cause, it may impose any of the penalties without following the procedure laid down in these Regulations.

**(9) Procedure of Inquiry against Government Servants lent to the Museum.-** Where the services of any Government Servant hereinafter referred to as the "Leave Authority" are lent to the Museum the authority shall have powers to place him under suspension or require him to proceed on leave and to initiate proceedings and conduct inquiry against him under these Regulations.

Provided that the authority shall forthwith inform the Lending Authority of the circumstances leading to the order of his suspension or the commencement of the proceedings, as the case may be;

Provided further that the authority shall obtain the approval of the Lending Authority before taking any action under these Regulations against an employee holding a post in BS-17 or above.

(2) If, in the light of the findings of the inquiry the authority is satisfied that any one or more of the penalties should be imposed on the accused he may with the prior approval of the Lending Authority impose one or more of the penalties.

**(10) Power to order Medical Examination as to Mental or Physical Infirmary.-**

(1) where it is proposed to proceed against an employee on the ground of inefficiency by reasons of infirmity of mind or body, the authority may, at any stage require the employee to undergo medical examination by such a Medical Officer or the Medical Board as the authority may appoint/approve for this purpose and the report of such officer or the Medical Board as the case may be shall form part of the proceedings.

2) if an employee refuses to undergo such an examination, his refusal may, subject to the consideration, of such grounds as he may give in support of it, be taken into consideration against him as showing that he had reason to believe that the result of the examination would prove unfavorable to him.

**11. Special Powers of the Chairman:** Notwithstanding anything contained in these Regulations the Chairman shall have the authority to proceed against any employee under these Regulations.

Provided that in case of employees in BS-19 and above the explanation of the accused when received under regulations 5(5) shall be forwarded with the recommendation of the Chairman to the Board. Likewise if an Inquiry Officer has been appointed or Inquiry ordered through an Inquiry Committee, the findings with the recommendation of the Chairman shall be submitted to Board, which in either case will pass such orders as it deems fit.

#### **IV—APPEAL APPEAL, REVIEW AND REVISION**

**12. Appeal against Penalty.-** Any employee on whom a penalty has been imposed under these Regulations, except where the penalty has been imposed by the Board, may within 30 days from the date of the communication of the order, appeal to the authority prescribed in the Regulations.

Provided that if the appellate authority is satisfied that there is sufficient ground for condonation of delay it may entertain the appeal at any time.

**13. Petition of Appeal.-** Every appeal preferred under these Regulations shall be made in the form of a petition, in writing, and shall set forth concisely the grounds of appeal and shall not contain irrelevant material or disrespectful or improper language and shall be filed with the authority which passed the original orders. The authority receiving the appeal, shall forward the same along with the comments within a fortnight, to the appellate authority.

**14. Determination of Appeal.-** (1) The appellate authority shall cause notice to be given to the <sup>2</sup>appellant and the authority imposing penalty of the time and place at which such appeal shall be heard. The appellate authority may send for the record of the case, if such record is not already with it. After perusing such record and hearing the appellant, if he appears, the appellate authority may, if it considers that there is no sufficient ground for interfering, dismiss the appeal or may:-

- (a) reverse the finding and acquit the accused, or
- (b) order and direct that further or fresh inquiry be made; or

---

<sup>2</sup> Printed in the Notification as "appellate"

- (c) alter the findings maintained the penalties or without altering the finding, reduce the penalty;
  - (d) subject to the provisions of sub-Regulation of this Regulation, enhance the penalty.
- (2) When the appellate authority proposes to enhance the penalty, it should:-
- (i) by order, in writing, inform the accused of the action proposed to be taken and the grounds of action; and
  - (ii) give him a reasonable opportunity to show cause against that action.
  - (iii) during the hearing of an appeal, the appellate authority, if it thinks that additional evidence is necessary for meeting the ends of justice, may either take such evidence itself or direct or authorize any officer subordinate to it. After such evidence has been taken, the appellate authority shall thereupon proceed to dispose of the appeal.

**15. Review and no appeal in certain cases.-** Where the original order has been passed by the Board, no appeal shall lie. A review petition shall, however, lie to the Board within 30 days of the communication of the order and the Board may, in its discretion, accept or reject it.

Provided that it shall not be necessary for the Board to afford the accused an opportunity to be heard in person, except where the Board proposes to enhance the penalty, in which case it shall, by order in writing, inform the accused of the action proposed to be taken and the grounds of the action and give him a reasonable opportunity to show cause against that action.

**16. Revision.-** (1) The Board in case of employees in BS-19 and above, and Chairman in all other cases may *suo moto* call for and examine the record of any proceedings before any authority for the purpose of satisfying as to the correctness, legality or propriety of any proceedings, penalty or order recorded or passed and as to the regularity of any proceedings of such authority.

(2) On examining any record under this Regulation, the Board/Chairman may direct the authority to make further inquiry into, the charges of which the accused has been acquitted and discharged, and may, in its discretion exercise any of the powers conferred on an appellate authority.

Provided further that an order imposing punishment shall not be revised after the lapse of a period of three months from the date of its communication to the accused, if no appeal is preferred.

(3) Any employee against whom action was taken or proceedings initiated before the enforcement of these Regulations shall be governed by the Lahore Museum Employees (Efficiency and Discipline) Regulations, 1987.

**SCHEDULE "A"**  
**AUTHORITY FOR IMPOSING PENALTY AND**  
**HEARING AND DECIDING APPEALS**

Sr. No.	Class of Pont BS.	Authority Competent to Impose penalty under these Regulations.	Appellate Authority.	Authority Competent for Suo Moto revision.	Authority Competent to review.
1.	19 & above.	Board	Board	Board	Board
2.	17 & 18	Chairman	Board	Board	X
3.	11 to 16	Director	Chairman	Chairman	X
4.	5 to 10	<sup>3</sup> [Additional Director	Director	Chairman	X
5.	1 to 4	Administrative Officer	Additional Director	Chairman	X

---

<sup>3</sup>Re-designated as Additional Director vide 51<sup>st</sup> BOGs meeting Item No.05